Order to the City of Stirling under section 76(1) of the Act

1. I, the Hon Rita Saffioti MLA, Minister for Planning, pursuant to section 76 of the Planning and Development Act 2005, order the City of Stirling to adopt an amendment to Local Planning Scheme No. 3 as outlined in the representation by Burgess Design Group dated 12 January 2017 in the following manner:

(i). Amend Schedule 4 - Special Use zones in the Scheme Text by including Lots 109 and 110 Glendale Avenue, Lots 111-117, 204, 120-129 Beach Road, and Lot 2 Erindale Road, Hamersley as follows:

<table>
<thead>
<tr>
<th>NO.</th>
<th>DESCRIPTION OF LAND</th>
<th>SPECIAL USE ZONE</th>
<th>CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>S28</td>
<td>Lots 109 and 110 Glendale Avenue, Lots 111-117, 204, 120-129 Beach Road, and Lot 2 Erindale Road, Hamersley</td>
<td>Mixed Use and Residential R-AC0</td>
<td>a. Notwithstanding Condition 2 in Table 1 - Zoning Table, residential development permitted on ground floor fronting the street. b. All non-residential development, or residential development in excess of R20 density is conditional on the amalgamation of a minimum of two lots or a minimum lot size of 1500m². c. All development shall provide a mandatory residential component of a minimum of 50% of the total plot ratio area of the development. d. A maximum “Shop” net lettable area of 300m² per development site. e. All development shall comply with: i. a maximum building height of three storeys, excluding land within 20m of the Glendale Avenue or Erindale Road street boundaries; ii. a maximum building height of four storeys on land within 20m of...</td>
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</table>
the Glendale Avenue or Erindale Road street boundaries;

iii. a minimum building setback of 6m from an abutting Residential zone for one and two storey buildings;

iv. a minimum building setback of 9m from an abutting Residential zone for buildings above two storeys in height; and

v. the provision of landscaping with a minimum width of 2m along the lot boundary abutting a Residential zone.

f. The power conferred by clause 5.5.1 of the Scheme shall not apply to Condition e. above.

(ii). Amend the Scheme Map by rezoning Lots 109 and 110 Glendale Avenue, Lots 111-117, 204, 120-129 Beach Road and Lot 2 Erindale Road, Hamersley from Residential to Special Use, and removing the R20 code.

2. The City of Stirling is to comply with this order within 60 days of the date of the order.

Signed this 13th day of November 2017

HON RITA SAFFIOTI MLA
MINISTER FOR PLANNING
Planning and Development Act 2005

Order to the City of Stirling under section 76(1) of the Act

Reason for Decision

I, the Hon Rita Saffioti MLA, Minister for Planning, am satisfied on representation by Burgess Design Group dated 12 January 2017 that the City of Stirling has failed to amend its Local Planning Scheme No. 3 where such an amendment ought to be initiated, for the following reason:

1. I consider the proposed amendment is in keeping with the principles for increasing residential densities and intensity of development adjoining activity centres consistent with Directions 2031 and Beyond and State Planning Policy 4.2 - Activity Centres for Perth and Peel. Accordingly, it is appropriate for the proposed amendment to be advertised for public submissions and for further detailed assessment to be undertaken through the local planning scheme amendment process.

Signed this 13th day of November 2017

HON RITA SAFFIOTI MLA
MINISTER FOR PLANNING