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Transmission via electronic mail to: ceo@boddington.wa.gov.au

Dear Sir/Madam

EXTENSION OF APPROVAL PERIOD - LOT 9001 FORREST STREET AND RIVER ROAD BODDINGTON STRUCTURE PLAN

Pursuant to clause 28 (2), Part 4, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Western Australian Planning Commission on 14 June 2024, approved an extension to the approval period for the Lot 9001 Forrest Street and River Road Boddington Structure Plan for a further period of ten years, now expiring on 18 December 2035.

It is also advised that with the introduction of the Shire of Boddington Local Planning Scheme No. 3 (LPS 3), Section 1.5.1 of the Structure Plan is now of no effect, as Table 4, Special Use 1 (SU1), Condition 1 in LPS 3 now prevails.

Following the State Administrative Tribunal decision of *RICHARDSON and CITY OF SWAN* [2022] WASAT 17, the expiration date of a structure plan approved after 19 October 2015 is calculated from the date that the decision was communicated/distributed to the applicant. Therefore, the abovementioned structure plans original expiry date was 18 December 2025, and the approved extension period has been calculated from this date.

A copy of the current approved structure plan is attached to this emailed correspondence.

Yours sincerely



Ms Sam Boucher
Secretary
Western Australian Planning Commission

20 June 2024

LOCAL STRUCTURE PLAN MODIFICATION 1

*Lot 9001 Forrest Street and River Road,
Boddington*

Shire of Boddington, Western Australia

Prepared For:
Absinth Pty Ltd
November 2015

SHIRE OF
BODDINGTON
RECEIVED

06 NOV 2015

Distribution

- DCS DSP MINS
 PEHO FM CEO
 MWS TPC MCS

File No 1509292
Date _____
Initial _____



(the spatial group)

planning + design

thespatialgroup.com.au

**LOT 9001 FORREST STREET AND RIVER ROAD,
BODDINGTON**

SHIRE OF BODDINGTON, WESTERN AUSTRALIA

LOCAL STRUCTURE PLAN: MODIFICATION 1

NOVEMBER 2015

Issue 3: post WAPC endorsement

Prepared for:	Absinth Pty Ltd
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Job code:	ABS 9001
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Issue No:	3
Revision No:	-

ENDORSEMENT PAGE

This structure plan is prepared under the provisions of the Shire of Boddington Town Planning Scheme No. 2.

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

13 October 2015

In accordance with Schedule 2, Part 4, Clause 28 (2) and refer to Part 1, 2. (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

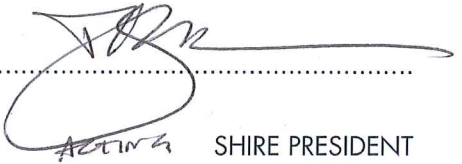
Date of Expiry:

18 December 2035

**FORMAL ADOPTION OF THE LOT 9001 FORREST STREET AND RIVER ROAD BODDINGTON
LOCAL STRUCTURE PLAN**

SHIRE OF BODDINGTON FINAL APPROVAL

Adopted for final approval, pursuant to clauses 7.2.9.1 and 3.4 and Appendix 4 – Special Use Zone 1 of the Shire of Boddington Local Planning Scheme No. 2, by resolution of the Council of the Shire of Boddington at the meeting held on the 15th day of JULY 2014.


.....
SHIRE PRESIDENT


.....
CHIEF EXECUTIVE OFFICER

WESTERN AUSTRALIAN PLANNING COMMISSION ENDORSEMENT

Endorsed, pursuant to clause 7.2.10.2 of the Shire of Boddington Local Planning Scheme No. 2, by resolution of the Western Australian Planning Commission on the _____ day of _____ 20____.

Signed for, and on behalf of, the Western Australian Planning Commission

.....

by an officer of the Commission duly authorised by the Commission for that purpose.



ADOPTION
 Following Council agreement on 13 July 2014 subject to modifications, this Subdivision Guide Plan is adopted under delegation by the Chief Executive Officer under clause 3.4.1 of the State of Botswana Local Planning Scheme No. 2.

[Signature]
 CHIEF EXECUTIVE OFFICER

18/Jul/14
 DATE

ENDORSEMENT
 This Subdivision Guide Plan was endorsed by resolution of the Western Australian Planning Commission and is signed for, and on behalf of, the Western Australian Commission.

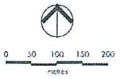
an officer of the Commission duly authorized by the Commission pursuant to section 13 of the Planning and Development Act 2005 for that purpose.

DATE _____

- | |
|---|
| <ul style="list-style-type: none"> Structure Plan Boundary Residential R20/R40 Residential R12 Residential R12.5 Special Residential (R5) Special Residential (R2) Rural Residential (R9000/1-11g) Rural Residential Public Purpose POS 8m Wide Emergency (Public) Access Road / Pedestrian Access Way (Refer to enclosed Fire Management Plan) 25.5m Corridor 150m Rubbish Tip Buffer Public Lookout Landscape Protection Areas Landscape Protection Area - Remnant Vegetation Heritage Possible Future Road Connections Basaltic Mining Buffer Sewer Pump Station (Subject to Detailed Design) High Level Water Tank & Horizontal Ha Site (Subject to Detailed Design) Future Water Corporation Water Main (Subject to Detailed Engineering Design & Survey) Indicative Road Network (Subject to Council / WAFC Approval) |
|---|



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Lot 9001 Forrest Street & River Road, BODDINGTON LOCAL STRUCTURE PLAN: MODIFICATION 1

Client	: Abaloh Pty Ltd
Plan No.	: 9001-SP
Revision	: Revision 2
Date	: 21 August 2015
Drawn	: BDA
Scale	: 1:3,000(A1); 1:10,000 (A3)

**RECORD OF AMENDMENTS MADE TO THE LOT 9001 FORREST STREET AND RIVER ROAD
BODDINGTON LOCAL STRUCTURE PLAN**

MODIFICATION NO.	DESCRIPTION OF AMENDMENT	DATE OF COUNCIL/WAPC ENDORSEMENT

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PLAN

PLAN 1	LOT 9001 FOREST STREET & RIVER ROAD, BODDINGTON LOCAL STRUCTURE PLAN: MODIFICATION 1
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1. PART 1 – STATUTORY SECTION

1.1 STRUCTURE PLAN AREA

The Structure Plan shall apply to Lot 9001 Forrest Street and River Road, Boddington.

1.2 STRUCTURE PLAN CONTENT

The Structure Plan consists of a structure plan map and statutory planning provisions and requirements.

1.3 INTERPRETATION AND RELATIONSHIP WITH THE SCHEME

Unless otherwise specified in this part, the words and expressions used in the Structure Plan shall have the respective meanings given to them in the Shire of Boddington Local Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

The Structure Plan map outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under the Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

Pursuant to clauses 7.2.5 – 7.2.15, clause 3.4 and Appendix 4 – Special Use Zone 1 of the Scheme:

- a) The provisions, standards and requirements specified in the Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of the Structure Plan, then the provisions, standards or requirements of the Scheme shall prevail; and
- b) Any other provision, standard or requirement of the Structure Plan that is not otherwise contained in the Scheme, shall apply to the Structure Plan area as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme.

1.4 OPERATION

In accordance with clause 7.2.12 of the Scheme, this structure plan shall come into operation when it is either endorsed by the Western Australian Planning Commission (WAPC) pursuant to clause 7.2.12.1(a) of the Scheme or adopted, signed and sealed by the Council pursuant to clause 7.2.12.1(b) of the Scheme, whichever is the latter.

1.5 LAND USE AND SUBDIVISION

Development and subdivision within the Structure Plan area shall generally be in accordance with the endorsed Structure Plan.

1.5.1 LAND USE DEFINITIONS

Land use definitions shall have the respective meanings given to them in the Scheme.

Land uses definitions applicable to the Structure Plan, not listed in the Scheme, are outlined as follows:

Lifestyle village means development (other than a park home park) containing accommodation for aged persons with associated ancillary administration and communal facilities.

1.5.2 LAND USE PERMISSIBILITY

Land use permissibility within the Structure Plan area shall be in accordance with clause 3.2 of the Scheme and the related zoning table of the Scheme.

- a) Lifestyle Village – as defined above, is an SA use within the Residential zone identified on the Structure Plan, meaning that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 6.4 of the Scheme, and is an X use over the balance of the site.
- b) Where land is identified as Residential R20/40, the higher residential density coding applies (only) to applications proposing grouped dwellings.

1.5.3 RURAL RESIDENTIAL

Lots zoned Rural Residential (9900m² to 1ha) shall achieve a minimum lot area ranging between 9900m² and 1ha.

1.5.4 RURAL RESIDENTIAL

Lots within the Rural Residential zone shall achieve a minimum lot area of 1ha and range in area from 1ha to 4ha. Larger lots may be necessary in some portions of the site, particular in Landscape Protection Areas and accordingly lot sizes shall be determined through the subdivision application process, following further assessment of topographic constraints, remnant vegetation and visual impacts.

1.5.5 PUBLIC OPEN SPACE

The landowner/applicant shall provide a written undertaking, to the satisfaction of the Western Australian Planning Commission, to advise prospective purchasers of the provisions of the local government's planning scheme that relate to the use and management of the land, as a condition of subdivision approval.

In particular, any prospective purchasers are to be made aware of public open space requirements, the distribution of public open space throughout the structure plan area and the possibility that some lots will need to cede more/less land for public open space than other lots within the Structure Plan area.

1.5.6 BUILDING ENVELOPES

- a) Building Envelopes shall be prescribed for each proposed Rural Residential lot that does not contain a cleared area of at least 2000m².
- b) Where a building envelope has been prescribed for a lot, all buildings (including outbuildings) on the lot must be located within the building envelope for that lot, as shown on an endorsed local development plan.
- c) The Shire of Boddington may permit a variation to the building envelope shown on the endorsed local development plan in accordance with clause 7.2.15 of the Scheme, where it is satisfied that for reasons of topography or landscape preservation, such a variation will not adversely affect the amenity of the area.

1.5.7 NATURAL RESOURCE MANAGEMENT

- a) Within Rural Residential or Special Residential areas and/or within the Landscape Protection Area, all existing trees, or groups of trees, shall be retained unless their removal is authorised by the Shire of Boddington for any of the following purposes:
 - i. subdivision works;
 - ii. residential development and associated outbuildings;
 - iii. firebreaks and Building Protection Zones (consistent with an endorsed Bushfire Management Plan or Shire of Boddington Firebreak Notice);
 - iv. removal of trees which are dead, dying or diseased and/or those which are, in the opinion of the Shire of Boddington, unsafe.
- b) Within the Landscape Protection Areas shown on the endorsed Structure Plan, no clearing is permitted unless in accordance with clause 1.5.7(a) above.
- c) Where lots contain drainage lines, appropriate buffers shall be identified for on-site effluent disposal systems to the satisfaction of the Shire of Boddington.

1.5.8 SERVICING

- a) All lots shall be connected to a reticulated potable water service, unless the building site sits less than 15m below the level of the Water Corporation's High Level Water Tank.
- b) In areas less than 15m below the level of the Water Corporation's High Level Water Tank that cannot connect to a reticulated water service, lots shall provide an on-site water supply in accordance with the *Shire of Boddington Local Planning Policy No. 4: Rural Residential Lots and*

Water Supplies, WAPC Development Control Policy No. 3.4: Subdivision of Rural Land and the requirements of the approved bushfire management plan.

- c) Subdivision applications proposing lots above 265m AHD may trigger the need for the provision of a ground level water tank and other associated infrastructure to provide adequate mains pressure to consumers, subject to clause 1.5.8(a) above. The notional High Level Water Tank location and 1ha+ site illustrated on the Structure Plan are subject to detailed design and approval of the Water Corporation. Applicants proposing lots above 265m AHD should liaise with the Water Corporation prior to the lodgement of an application for subdivision.
- d) All lots below 2000m² in area shall be connected to a reticulated sewer service.
- e) On-site effluent disposal systems shall be provided to the satisfaction of the Shire of Boddington at the time of house construction. The Shire of Boddington will require alternative treatment units for those lots where geotechnical investigations reveal limitations for conventional on-site effluent disposal systems.
- f) Arrangements are to be made, to Western Power's specifications, for the provision of an underground power supply to all lots.

1.5.9 ADDITIONAL PLANS, REPORTS AND/OR STRATEGIES REQUIRED

1.5.9.1 Prior to subdivision approval

Prior to conditional subdivision approval being granted, the following plans, reports and/or strategies are required:

- a) The landowner/proponent is to prepare a bushfire hazard assessment, in accordance with the *Planning For Bushfire Protection Guidelines* (or any guidelines/regulations which supersede the *Planning For Bushfire Protection Guidelines*).
- b) The landowner/proponent is to prepare a bushfire management plan (which may include the bushfire hazard assessment), to the specifications of the Shire of Boddington and the Department of Fire and Emergency Services and in accordance with the *Planning For Bushfire Protection Guidelines* (or any guidelines/regulations which supersede the *Planning For Bushfire Protection Guidelines*).
- c) A traffic impact and management assessment, which identifies an appropriate road hierarchy, the required road widths, appropriate intersection controls and any road upgrades which may be required.

1.5.9.2 Condition of subdivision approval

In addition to standard conditions of subdivision approval, the landowner/applicant should be required to prepare and implement, as a condition of subdivision approval:

- a) A rehabilitation and revegetation management plan, which addresses the creek located within the linear public open space area (abutting the southern boundary of the central road connecting Forest

Street to River Road), for applications proposing the subdivision of land in that vicinity, to the specifications of the Shire of Boddington.

- b) A vegetation management plan, which addresses Landscape Protection Areas within the Structure Plan area, to the specifications of the Shire of Boddington.
- c) An urban water management plan, in accordance with the *Better Urban Water Management Guidelines*.
- d) A local development plan, which identifies building envelopes for Rural Residential lots that do not contain a cleared area of at least 2000m², to the specifications of the Shire of Boddington.
- e) Building and landscaping guidelines, to the specifications of the Shire of Boddington.