

LOCAL PLANNING SCHEME NO. 4

AMENDMENT NO. 335

June 2025



**PLANNING AND DEVELOPMENT ACT, 2005
RESOLUTION TO PREPARE
AMENDMENT TO A LOCAL PLANNING SCHEME**

**SHIRE OF MURRAY
LOCAL PLANNING SCHEME NO. 4
AMENDMENT NO. 335**

RESOLVED that the Local Government, pursuant to *Section 75 of the Planning and Development Act 2005* amend the above Local Planning Scheme by:

1. Rezoning the following lots from 'State Forest' to 'Rural';
 - a. Portion of Lot 1082 Old Williams Road, Dwellingup;
 - b. Portion of Lot 1021 Pinjarra Williams Road, Dwellingup;
 - c. Lot 2 (95) River Road, Dwellingup;
 - d. Portion of Lot 281 Newton Street, Dwellingup;
 - e. Portion of Lot 1 (503) River Road, Dwellingup;
 - f. Portion of Lots 1003 - 1004 Days Road, Inglehope.
2. Amending the scheme maps accordingly.

The Amendment is 'basic' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- It is an amendment to the scheme to make it consistent with the Peel Region Scheme; and
- It will have minimal effect on the scheme or landowners in the scheme area.

Dated this 19th day of June 2025.



CHIEF EXECUTIVE OFFICER

REPORT

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| 1. LOCAL AUTHORITY | Shire of Murray |
| 2. DESCRIPTION OF TOWN
PLANNING SCHEME: | Local Planning Scheme No. 4 |
| 3. TYPE OF SCHEME: | Local Planning Scheme |
| 4. SERIAL NO. OF AMENDMENT: | Amendment No. 335 |
| 5. PROPOSAL: | Rezone portions of multiple lots from
'State Forest' to 'Rural' |

1.0 Introduction

It is proposed to rezone multiple properties from 'State Forest' to 'Rural' to ensure consistency between the Local Planning Scheme (LPS4) and the Peel Region Scheme (PRS). The properties to be rezoned are:

- a. Portion of Lot 1082 Old Williams Road, Dwellingup;
- b. Portion of Lot 1021 Pinjarra Williams Road, Dwellingup;
- c. Lot 2 (95) River Road, Dwellingup;
- d. Portion of Lot 281 Newton Street, Dwellingup;
- e. Portion of Lot 1 (503) River Road, Dwellingup;
- f. Portion of Lots 1003 - 1004 Days Road, Inglehope.

2.0 Background

A number of lots within Dwellingup and Inglehope retain a historical LPS4 reservation of State Forest that became obsolete with the gazettal of the PRS in 2003.

Prior to the gazettal of the PRS, land identified as State Forest was covered by a LPS4 reservation. With the gazettal of the PRS, definitive boundaries for land required to be protected as State Forest Reserve were drawn. There are some minor residual inconsistencies between LPS4 and the PRS. The owner of one of these properties, Lot 1082 (21) Old Williams Road, Dwellingup has requested the inconsistency be resolved for their property.

3.0 Amendment Type

As per Part 5 of the Regulations, there are several amendment types: basic, standard and complex. These are defined in Part 5, Division 1, Regulation 34.

Regulation 35(2) requires the local government to specify in its resolution to prepare or adopt an amendment what type of amendment it is, as well as the explanation for forming that opinion.

This proposed amendment is a 'basic' amendment, under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as it is:

- An amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area; and
- The amendment will have minimal effect on the scheme or landowners in the scheme area.

4.0 Town Planning Context

4.1 Peel Region Scheme & Shire of Murray Local Planning Scheme No. 4

The subject land is zoned 'Rural' under the provisions of the *Peel Region Scheme* ('PRS').

The subject land is zoned 'State Forest' under the *Shire of Murray Local Planning Scheme No.4*.

5.0 Proposal

The purpose of this Scheme Amendment is to amend LPS 4 by:

1. Rezoning multiple properties from 'State Forest' to 'Rural' to ensure consistency between the LPS4 and PRS. The properties to be rezoned are:
 - a. Portion of Lot 1082 Old Williams Road, Dwellingup;
 - b. Portion of Lot 1021 Pinjarra Williams Road, Dwellingup;
 - c. Lot 2 (95) River Road, Dwellingup;
 - d. Portion of Lot 281 Newton Street, Dwellingup;
 - e. Portion of Lot 1 (503) River Road, Dwellingup;
 - f. Portion of Lots 1003 - 1004 Days Road, Inglehope.
2. Amending the scheme maps accordingly.

6.0 Justification

Clause 124(2) of the *Planning and Development Act 2005* requires that if a Region Scheme is inconsistent with a Local Planning Scheme, the Local Government is to resolve to prepare an amendment to the Local Planning Scheme to remove the inconsistency.

Given the existing Rural zoning under the PRS and the existing land uses on the various properties, it is considered that a Rural zoning under LPS4 is the most suitable in this case.

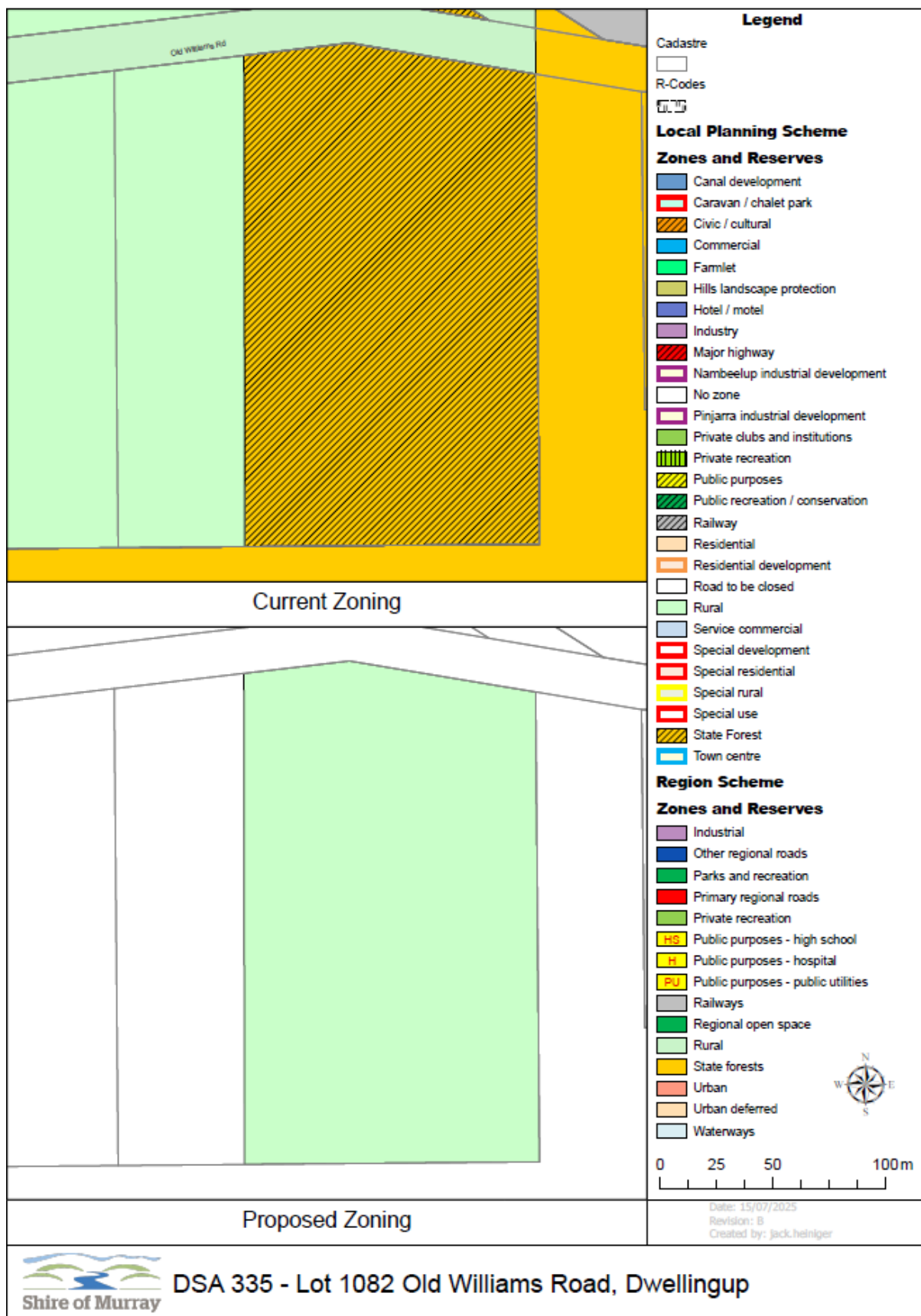
7.0 Conclusion

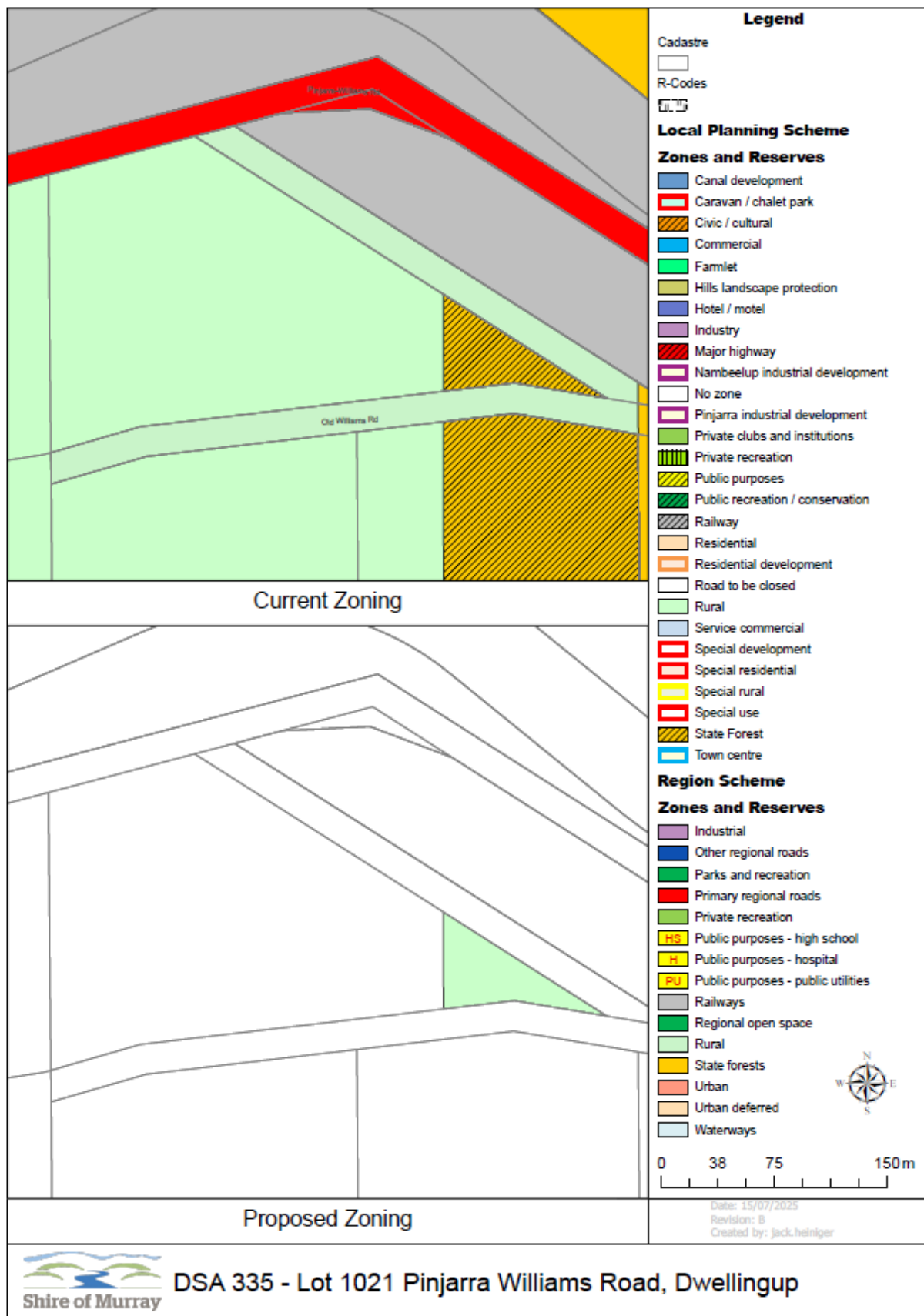
Under the Planning and Development Act a local government is required to ensure zonings under the Scheme remain consistent with the PRS. A number of lots within Dwellingup and Inglehope retain a historical LPS4 reservation of State Forest that became obsolete with the gazettal of the PRS in 2003. To ensure comprehensive planning, the proposed scheme amendment to rezone multiple properties from 'State Forest' to 'Rural' ensures consistency between the LPS4 and PRS.

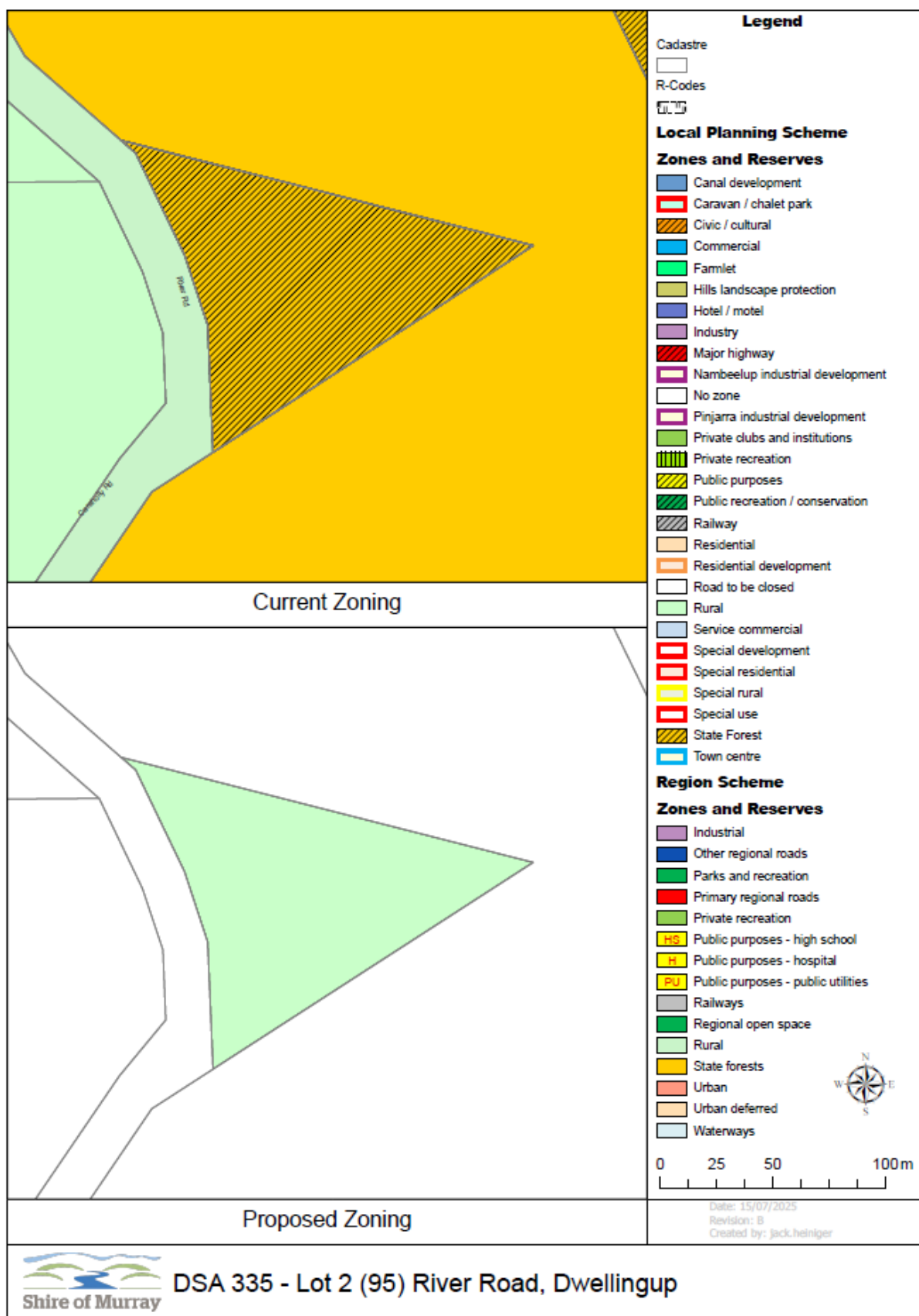
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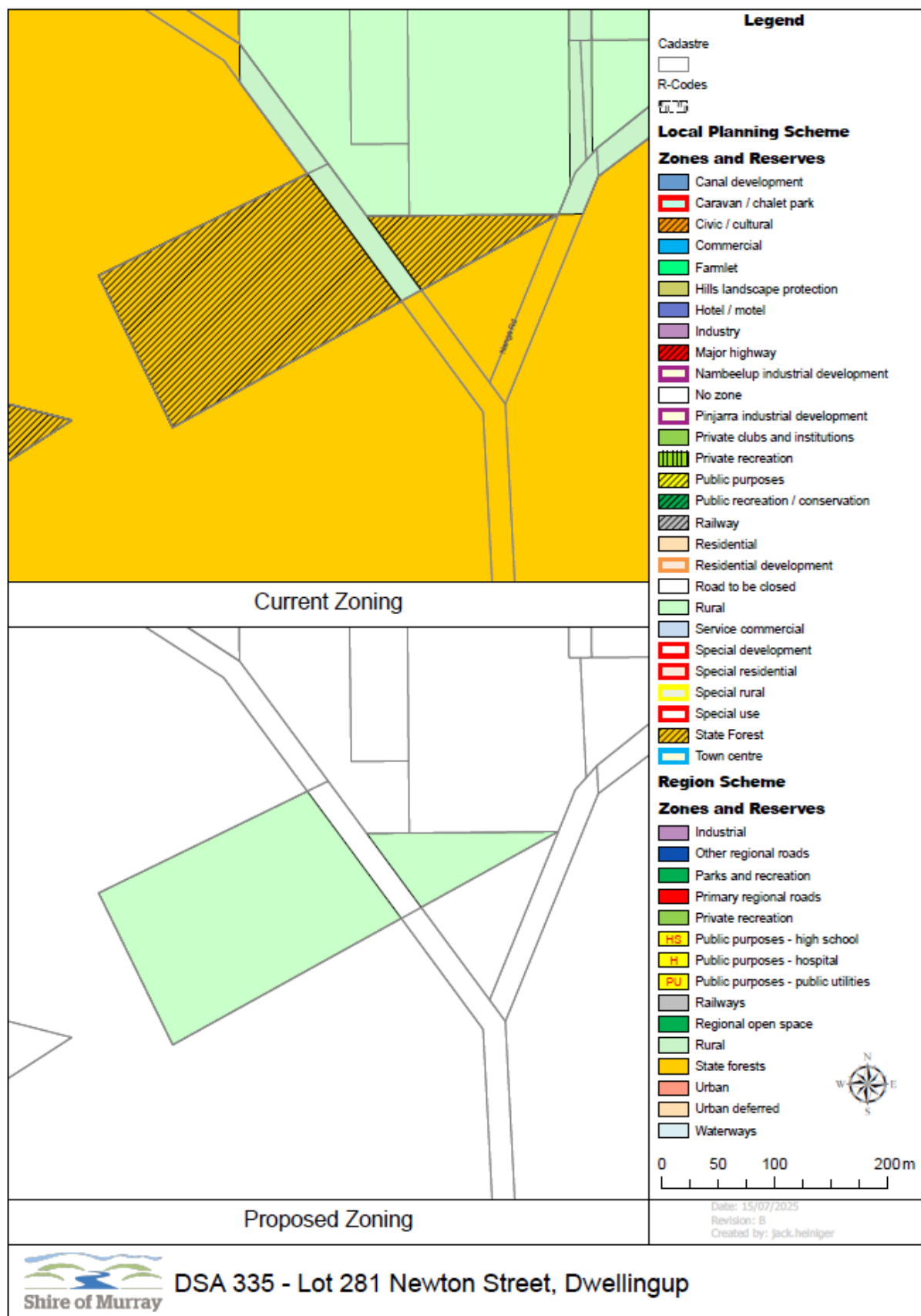
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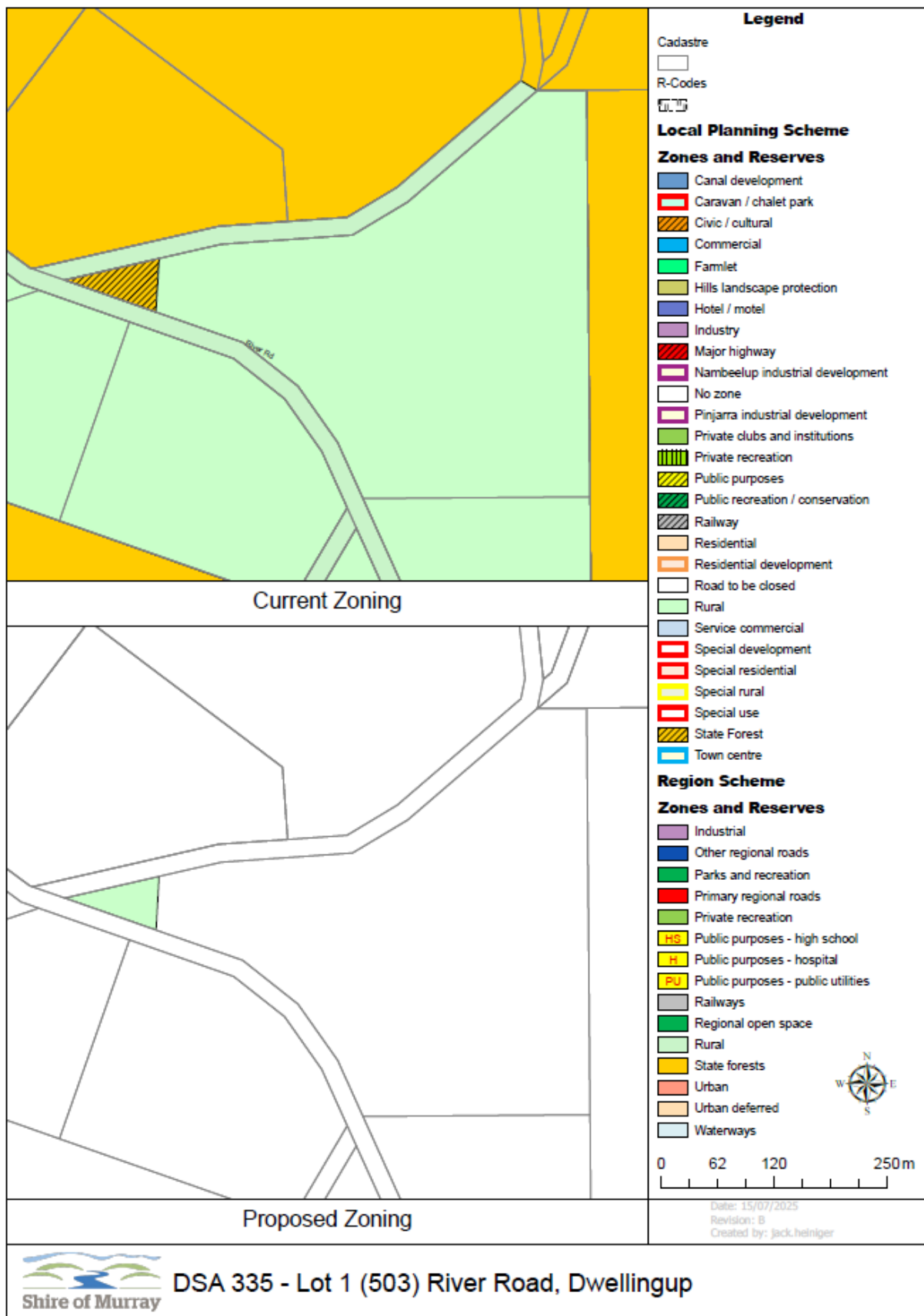
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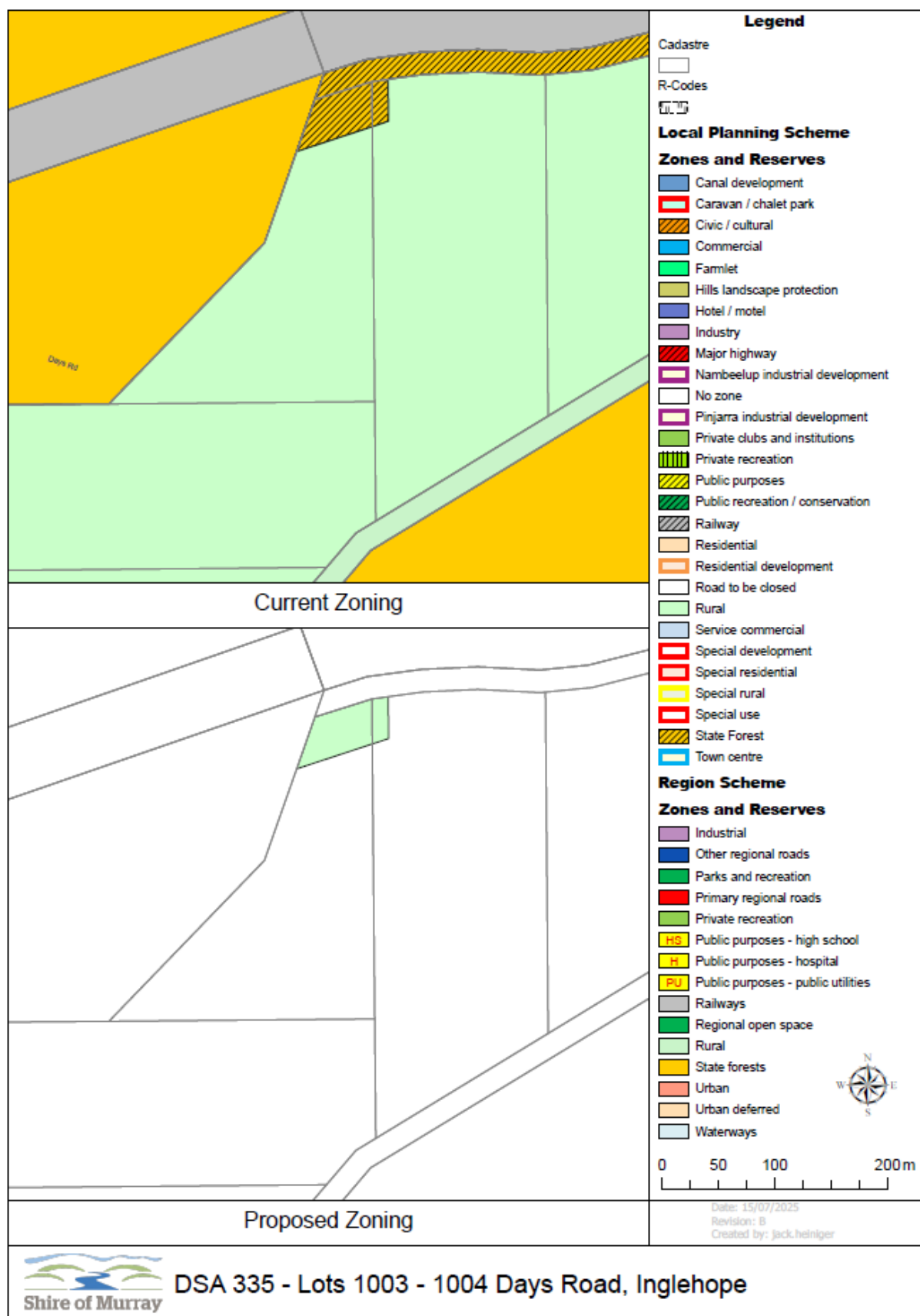












COUNCIL ADOPTION

This Basic Amendment was adopted and is recommended for approval by resolution of the Council of the Shire of Murray at the Ordinary Meeting of the Council held on the 19th day of June 2025 and the Common Seal of the Shire of Murray was hereunto affixed by the authority of a resolution of the Council in the presence of:



SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 PLANNING
AND DEVELOPMENT ACT 2005

DATE.....

Approval Granted

.....
MINISTER FOR PLANNING

DATE.....

