



**DEVELOPMENT SERVICES ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 AUGUST 2026**

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
DS01 – 08/26	Local Planning Framework – Report of Review Attachments 1. Report of Review	01 – 35
DS02 – 08/26	Lower Chittering Bridle Trail Network TITLE Attachments 1. Previous Report to Council – Council Resolution 021225 2. Proposed Bridle Trail Route 3. Adjoining Landowner Submissions	36 – 55

Shire of Chittering – Report of Review

PART 1 - BACKGROUND

About the WA planning system

The key decision-makers in the Western Australian Planning system are the Minister for Planning, Western Australian Planning Commission (Commission) and local governments. Their roles and responsibilities are set out in legislation and regulation, principally the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). As shown in **Figure 1**, the local planning framework consists of three key components - a local planning strategy and scheme and local planning policies.

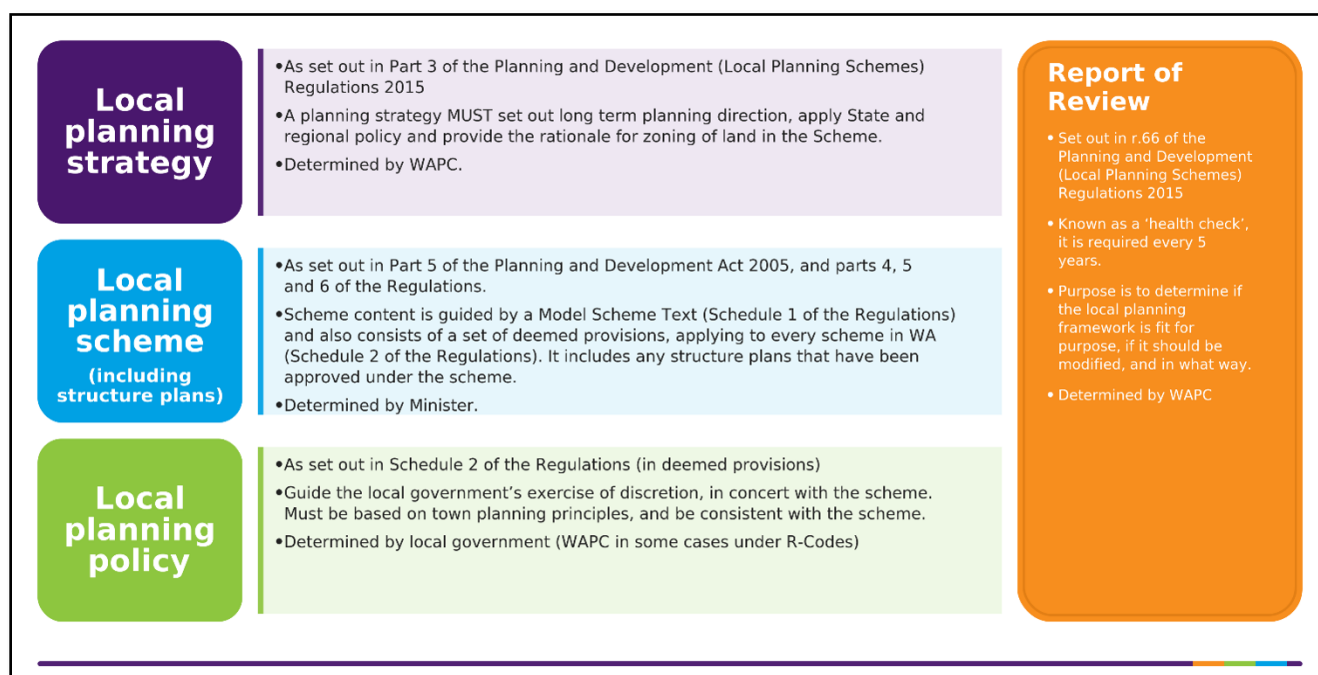


Figure 1 Local Planning Framework

What is a Report of Review?

A Report of Review is a health-check for the local planning framework, which is required under the Regulations to be prepared every 5 years to assess how the framework is operating, and if adjustments need to be made. A Report of Review is required to consider whether a local government's local planning strategy and scheme, and any structure plans adopted under the scheme are:

1. Satisfactory in their existing form; or
2. Should be amended; or
3. Should be revoked and/or have a new one prepared.

It is also recommended that local planning policies be considered as part of this review, but it is at the local government's discretion.

Following the recommendation from the local government, the Commission is to decide whether it agrees or disagrees with the Report of Review.

About the Shire of Chittering

The Shire of Chittering (Shire) is located approximately 100 kilometres north of the Perth CBD and has an area of approximately 1,200km². The Shire is one of the 42 local governments comprising the State's Wheatbelt planning region (refer to **Figure 2 - Location plan**).

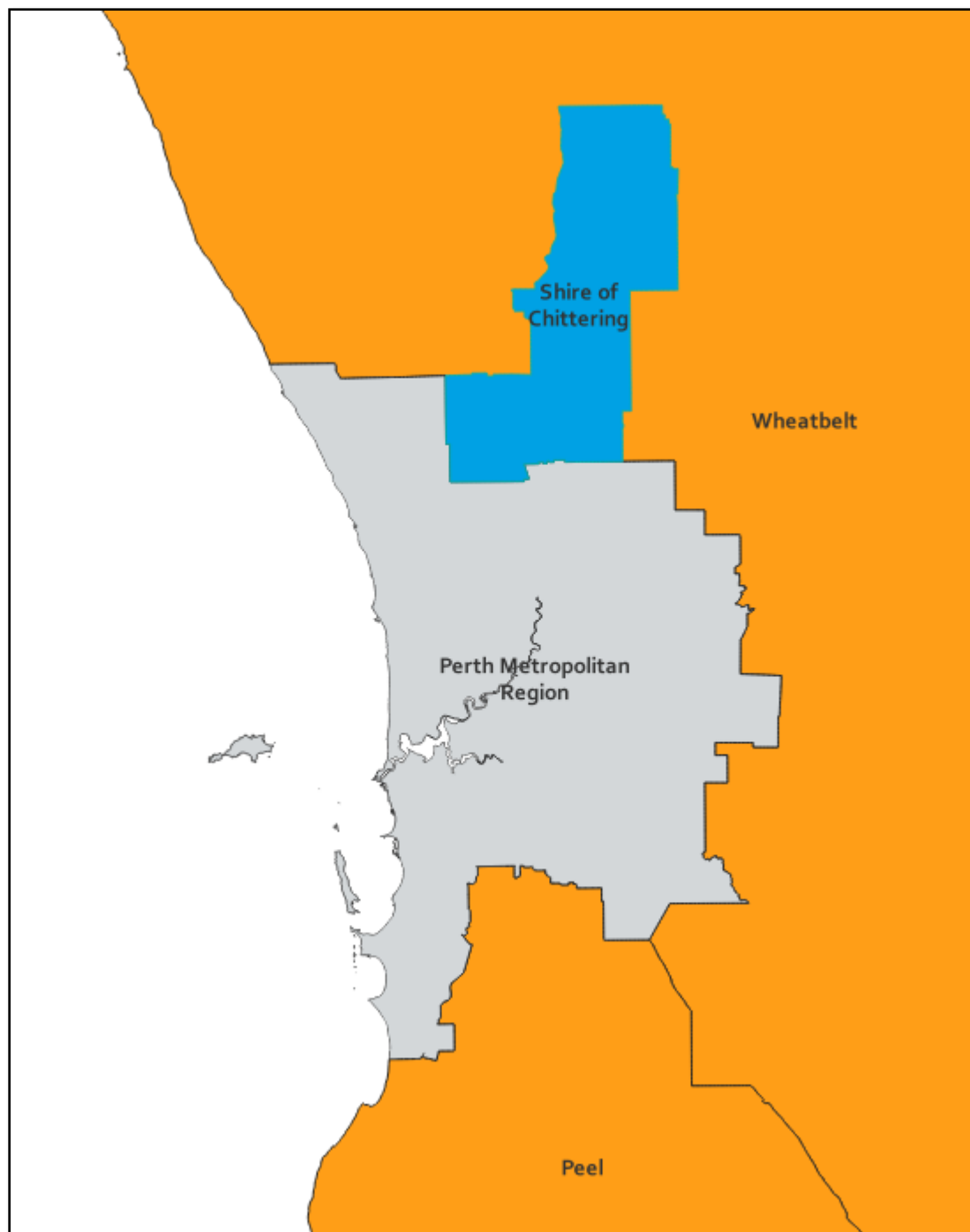


Figure 2 Location Plan

According to the Australian Bureau of Statistics, the Shire's Estimated Resident Population (ERP) population was 6,516 persons in 2023 (ABS, 2024) and this accounts for approximately 8.9% of the people living in the Wheatbelt region. The key settlements are the townsites of Bindoon and Muchea but there are significant amounts of people living in the localities of Lower Chittering and Chittering where there are numerous rural living estates. The Shire's key economic sectors are agriculture, mining and construction.

PART 2 - EXISTING PLANNING FRAMEWORK

The Shire's Local Planning Framework consists of:

- **Local planning strategy** - the Shire of Chittering's Local Planning Strategy (Strategy), which covers the whole Shire, was endorsed by the Commission in 2019. The Strategy identifies key issues relevant to land use planning and sets out a comprehensive suite of strategic directions/actions (refer to **Figure 3 - Local Planning Strategy Map**).

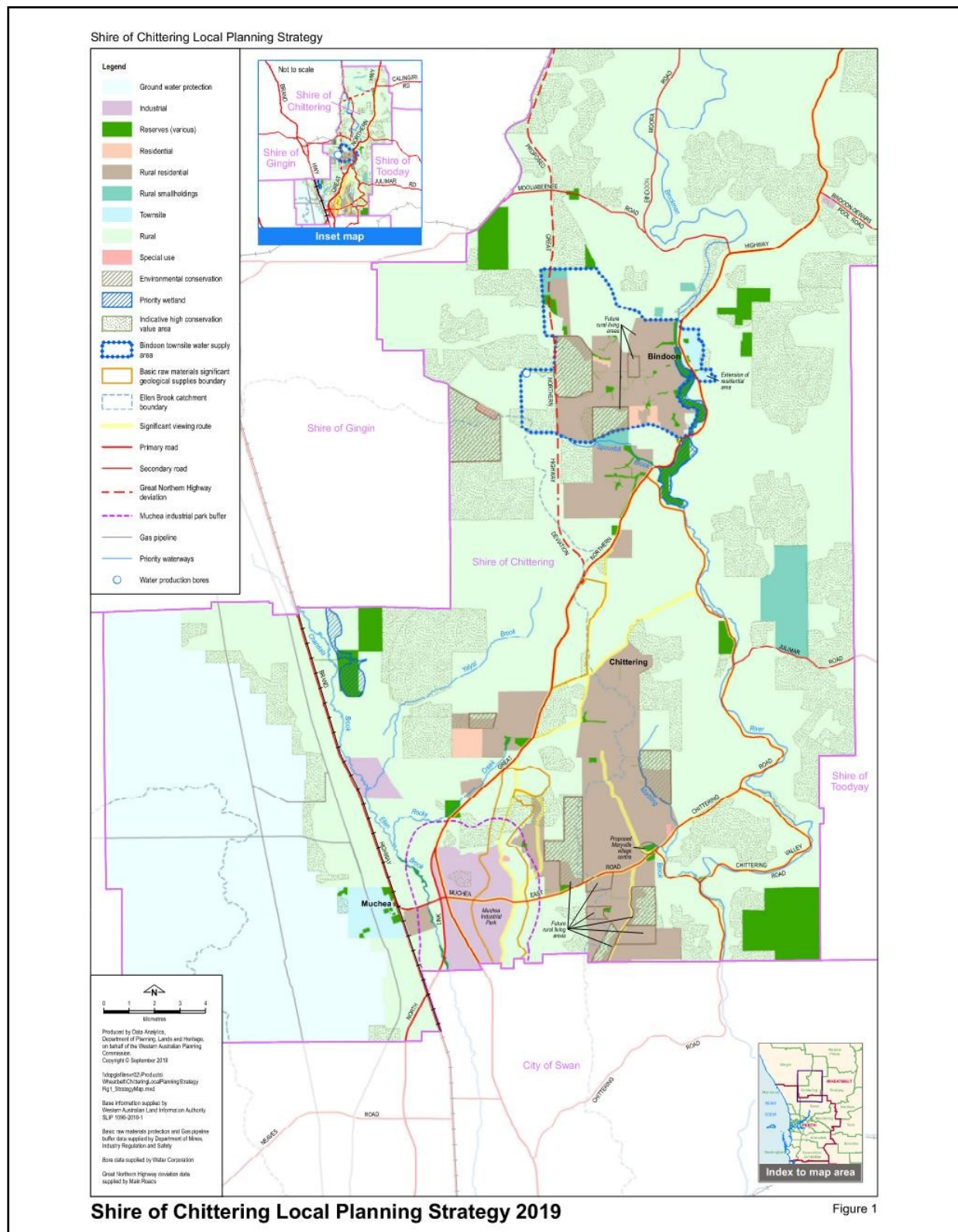


Figure 3 Local Planning Strategy Map

- Local planning scheme - the Shire's Local Planning Scheme 6 (Scheme), which applies to the whole of the Shire, was gazetted in 2004. Since gazettal, the Scheme has been amended 28 times. **Attachment 1** provides an overview of the amendments to the Scheme since 2004.
- Structure and development plans - over the life of the existing scheme, the Shire has endorsed (approx. 40) development plans for its rural living estates as part of rezoning amendments or as a precursor to subdivision and/or development. As required by the Regulations, the Commission has endorsed a number structure plans since 2016 (refer to **Table 1**) and many of these plans are available on the Shire's website ([Shire of Chittering Development Plans](#)).

Commission Ref	Address	Plan type	Date endorsed
SPN 0036	Lot 600 and Lot 601 Muchea East Road, Lower Chittering Development Plan	Structure Plan	23-Dec-2009
CHIT 2016 1-1	Lot 2 Reserve Road and Lot 9001 Rosewood Drive Chittering Structure Plan Amendment No. 1	Structure Plan	3 May 2016
SPN 0679	Lot 7 Gray Road, Bindoon	Structure Plan	6 Jun 2016
SPN 0812M-1	Maryville Downs Stage 12	Structure Plan	2 Aug 2016
CHIT-2016-2	Muchea Employment Node (and Industrial Park)	Structure Plan	13 Oct 2017
SPN 0812M-2	Maryville Downs Stage 11	Structure Plan	24 Aug 2018
SPN 2216	Lot 8 Buckthorn Drive, Lower Chittering	Structure Plan	20 Sep 2019
SPN 2293	Portion of Lot 101 (No. 777) Teatree Road, Bindoon	Structure Plan	14 Jun 2021
Source: WAPC (2023)			

Table 1 Structure plans endorsed by the Commission

- Local planning policies - The Shire currently has 10 local planning policies that address a range of land use planning issues in the local context. There are available on the Shire's website ([Shire of Chittering - Local Planning Policies](#)).

PART 3 - PLANNING CONTEXT

This part identifies anticipated drivers of change that are currently or are anticipated to have implications for land use planning over the next 10-15 years.

3.1 Population

3.1.1 Historical trends and forecasts

Between 2001 and 2021, the Shire's Estimated Resident Population (ERP) increased by approximately 3,568 people (or by 3.7% per annum). This annual growth rate is higher than average annual growth rate of 1.8% for the State during this period. More recently, the Shire experienced strong ERP change during the COVID-19 pandemic (2019-2022) when its population grew by 2.53% p.a. compared to the 1.04% p.a. growth rate for the Perth Metropolitan Region.

Population forecasts published by the Commission as part of its Western Australia Tomorrow series are based on modelling that predicts change using three bands (Lower, Central and Upper). Forecasts in the Lower band are more conservative; Central Band are median forecasts while Upper Band are the most optimistic. A comparison of these forecasts against the ABS's ERP data indicates that the Shire's population is currently tracking closest to the Lower Band forecast. If this trend continues the population is expected to increase by 1,430 persons between 2021 and 2036. For population to experience higher rates of change, to more closely follow the Central Band where an increase of 2,900 persons is anticipated by 2036 or Upper Band (increase expected is approximately 4,400 persons), it is likely that new economic/population drivers will be required (refer to **Table 2** and **Figure 4**).

Historical change			WA Tomorrow forecasts			
2001	2011	2021	Band	2026	2031	2036
2,948 (ERP) 2,752 (Census)	4,533 (ERP) 4,427 (Census)	6,100 (ERP) 5,930 (Census)	Lower	6,620	7,155	7,530
			Central	7,100	8,070	9,185
			Upper	7,580	8,985	10,505
Source: ABS (2021); WAPC (2025)						

Table 2 Historical ERP (2001-2021) and population forecasts (2021-2036)

Source: ABS (2024); WAPC (2025)

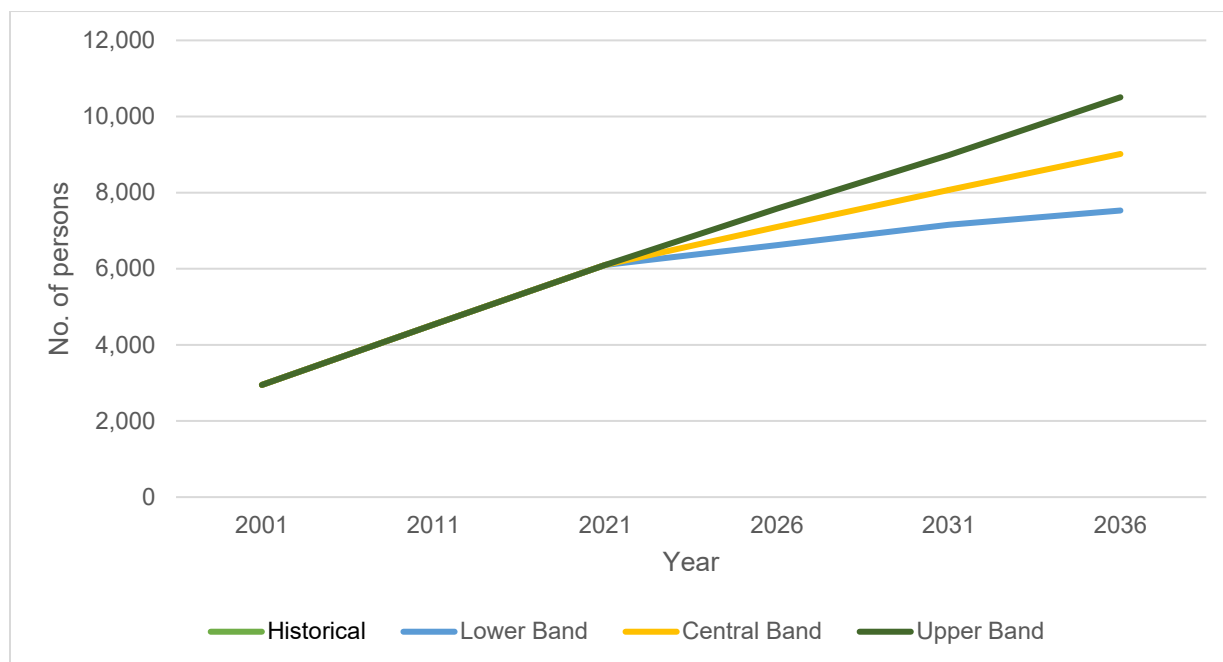


Figure 4 Historical population change (ERP) (2001-2021) and population forecasts (2021-2036)

3.1.2 Population retention

Retaining population requires the Shire to be proactive on a number of fronts, in particular to advocate the retention, maintenance and development of important community services (such as health, education, retail and business, housing for the ageing). Managing anticipated population growth should underpin the Shire's planning strategies, supported by a flexible local planning scheme and local planning policies.

3.1.3 Population distribution

The 2021 Census indicated that the key population centres within the Shire are the localities of Lower Chittering (2,408 persons), Bindoon (including the Bindoon townsite) (1,215 persons); Chittering (1,034 persons); and Muchea (including the Muchea townsite) (921 persons). If this trend continues, it is anticipated that most of the forecast population growth will be accommodated in the Bindoon or Muchea townsites on land zoned Residential or Townsite, or in surrounding localities on land zoned for rural living purposes.

3.1.4 Ageing population

Data from the Census of Population and Households (Census) and WA Tomorrow Forecasts shows that the proportion of the population aged over 65 years of age has increased over time as shown in **Table 3** and is higher (27%) in the Bindoon townsite.

	Census			WA Tomorrow
	2001	2011	2021	2036
Chittering LGA	9.6%	13%	17.3%	22.2%
Western Australia	11.2%	12.4%	16.1%	19.4%
Source: ABS (2021); WAPC (2025)				

Table 3 Proportion of the population aged over 65 years

The Strategy and the Shire's Strategic Community Plan 2014-2024 ([Strategic Community Plan 2024-2034](#)) identify that this 'ageing' trend is likely to continue and will influence demand for affordable accommodation for aged persons particularly in the Bindoon and Muchea townsites. Ageing of the population will also impact on service provision, including public transport, health services and the provision of recreation/leisure opportunities. It may also be necessary, as part of reviewing the Scheme, to ensure guidance on planning for aged persons is up to date by including the 'independent living complex' and 'residential care facility' land uses from the Commission's Position Statement: Residential Accommodation for Ageing Persons and including specific provisions to guide development of these land uses.

3.1.5 Demand for additional dwellings

As shown in **Table 4**, should population change between 2021 and 2036 track at the Central Band forecast, the population is expected to increase by approximately 2,915 persons. Based on the Shire's average household size (2.8 persons per dwellings) this may translate into the need for an additional 1,041 dwellings (or 70 per annum). However, should population change occur in line with the Upper Band forecast approximately 1,573 additional dwellings (104 per annum) may be needed. A discussion of the impacts of these population forecasts on future land and dwellings requirements is provided in **Part 3 - Land Demand and Supply**.

Population (current)	Population of Chittering LGA (ERP) = 6,100		
	Population by locality = Lower Chittering (2,408 persons - 39% of Shire's population); Bindoon (1,215 - 20%); Chittering (1,034 - 17%); Muchea (921 persons - 16%); Mooliabeenee (213 - 4%); and Wannamal (134 - 3%)		
Private dwellings (current)	Private dwellings in Chittering LGA = 2,236 Dwellings by locality = Lower Chittering (771 private dwellings - 34% of Shire's dwellings); Bindoon (526 - 24%); Chittering (428 - 19%); Muchea (293 - 15%); Mooliabeenee (96 - 5%); and Wannamal (61 - 3%)		
Change (2021-2036)	Lower Band	Central Band	Upper Band
Additional population	1,430	2,915	4,405
Additional dwellings	510 (34 p.a.)	1,041 (70 p.a.)	1,573 (105 p.a.)
Source: ABS (2021); DPLH (2023); WAPC (2025)			
Notes: - According to the 2021 Census the Shire's household size is 2.8 persons per dwelling. - Almost all of the existing housing stock within the Shire is detached housing - none of the dwelling calculations contemplate medium (or higher) density housing typologies.			

Table 4 Estimated population and dwelling requirements

3.2 Economy

In 2020, the Shire's output was \$1b or 7.2% of the total for the Wheatbelt region. The key sectors in terms of output were Mining (\$494m), followed by Agriculture, Forestry & Fishing (\$128m), and Construction (\$144m). The agriculture sector is the largest employer (306 persons) followed by Mining (225 persons) and Construction (202 persons).

Recent significant development proposals are identified in **Table 5**.

DAP File Number	Application address	Application Description	Development cost	Application Status (approved unless otherwise stated)
DAP/22/02230	Byrne Road, Muchea	Utility Scale Battery Energy Storage System	\$135m	Determined 2022-11-22
DAP/19/01611	Brand Highway, Muchea	Industry-Rural/Feed Mill	\$24m	Determined 2019-08-09
DAP/19/01621	Mooliabeenee Road, Bindoon	Private Recreation Facility	\$10m	Determined 2019-10-15
DAP/18/01488	Great Northern Highway, Muchea	BP Roadhouse and Truck Refuelling Facility	\$12m	Determined 2019-06-24
Source: DPLH (2023)				

Table 5 Significant development proposals

3.2.1 Agriculture

It is expected that the Shire's agriculture sector will continue to play a major role in the Shire's economy. Facilitating growth in the sector may be achieved by attracting more opportunities for broadscale agriculture but greater diversification of the sector through more intense land uses such as agriculture - intensive (i.e. horticultural operations) and animal husbandry - intensive (i.e. feed mills) will be important. There is evidence that diversification is already occurring with a significant 'agriculture - intensive' proposal for an industry-rural/feed mill in Muchea receiving development approval from the Wheatbelt/Mid-West Joint Assessment Development Panel in 2019.

The Strategy identifies that land use planning has a role to play in ensuring the agriculture sector remains viable and recommends a range of measures relevant to land use planning, such as: protecting priority agricultural land based on data prepared by Department of Primary Industry and Regional Development; minimising fragmentation of rural land through implementation of State Planning Policy 2.5 - Rural Planning and Development Control Policy 3.4 - Subdivision of Rural Land; and providing greater guidance in the Scheme in respect to consideration/assessment of proposals for more intense land uses such as 'agriculture - intensive' and 'animal husbandry - intensive'. It may also be possible to facilitate greater land use flexibility in the Shire's rural communities by including the Rural Enterprise zone, which seeks to provide opportunities for light industry and residential activities to occur on the same lot.

Muchea Industrial Park

The Muchea Industrial Park (Muchea) has been developed to facilitate expansion of value-adding industries associated with the agricultural sector and also to provide opportunities for processing and manufacturing businesses in the northeast sector of the Perth Metropolitan Region. Muchea is strategically situated to be a northern 'gateway' for freight movements related to mining, oil/gas and agricultural activities from other regions to the north and east while also allowing an opportunity for industry to bypass heavily congested industrial estates located closer to the Perth CBD.

A number of recently completed significant transport projects such as the construction of a new dual carriageway highway between Morley and Muchea (referred to as NorthLink) (completed 2020) has resulted in significantly reduced travel times and has stimulated further industrial development in Muchea. Similarly, road alignments and intersections upgrades have also been completed along Great Northern Highway (between Muchea and Wubin) (completed 2020) to improve road safety while facilitating better access for heavy vehicles. The Bindoon Bypass, which currently is under construction (with the first stage completed in April 2022) proposes to move heavy vehicles around the Bindoon townsite rather than through it. This may provide significant opportunities for development of the townsite.

The Department of Planning, Lands and Heritage is facilitating progressive development of Muchea through preparation and implementation of the Muchea Industrial Park Structure Plan. This plan, which

divides the industrial park into five precincts, provides for development of industrial land in a rural setting while incorporating measures to protect surrounding sensitive land uses and identified ecological functions (particularly Ellen Brook) (refer to **Figure 5 - Muchea Industrial Park Structure Plan**). The plan also provides for co-ordination of development between the precincts, staging options for construction of the road network and detailed guidance on water management. There is a special control area over the area and there has been amendments to the Scheme to facilitate and progress development of the park.

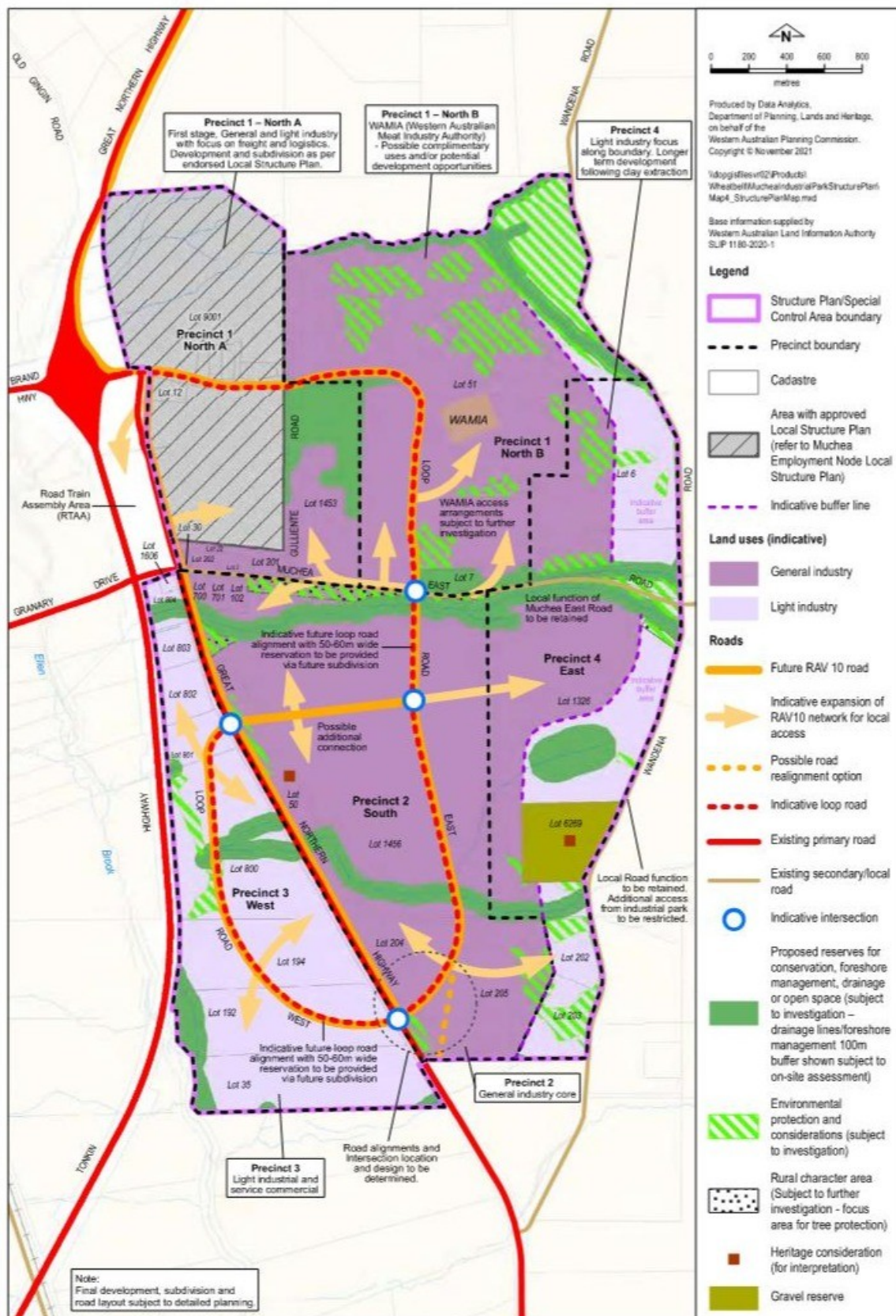


Figure 5 Muchea Industrial Park Structure Plan

3.2.2 Tourism

The contribution of the tourism sector to the economy could become more significant if there continues to be investment by local businesses offering a range of attractions, such as 'paddock to plate' initiatives, boutique

tourism being provided by local taverns, day visits being offered by bus tour companies and event management/venue hire operations. The Shire already has a range of accommodation catering for visitors, including unhosted/hosted short-term rental accommodation and visitor and tourism accommodation. There is also a caravan park and a camping ground.

To facilitate continued growth of the tourism sector, the Strategy recommends that the zones within the Scheme (except those associated with industry) remain flexible so that tourism opportunities can be encouraged. The Strategy also notes that the future success of the sector will be dependent on a wider variety of accommodation being provided. Further, the State Government has put in place a range of mechanisms to regulate short-term rental accommodation (STRA). These will facilitate development of new and evolving tourism opportunities; provide a high-level of amenity in tourism areas; and protect and deliver housing options/outcomes. Implementing these changes can be achieved through a range of strategic and statutory land use planning measures at the local level, including introduction of new land use terms, permissibility and development controls in the Scheme; registration of STRA; preparation of local tourism profiles; guidance on siting, form and design of tourism proposals and as required local planning policies.

3.2.3 Mining

The Shire contains important geological resources, ranging from mineral sands on the coastal plain to bauxite deposits in the Darling Plateau. There are 19 mining tenements that are 'granted' under the *Mining Act 1978*, five that are 'pending' and a further 12 known (but undeveloped) deposits of bauxite, heavy mineral sands and illimanite/kyanite. Extraction of these resources has the potential, however, to create land use conflicts where land is already being used for other purposes or when mineral deposits occur near sensitive land uses (such as residential and rural living uses).

3.2.4 Basic raw materials

The Shire has significant reserves of basic raw materials (BRM) with a total of 27 quarries (16 classified as 'operating', five proposed for sand/gravel, one classified as 'undeveloped' and five classified as 'decommissioned'). These BRM resources are predominately used in the construction industry for works such as road construction, housing, site preparation and concrete. The Strategy identifies the need to ensure these resources do not become sterilised by ensuring the Scheme has adequate controls to protect 'significant geological supplies'. Strategies include the requirement for development approval ensuring resources are buffered from sensitive land uses, addressing potential visual amenity impacts by ensuring extraction activities are not visually disruptive or are managed along significant travel routes, and end of life options for exhausted extraction sites including rehabilitation for future land use. The Scheme includes a special control area that applies around known sources of BRM to regulate land use and manage impacts of development.

3.2.5 Renewable energy

Solar conditions within the Shire are conducive for generating electricity through renewable energy technologies. There has been one significant renewable energy proposal to create a utility scale battery energy storage system (BESS) in Muchea to provide additional capacity into the South West Interconnected System. The project, which had an estimated development cost of \$135m, received development approval in 2022. The Wandoo Wind Farm is another significant project that is proposed to be located within the northern part of the Shire and the neighbouring Shire of Victoria Plains. Work is ongoing to secure tenure, development and environmental approvals for the project which represents \$1billion investment. The project will employ approximately 300 construction workers in the construction phase (2027-2019) and 20 workers when the facility becomes operational (after 2029).

It is expected that demand for renewable energy will continue, and the planning framework is well placed to accommodate it. However, a 'renewable energy facility' is currently a 'use-not listed' under the Scheme and, therefore, this use class should be included in the zoning table of the Scheme as a permissible land use for the Rural (currently Agricultural Resources) zone.

3.3 Environment

3.3.1 Biodiversity

The Shire's Local Biodiversity Strategy (Biodiversity Strategy) outlines that the greatest threat to biodiversity across the Shire is from clearing of native vegetation for subdivision and development. The Biodiversity Strategy identifies approximately 6,330 ha of land where threats to biodiversity need to be controlled by protecting, retaining and managing natural areas. To protect the Shire's biodiversity assets, the Biodiversity Strategy identifies the need to:

- ensure (where possible) that future development occurs on land that is already cleared;
- reclassify reserves containing high value conservation features for conservation purposes;
- introduce the Environmental Conservation zone into the Scheme to restrict subdivision of land in areas that have significant environmental values. Proposals that impact on land zoned Environmental Conservation are to include an Environmental Management Plan;
- acknowledge/encourage acquisition by the State government of properties where conservation values are high, and, where appropriate, use conservation covenants to protect and manage areas of high conservation value on private land; and
- not support development proposals seeking to extract basic raw materials within areas that are identified as having high conservation value.

A map of the Shire's biodiversity and conservation features is provided in **Figure 6 - Biodiversity conservation**.

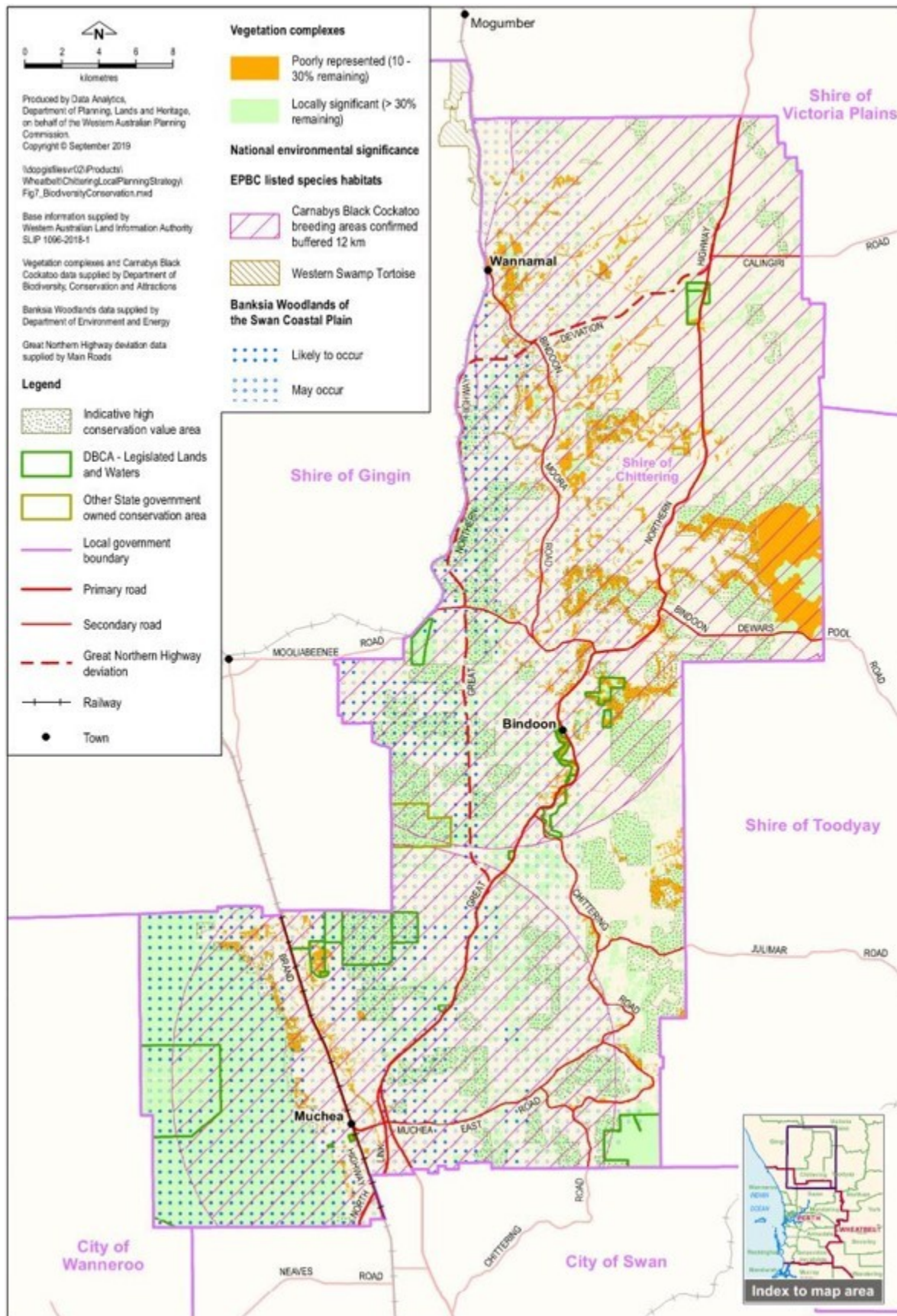


Figure 6 Biodiversity Conservation

3.3.2 Catchment management

Large catchment areas associated with the Ellen Brook and Brockman River occur within the Shire. The Biodiversity Strategy identifies the need to protect these areas through effective management of future land use and stock. The current Scheme includes a special control area that sets out requirements for protecting the 'Ellen Brook Palusplain', including development approval requirements, and the relevant considerations that the local government will have regard for orderly development and the protection of the environs.

3.3.3 Bushfire

Bushfires pose an ongoing threat to the Shire's community particularly its numerous rural living estates. It is critical, therefore, that this issue is managed at all stages of the planning process through application of State Planning Policy 3.7 - Bushfire (and related guidelines). The policy requires bushfire risks to be identified and appropriately managed through implementation of appropriate strategies, including effective asset management, provision of adequate water for fire-fighting purposes and provision of suitable access arrangements. In some instances, managing these risks, particularly providing compliant access, requires significant investment which may have implications for feasibility of further subdivision/development of existing rural living estates/residential areas and the creation of new opportunities (as identified in the Strategy).

3.3.4 Landscape/visual amenity

The Shire's landscape and visual amenity are significant attractions for locals and visitors. These landscapes can, however, be negatively impacted by development so land use planning controls are required. The Scheme includes a special control area that seeks to address development impacts on these assets, but the Strategy recommends that this special control be removed and new controls, such as setbacks, screening requirements, be included in the Scheme or way of guidance in a new local planning policy.

PART 4 - SUPPLY OF LAND

This part evaluates land supply requirements in response to the key drivers identified in **Part 3**.

4.1 Subdivision approvals - new lots

When the WAPC determines subdivision applications, these are typically given preliminary approval which is subject to conditions. When conditions have been fulfilled, applicants may then proceed to final approval, where new lot titles are issued.

4.1.1 Preliminary approvals

Since the gazettal of the Scheme in 2004, 3,192 lots have received Preliminary Approval, mostly for Rural Living purposes (85%), Rural (6%) and Residential (5%). A significant amount of the lots (70%) that received Preliminary Approval were issued with approval prior to 2014 with the number of lots receiving preliminary approval peaking in 2010 (489 lots). Since this time, however, the number of lots receiving preliminary approval has decreased to between 50-100 lots per annum (refer to **Figure 7**).

Most of the Preliminary Approvals issued to create lots for rural living purposes were issued in the localities of Lower Chittering and Chittering. Most of the preliminary approvals issued to create Residential lots where in either the Bindoon or Muchea townsites or where there are pockets of land zoned Residential in the localities of Lower Chittering and Chittering.

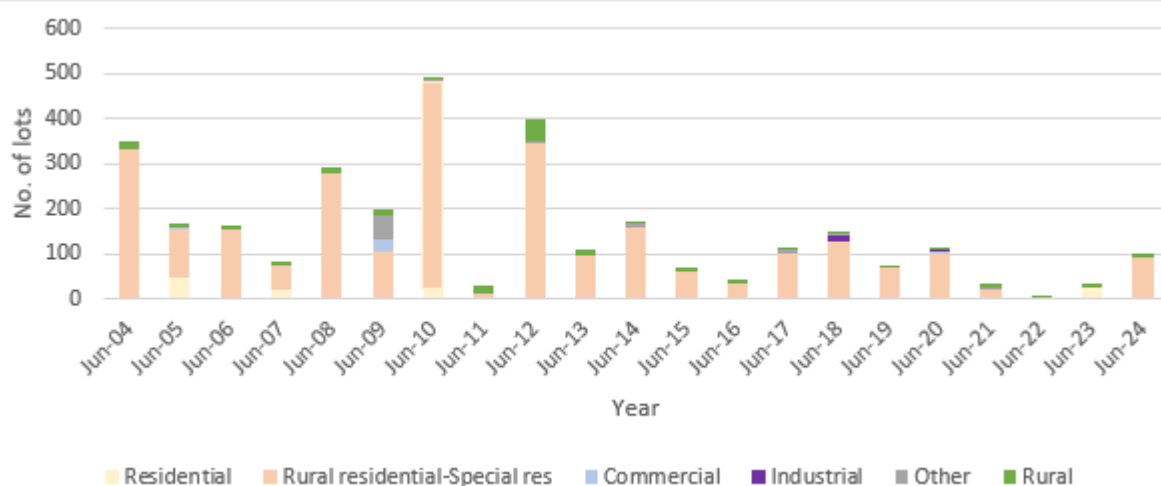


Figure 7 Preliminary approvals by land use (lots) (2003/04-2023/24)

Source: DPLH (2024)

4.1.2 Final approvals

Since the gazettal of the Scheme, 1,122 lots received Final Approval for: Residential purposes (8% or 5 lots p.a.), Rural Living (73% or 42 p.a.), Rural (12% or 7 p.a.). As with Preliminary Approvals, a significant amount of the lots given final approval occurred prior to 2012 (69%). The greatest number of Final Approvals were received in 2005-2007 (~100 p.a.). Since this time approximately 40 lots p.a. have received Final Approval for a range of land uses. More recently, the number of lots that have received Final Approval has increased (refer to **Figure 8**).

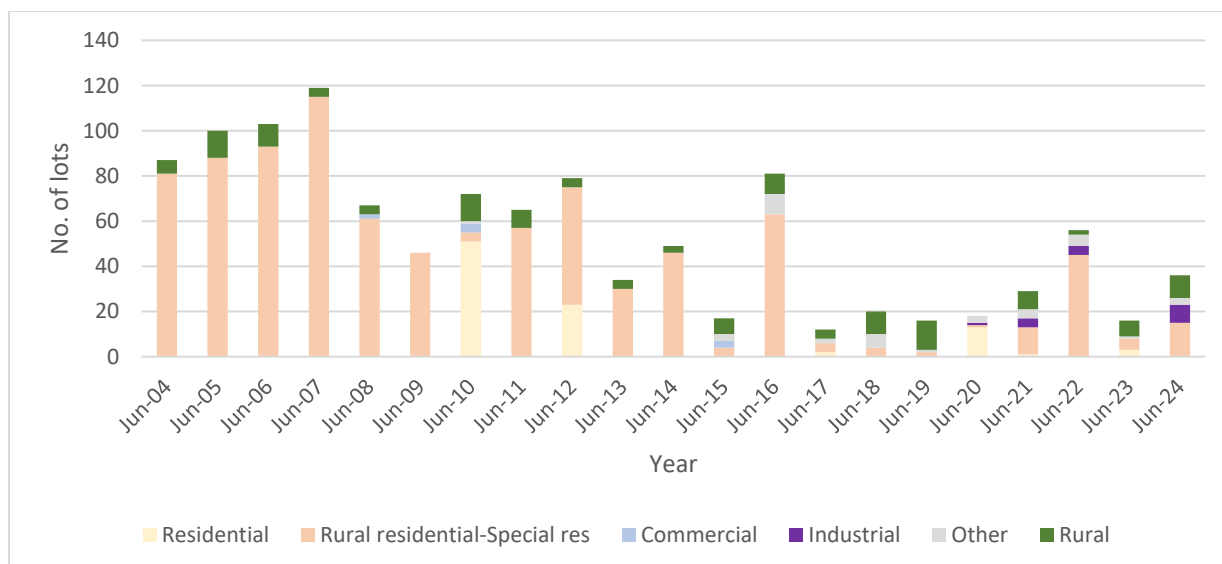


Figure 8 Final approvals by land use (lots) (2003/04-2023/24)

Source: DPLH (2024)

Most of the final approvals for Residential subdivision were issued primarily in the Bindoon and Muchea townsite and within a small number of Residential precincts in the localities of Lower Chittering and Chittering. Most of the approvals for Rural Living were issued in the localities of Lower Chittering and Chittering.

4.2 Building commencements

Since 2004, building has commenced for 6328 lots (287 per annum). Most of these were construction of Residential other (68.7%) followed by Residential dwellings (28.6%), Commercial/industrial/other (2.5%) and Community facilities (0.2%) (refer to **Table 6**).

Year	No. building commencements	Type of development			
		Residential dwellings	Residential other	Commercial/ industrial/other	Community facilities
2025/2026 to 31 March	316	90	217	6	3
2024/2025	330	88	236	6	0
2023/2024	318	68	242	7	1
2022/2023	299	79	212	6	2
2021/2022	291	70	216	5	0
2020/2021	338	99	225	14	0
2019/2020	205	41	159	3	2
2018/2019	203	47	149	7	0
2017/2018	260	66	157	37	0
2016/2017	267	64	188	15	0
2015/2016	311	74	235	2	0
2014/2015	333	109	218	6	0
2013/2014	286	92	187	6	1

Year	No. building commencements	Type of development			
		Residential dwellings	Residential other	Commercial/ industrial/other	Community facilities
2012/2013	271	75	195	1	0
2011/2012	205	45	157	3	0
2010/2011	261	92	164	4	1
2009/2010	319	112	199	7	1
2008/2009	245	84	152	9	0
2007/2008	292	90	201	1	0
2006/2007	322	113	203	6	0
2005/2006	322	87	226	9	0
2004/2005	334	123	208	1	2
Total	6328	1808	4346	161	13
Source: Shire of Chittering (2026)					

Table 6 Building commencements since gazettal of Local Planning Scheme No.6

4.3 Future land supply

To evaluate future land supply, this analysis utilises Landgate's Property Valuation Database. This dataset provides a comprehensive breakdown of land development status by classifying zoned land as 'developed', 'undeveloped/vacant' and 'unrated' (refer to **Table 7**). **Attachment 2** provides the definitions for these terms.

4.3.1 Residential

For the purposes of this analysis, residential use within the Shire occurs on land zoned either Residential or Townsite in the localities of Bindoon (including the Bindoon townsite) and the Muchea (including the Muchea townsite) and pockets of land zoned Residential in the locality of Chittering. For rural-residential (rural living) use refer to section 4.3.2 below.

On lots zoned Townsite, there are 287 'developed' lots in the locality of Muchea, which includes the Muchea townsite. In the Bindoon townsite there were 34 'developed' lots and 82 'developed' lots in the wider Bindoon locality. Of lots zoned Residential, there are 16 'developed' lots in the locality of Chittering and 7 'developed' lots in the locality of Muchea (refer to **Table 7**).

Vacant land - the VGO data identifies that for land zoned Townsite there were 32 'vacant' lots in the locality of Bindoon, 7 'vacant' lots in the Bindoon townsite and 26 'vacant' lots in the Muchea townsite. On land zoned Residential, there were 5 'vacant' lots in the Bindoon locality and 9 'vacant' lots in the locality of Chittering (refer to **Table 7**).

Vacant private dwellings - data collected as part of the 2021 Census indicates that there were 2,243 private dwellings in the Shire and the majority of these were classified as 'detached dwellings'. Approximately 84% of these dwellings were 'occupied' with 16% (317 private dwellings) 'unoccupied' on the night of the 2021 Census (refer to **Table 8**).

Locality	Zone	Developed		Undeveloped/Vacant		Unrated
		Lots	Ha	Lots	Ha	Ha
Bindoon	Residential	0	0	5	24.82	82.46
	Townsite	82	28.46	32	5.82	99.79
Bindoon (Townsite)	Townsite	34	18.22	7	0.97	36.77
Chittering	Residential	16	10.64	9	5.98	24.29
Mucnea	Residential	7	3.87	0	0	84.30
	Townsite	287	305.81	26	38.73	23.77
	Total	426	367.00	79	76.32	351.38

Source: VGO (2024); DPLH (2025)

Table 7 Development status of land zoned Residential or Townsite by locality

Locality	Private dwellings		
	Occupied	Unoccupied	% Unoccupied
Bindoon	424	102	24.05%
Mucnea (townsite)	265	28	10.56%
Mucnea (locality)	58	10	17.24%
Chittering	358	70	19.55%
Lower Chittering	708	63	8.89%
Wannamal	43	18	41.86%
Mooliabeenee	70	26	37.14%
Total	1,926	317	16.45%

Source: ABS (2021)

Table 8 Occupied and unoccupied private dwellings by locality

Greenfield opportunities

There are approximately 354ha of land zoned Residential or Townsite that the VGO classified as 'unrated'. A significant amount of this land was identified in the WAPC's Chittering Regional Land Supply Assessment (Land Supply Assessment) (WAPC, 2020) (**Figure 9 - Future land release areas**), which aimed to assess land for future residential, industrial and commercial uses, providing context for the land use planning and infrastructure provision required to meet demand within the Shire. The Land Supply Assessment identified approximately 617 lots zoned Residential or Townsite that may be released in the medium-term (5-10 years - 397 lots) and longer-term (10+ years - 220 lots).

As part of creating new lots in identified land release areas it will be necessary to address and resolve constraints. These constraints, which may be specific for individual sites or relevant across multiple areas could include impacts of a proposal on water resources; the need to identify/manage bushfire risk; impacts on the environmental values (such as flora/fauna communities); connections to utilities (water, wastewater and/or electricity) and/or land use planning requirements (amending the scheme and/or preparing structure plans).

Brownfield 'infill' opportunities - there may also be potential for brownfield development under 1,000m², particularly within the Muchea and Bindoon townsites, where a split Residential R-Code density R10/R30 applies. However, infill subdivision will be predicated on infrastructure provision that will require significant investment by the Water Corporation. There are other instances where lots may be of sufficient size for re-subdivision where constraints and known issues can be resolved; the proposed lots comply with the minimum lot size requirements, or where a connection to reticulated sewerage can be provided.

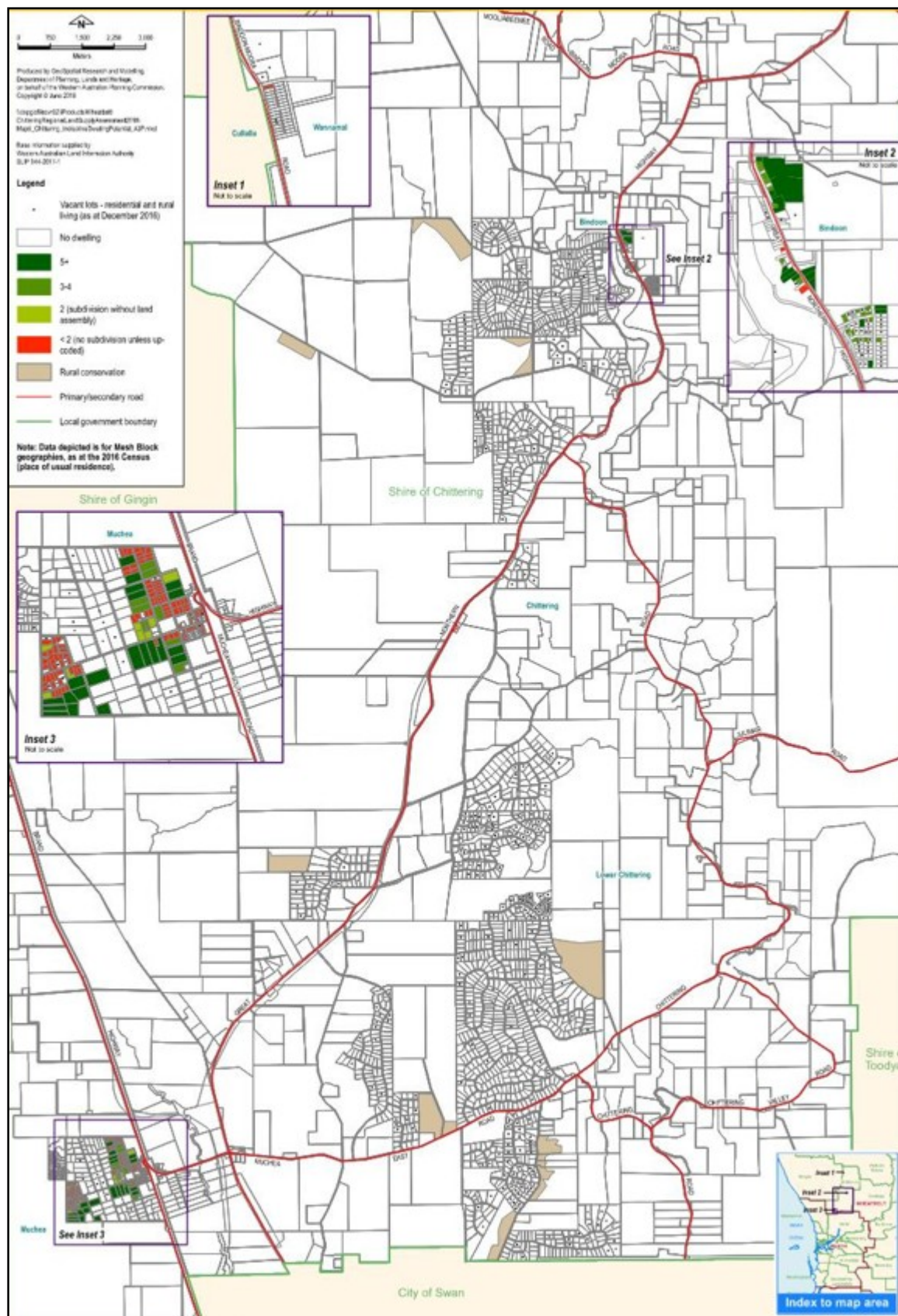


Figure 9 Future land release

4.3.2 Rural living

Rural living activities within the Shire occur on land zoned Rural Residential and Rural Smallholdings within established 'estates'. There are approximately 40 of these estates with the largest being Maryville Downs, Chittering Springs, Chittering Fields and Chittering Retreat. There is also some land zoned Rural Conservation and Rural

Retreat that accommodate a rural living component while also protecting environmental features. Within these estates there are approximately 1,500 lots that are 'developed'.

Vacant land

The VGO data identifies that there were 144 vacant lots that are zoned for rural living purposes (refer to **Table 9**).

Locality	Developed		Vacant		Unrated
	Lots	Ha	Lots	Ha	Ha
Bindoon	395	811.94	36	110.59	591.40
Chittering	338	962.73	57	147.54	365.13
Lower Chittering	753	1,670.39	51	128.83	747.35
Muchea	29	114.30	0	0	33.21
Total	1,515	3,559.36	144	386.96	1,737.09
Source: VGO (2024); DPLH (2024)					

Table 9 Development status of land zoned for rural living purposes by locality

Greenfield opportunities

The Land Supply Assessment identified that further subdivision of land zoned for rural living purposes or new lot creation in previously undeveloped areas (as identified in the Strategy – refer to **Figure 9**) could potentially yield approximately an additional 1,125 lots for rural living purposes over the next 10-20 years. This land could be released in the short (0-5 years - 391 lots), medium (5-10 years - 318 lots) and/or longer (10+ years - 416 lots). Most of this lot activity is expected to occur in the localities of Bindoon, Lower Chittering and Chittering. However, a high-level review of the Land Supply Assessment noted that only a small number of land parcels identified for future rural living purposes have been released in the short-term (over the last five years - between 2020 and 2024).

When considering the opportunities for future rural living purposes it should be noted that many of the existing estates were subdivided prior to the gazettal of SPP3.7 and the (updated) Government Sewerage Policy. These policies have implications for further subdivision/development within these estates as many are identified as bushfire prone and/or 'sewerage sensitive'. Addressing these policies by way of bush fire management plans, site and soil evaluations, water protection plans and implementing identified management strategies are likely to have significant time and cost implications for landowners. Therefore, while there is considerable vacant land identified for rural living purposes, it's suitability for future subdivision/development should be further investigation.

4.3.3 Adequacy of land supply

In response to the anticipated demand for additional residential land and dwellings (as presented in **Table 4**) there is sufficient land zoned for residential and rural living purposes to meet forecast population change over the next 10 years (and for a considerably longer period) as there is:

- a stock of 'vacant' land that is zoned Residential, Townsite or for rural living purposes;
- a stock of unoccupied dwellings in the Shire's townsites and surrounding localities; and
- identified opportunities for 'greenfield' development on land that is zoned Residential or Townsite and for rural living purposes subject to constraints being addressed; and some opportunities for infill subdivision/development provided constraints such as reticulated sewerage constraints can be adequately addressed.

4.3.4 Commercial

The Bindoon townsite is expected to remain as the Shire's centre for commercial and retail activity. Due to the Shire's proximity to the Perth Metropolitan Region area, the local population can readily access higher order commercial and retail services within established centres, such as Morley and Midland. The Strategy does identify an opportunity for new commercial and retail space, referred to as the Maryville Village Centre, in Lower Chittering. The purpose of this centre would be to provide additional commercial opportunities to service the population living in the existing rural living estates, such as Maryville Downs.

4.3.5 Industrial

The Shire's stock of industrial land is comprised of 170 ha located in the localities of Bindoon and Muchea and 1,396ha in the Muchea Industrial Park. As previously outlined, it is anticipated that development within Muchea Industrial Park will accommodate large-scale freight/logistics and agribusiness operations, as well as service-based activities relating to transport, livestock export, fabrication, warehousing, and wholesaling.

4.3.6 Rural

Outside of the Bindoon and Muchea townsites and the localities of Lower Chittering and Chittering, most of the remaining land within the Shire is used for rural purposes and zoned Agricultural Resource. The Strategy recommends that the Agriculture Resource zone be replaced with the model Rural zone and review of permissibility for a broader range of appropriate/complementary land uses.

PART 5 – Evaluation of existing Local Planning Framework

This part evaluates the existing local planning framework given the planning context presented in **Part 3** and the assessment of land supply in **Part 4** and considers whether the Local Planning Strategy, Local Planning Scheme, Structure Plans/Development Plans and Local Planning Policies are satisfactory in their existing form; should be amended; or should be revoked and/or have a new one prepared.

5.1 Local planning strategy

The Shire of Chittering's Local Planning Strategy (Strategy) was endorsed by the Western Australian Planning Commission in 2019. The Strategy is consistent with strategic guidance and directions in the Shire's Strategic Community Plan 2022-2032 and reflects the Department of Planning, Lands and Heritage Wheatbelt Regional Planning and Infrastructure Framework (2015) and the Regional Land Supply Assessment - Chittering (as referred to in Part 4).

In summary, the Strategy addresses the population, economic and environmental drivers that were briefly outlined in Part 3 and Part 4 of this report by defining strategic directions/actions to:

- develop and enhance the functions of settlements (such as Bindoon/Muchea townsites) and localities (Chittering/Lower Chittering);
- address population change, including demographic trends, across the Shire by focussing development within the existing settlements (Bindoon/Muchea townsites) and existing/future rural living/rural residential estates in the localities of Bindoon, Chittering and Lower Chittering;
- identify and facilitate opportunities for agricultural production (broadscale and higher intensity activities); freight and transport logistics; tourism, basic raw materials and mining activities;
- manage impacts of settlement/economy on the Shire's biodiversity assets; water catchments/water ways; landscape and views; protection of ground and surface water; and bush fire risk throughout the Shire;
- identify and protect areas that have high conservation value; and
- consult with stakeholders regarding current and future requirements for infrastructure planning.

The Strategy remains contemporary and fit-for-purpose and no review is required at this time.

5.2 Local Planning Scheme No.6

The Strategy recommends that a new contemporary, fit-for-purpose Scheme be prepared to replace Local Planning Scheme 6 that was gazetted in 2004. A new Scheme is required to: respond to the local planning context; be consistent with the Regulations; align with State's land use planning policy and practice. A new Scheme will/could include:

1. formatting and content to reflect the Model Scheme Text provisions of the Regulations;
2. rezoning/reclassifying land that is currently zoned Agricultural Resource, Rural Retreat and Rural Conservation to reflect the Model zones and introduce the Rural Enterprise zone;
3. rezoning specific land parcels to reflect the strategic actions/directions of the Strategy;
4. normalising specific land parcels where subdivision has already occurred (such as Special Residential > Residential R2.5) consistent with Commission planning policy;
5. allocating appropriate R-Code densities within the Shire's settlements particularly in the Bindoon and Muchea townsites and introducing a coding mechanism for the Rural Residential (rural living) zone based on prevailing/preferred settlement pattern;
6. updated land uses terms/definitions to reflect the Model Scheme Text provisions of the Regulations and include new land uses such as for STRA, aged persons accommodation, renewable energy facilities and assign appropriate permissibility in the zoning table;

7. updated and/or new zone-specific (Part 3) and general development provisions (Part 4) that could include the following:
 - Contemporary controls to subdivide, develop and/or use land;
 - Guidance for assessing particular land use activities such as agriculture-intensive, animal husbandry-intensive, workforce accommodation, renewable energy facilities, extraction of basic raw materials; and
 - Incorporate changes relating to current initiatives to better manage STRA.
8. reviewing and consolidating special control area boundaries and provisions;
9. reviewing the need for and application of structure/development plans;
10. determining what content from the existing Scheme can be incorporated into the new Scheme; and
11. reviewing existing local planning policies for relevance, currency and for alignment with the new Scheme content and the Regulations (deemed and model provisions).

Given the recommendation of the Strategy, and the extent of updates/change that is required to the existing Scheme as identified above, a new Scheme (Scheme No. 7) should be prepared.

5.3 Structure/development plans

The Shire has completed a review of its approved structure and development plans. Obsolete instruments have been removed from current display or active use, and the remaining plans are considered current and fit for purpose. Accordingly, no further action is proposed through this Report of Review, noting that any future implications arising from Local Planning Scheme No. 7 can be considered through that separate scheme preparation process.

5.4 Local planning policies

The Shire has commenced a separate review of its local planning policy framework to determine which policies should be retained, updated, consolidated or revoked. The Report of Review does not itself adopt, amend or revoke any local planning policy; any policy changes would be progressed through a separate process and further Council consideration, including alignment with any future Local Planning Scheme No. 7.

PART 6 - RECOMMENDATION

That Council,

1. Pursuant to Regulation 66(1)(a) and (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves the Shire of Chittering Local Planning Framework - Report of Review and forwards the approved Report to the Western Australian Planning Commission.
2. Pursuant to Regulation 66(3)(a), (b) and (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommends to the Western Australian Planning Commission that
 - (a) the Local Planning Strategy (2019) is satisfactory as it remains contemporary and fit-for-purpose and no review is required at this time;
 - (b) Local Planning Scheme No. 6 should be repealed and a new Scheme (Local Planning Scheme No. 7) prepared that incorporates the recommendations of the Local Planning Strategy and is consistent with the Model and Deemed Provisions of the Regulations; and
 - (c) the completed review of approved structure/development plans be recognised, noting obsolete instruments have been removed from current display or active use and remaining instruments are current and fit for purpose.
3. Notes that the Shire will continue to progress an omnibus amendment to Local Planning Scheme No. 6 as a separate transitional workstream limited to discrete, simple and low-risk matters.
4. Notes that the Shire has commenced a review of its local planning policy framework to consider which policies should be retained, updated, consolidated or revoked.

Attachment 1 - Shire of Chittering Local Planning Scheme No.6 Amendments

AMD NO	GAZETTAL DATE	DETAILS	
		WHEN UPDATED	
18	18/4/08	29/4/08	Part 5 - modifying clause 5.8.1 by inserting words "and the Western Australian Planning Commission" following the word "Council" in first sentence.
16	30/9/08	30/9/08	Schedule 5 - modifying Special Use Area 1 for Lot 9003 Muchea East Road" together with special uses and conditions of use.
8	30/1/09	4/2/09	Part 4 - modifying Clause 4.2.6.1. Part 4 - inserting objective 4.2.7 Rural Conservation Zone. Part 5 - modify Clause 5.8. Part 5 - modifying clause 5.8.1, Clause 5.8.2, 5.8.3, 5.8.4, 5.8.5, 5.8.6, 5.8.7, 5.8.9, 5.8.10, 5.8.11. Part 5 - inserting new clause 5.8.12 "Water Re-use" after clause 5.8.11 and renumber subsequent clauses accordingly. Part 5 - adding new clause 5.8.13, 5.8.14. Part 5 - modify existing clause 5.8.12 by replacing Department of Environmental Protection with "Department of Environment and Conservation". Schedule 1 (Land Use Definitions" - inserting definition "tourist accommodation". Schedule 2 - insert new zone column "Rural Conservation" together with relevant designated uses. Schedule 3 - inserting new additional use area "A14 Lot 20 Gray Road, Bindoon".

AMD NO	GAZETTAL DATE	DETAILS	
		WHEN UPDATED	
21	3/4/09	11/5/09	Part 1 - modifying sub-clause 1.7.1(a). Part 4 - deleting heading "Objectives" in clauses 4.2.1, 4.2.2.1, 4.2.3.1, 4.2.4.1, 4.2.5.1 and 4.2.6.1. Part 4 - amending the Note to Clause 4.8. Part 4 - amending Note to Clause 4.11. Part 5 - replacing Heading of Clause 5.7. Part 5 - including sub-heading in Clause 5.7 to read "Rural Retreat, Rural Smallholdings, Rural Conservation and Rural Residential Zones". Part 5 - amending sub-clause 5.8.1. Part 5 - amending sub-clause 5.8.1(f). Part 5 - replacing first sentence of sub-clause 5.8.3. Part 5 - amending sub-clause 5.8.3, 5.8.6, 5.8.7. Part 5 - changing number of sub-clause 5.8.9 to 5.8.7 and inserting additional sentence. Part 5 - amending sub-clause 5.8.11, 5.8.12, 5.11.5, 5.11.6, 5.11.8. Part 6 - amending sub-clause 6.3.3.e), and clause 6.5.3. Part 7 - amending clause 7.5. Part 8 - amending Note 1) in clause 8.1. Part 8 - amending sub-clause 8.2(b) and deleting sub-clause (iii). Part 8 - amending Note in Clause 8.2. Part 9 - amending sub-clause 9.1.2, 9.3(b), 9.4.4, 9.4.6. Part 10 - amending Clause 10.2 to insert new sub-clause (z) and renumbering subsequent clauses (z) to (bb) and inserting word 'and' after clause (bb). Part 10 - amending sub-clause 10.4.1, 10.9.1 and Clause 10.10. Part 11 - amending sub-clause 11.4.1, 11.5.1, 11.6.2, 11.7.1, 11.7.2. Part 11 - correcting numbering of sub-clause 11.7.2 to read 11.8.2. Part 11 - amending subclause 11.8.2. Schedule 1 - deleting definition "Town Planning Act" and amending definitions of "Non-conforming Use", "Gazettal Date" and "Development" and add definition of "Planning and Development Act". Schedule 2 - adding use class "Airfield" together with relevant use class symbols and renumber following use classes accordingly. Schedule 9 - Amending sub-heading of schedule by replacing words 'Town Planning Act' with 'Planning and Development Act'. Schedule 10 - amending Note 3. Part 1 - amending Clause 1.5(g). Part 10 - renaming Clause 10.10 to 'Right of Review'. Part 11 - modifying Clause 11.1.1(b), Clause 11.2.4 and Clause 11.6.1. Schedule 1 - amending definition for "Lot".
10	15/1/10	5/3/10	Schedule 2 – Zoning Table, "Rural Retreat" for each use class was edited. "See note 1 at end of zoning table" under the rural retreat heading in Zoning Table, was deleted.
AMD	GAZETTAL	DETAILS	

AMD NO	GAZETTAL DATE	DETAILS	
		WHEN UPDATED	
NO	DATE	WHEN UPDATED	
			Clause 4.2.4 and 4.2.5 were edited. Clause 5.8.11 was modified. All references in the scheme text to "Small Rural Holdings" were replaced with "Rural Smallholdings".
23	15/1/10	9/3/10	Inserted Schedule 12. Added No.1 Lot 101 Tea Tree Road, Bindoon to Schedule 12.
40	27/4/10	30/4/10	Inserted new Clause "4.2.8 – Residential R2 Zone". Inserted new zone "Residential R2" into Schedule 2 – Zoning Table.
39	20/07/10	23/07/10	Modified Schedule 2 – Zoning Table use class "Land Refuse Centre". Inserted "No. 3 – Lot 16 Wandena Road, Muchea" into Schedule 5 – Special use Zones.
29	20/05/11	30/05/11	Created a new schedule, Schedule 13. Inserted new Clause, clause 6.7.
35	13/05/11	20/06/11	Modified Schedule 2 – Zoning Table. Modified Clause 4.2.4.
42	23/08/11	25/08/11	Inserted Additional Use No. 15 into Schedule Three (3) – Additional Uses.
17	21/9/12	24/9/12	Within Clause 5.8.5 – - Changed the title from 'Non-Potable Water Supply' to 'Water Supply' - Inserted a new paragraph following the first one.
47	18/1/13	5/2/13	Inserted A16 into Schedule 3 – Additional uses.
41	22/3/13	2/4/13	Inserted Schedule 14. Inserted clauses 5.17 and 8.2(b)(vii).
50	15/11/13	19/11/13	Inserted Additional Use No. 17 into Schedule 3 – Additional uses.
49	5/12/14	19/01/15	Amend schedule 1 – Dictionary of defined words. Amend existing definitions for Commercial Vehicle, Home Business and Transport Depot. Insert New Clause 5.18 – Parking of Commercial vehicles in Townsite, Residential, Rural Residential and Rural Conservation Zones.

AMD NO	GAZETTAL DATE	DETAILS	
		WHEN UPDATED	
52	26/06/15	15/07/15	Amend Scheme maps. Replace the words 'outline development plan' and 'development plan' with 'structure plan' throughout the Scheme text. Insert new clause 4.2.3 and 4.2.4 and re-number subsequent clauses accordingly. Delete clause 5.8.1 and replace with new text. Amend clause 5.8.8. Insert new clause 5.19. Delete clause 6.7 and replace with new text. Delete the definitions for 'Industry- Noxious', 'Industry- Hazardous', 'Industry- General', 'Piggery' and 'Poultry Farm' from Schedule 1 and Schedule 2. Replace the definition for 'Animal Husbandry- Intensive' in Schedule 1. Insert a definition for 'Structure Plan' into Schedule 1. Amend Schedule 2- Zoning Table to include columns for Industrial Development Zone and General Industry Zone. Rename 'Schedule 13- Community Infrastructure Development Contribution Plans for Development Contribution Areas' to 'Schedule 13- Development Contribution Areas'. Insert Schedule 15- Muchea Employment Node Special Control Area.
55	18/03/16	31/03/16	Rezoning Lot 2 Reserve Road, Chittering from 'Rural Residential' to 'Residential R2 Zone'. Rezoning Lot 9001 Rosewood Drive, Chittering from 'Rural Residential' to 'Rural Conservation'. Amending the Scheme Map accordingly Amending 'Schedule 12 - 'Rural Conservation' to include Lot 9001 Rosewood Drive, Chittering. Inserting a new clause in Part 5 of the Scheme - 5.21 Development provisions - Residential R2 zone.
62	14/02/17	09/03/17	Inserted reference to the deemed provisions and supplemental provisions in Part 1.4 by inserting new sub-clauses (b) and (c) and renumbering the sub- clauses accordingly. Corrected Schedule references. Deleted the following from the Scheme Text, as they have been superseded by the deemed provisions set out in the <i>Planning and</i>
AMD NO	GAZETTAL DATE	DETAILS	
		WHEN UPDATED	
			Muchea Employment Node Structure Plan (2011); and Reclassified Lot M1606 Great Northern Highway, Muchea from 'Agricultural Resource' to 'Light Industry'. Renumbered clauses as required and ensured consecutive numbering. Updated the table of contents.

AMD NO	GAZETAL DATE	DETAILS	
		WHEN UPDATED	
66	5/10/18	8/10/18	Rezone Lot 22 Great Northern Highway, Muchea from "Agricultural Resource" to "General Industry". Modify the Scheme Maps accordingly to reflect the "General Industry" zone over Lot 22 Great Northern Highway, Muchea as provided for on the attached Scheme Amendment Map. Replace the words General Industrial Zone to General Industry in Clause 3.2.3 and delete the word 'zone' after the words General Industry in the Zoning Table. Modify the Scheme Maps Legend to include the "General Industry" zone in the Local Schemes Zones as provided for on the attached Scheme Amendment Map.
65	18/04/19	18/04/19	Delete the following definitions from Schedule 1 - Dictionary of Defined Words and Expressions and Schedule 2 - Zoning Table: Builders Storage Yard, Landfill/Refuse Centre, Plant Nursery, Place of Assembly, Stable and Winery/Brewery. In Schedule 1, modify the definitions for garden centre, industry, shop, and transport depot. In Schedule 1, add the following definitions (in alphabetical order): Brewery, Commercial Vehicle Parking, Home Office, Place of Worship, Resource Recovery Centre, Waste Disposal Centre, Waste Disposal Facility, Waste Storage Facility, Winery. In Schedule 2, modify the zoning table as follows: (a) add the following land uses (in alphabetical order): Brewery, Place of Worship, Resource Recovery Facility, Waste Disposal Facility, Waste Storage Facility and Winery. (b) change the land use permissibility for the following land uses: Caretaker's Dwelling, Funeral Parlour, Garden Centre, Industry - Extractive, Industry, Industry - Rural, Market, Office Reception Centre, Rural Pursuit, Showroom, Stock Yards, Telecommunications Infrastructure, Transport Depot, Warehouse/Storage. (c) delete the text following the zoning table as it replicates the text in clause 3.3.2 of the scheme. (d) In clause 3.3.2 of the scheme, add text that reads: "A number of cells in the zoning table are blank. The corresponding land uses for these blank spaces are X (prohibited) in the Residential R2 zone". In Schedule 3 - Additional Uses of the Scheme, add the following entries: A18 – A26. Update the scheme maps by indicating each of the proposed Additional Uses in modification 5 as 'Additional Uses', using the legend set out in clause 3, schedule 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.

AMD NO	GAZETAL DATE	DETAILS	
		WHEN UPDATED	
61	25/06/19	26/06/19	Insert a new Clause 3.2.11 – Environmental Conservation Zone. Replace the first two paragraphs of Clause 4.8.13. Insert a new Clause 4.21 – Development Provisions – Environmental Conservation Zone. Insert definition for 'Holiday House' into the Land Use Definitions section of Schedule 1. Delete the definition of 'Resort' in the Land Use Definition section of Schedule 1. Replace the term 'Tourism Development' with 'Tourist Development' in the Land Use Definition section of Schedule 1. Insert a new column for the 'Environmental Conservation' zone into the Zoning Table in Schedule 2 with the permissibility of a 'Single House' depicted as 'D', the permissibility of 'Bed and Breakfast' depicted as 'A', the permissibility of 'Home Business' depicted as 'A' and the permissibility of all other Use Classes depicted as 'X'. Amend Schedule 5 by inserting a new Special Use site for a portion of Lot 101 Teatree Road, Bindoon. Amend Schedule 8 by deleting entry No.1 in its entirety. Insert a new Schedule titled 'Schedule 13 - Environmental Conservation Requirements' and inserting entry No.1 into Schedule 13 – Portion of Lot 101 Teatree Road, Bindoon. Amend the Scheme Map Legend by inserting the 'Environmental Conservation' zone immediately below the 'Agricultural Resource' zone, and amending the Scheme Map by including a portion of the land in the
AMD NO	GAZETAL DATE	DETAILS	
		WHEN UPDATED	
			Environmental Conservation zone, including a portion of the land in the Special Use zone with the annotation 'SU5', and removing the border and text annotation for the RC1 Rural Conservation Area.
69	22/07/2022	09/08/2022	Recoding Lot 9002 Reserve Road, Chittering from 'Residential R2' to 'Residential R5' and amending the Scheme maps accordingly. Delete clause 3.2.10 and replace with 3.2.10 Residential Zone. Amend clause 3.3.2 to remove reference to 'R2' density code and add the symbols used in the cross reference in the Zoning Table with their meanings. A number of cells in the zoning table are blank. The corresponding land uses for these blank spaces are X (prohibited) in the Residential zone. Amend clause 4.19 to remove reference to 'R2' density code and 'Lot 2 Reserve Road', as follows: 4.19 - DEVELOPMENT PROVISIONS – RESIDENTIAL ZONE Delete subclause 4.19.1 and replace with the following subclauses 4.19.1 to 4.19.4. Amend Schedule 2 – Zoning Table to remove reference to 'R2' density code from the Residential zone name; and insert the following uses and associated permissibilities against the relevant zones: Home Store and Holiday House. Delete clause 5.5 Military Considerations (RAAF) and replace with 5.5.1

AMD NO	GAZETAL DATE	DETAILS	
		WHEN UPDATED	
			to 5.5.5. Amend the 'List of Contents' to reflect the modifications accordingly. Renumber any clauses, tables or schedules as required and address any editorial matters necessary to correct formatting, numbering, administrative matters, and/or inconsistencies within the text.
67	07/10.2022	20/10/2022	Rezone portions of Lots 800-804 & 192, 195 & 35 Great Northern Highway, Muchea, from Agricultural Resource zone to Light Industry zone. Clarify portions of Lots 192, 194 & 35 Great Northern Highway abutting Ellenbrook, denoted as Environment & Conservation. Replace the words from 'Light Industrial' zone to 'Light Industry' zone and 'Conservation' reserve to 'Environmental Conservation' reserve. Replace references to 'Muchea Employment Node' to Muchea Industrial Park'. Within clause '5.1.1 Operation of Special Control Areas' add ' Muchea Industrial Park' as new dot point 6. In Schedule 1 add the following definitions (in alphabetical order): Concrete Bating Plant, Workforce Accommodation. Amend Schedule 2 - Zoning Table to identify the uses: i. Concrete Batching Plant. ii. Workforces Accommodation Modify clause 5.7.2.1. Amend clause '4.9: Requirements for Industrial Zones and Land Uses' to introduce new provisions. Amend Schedule 11 by including provisions for Precinct 3 of the Muchea Industrial Pak - Lot 800-804, 192, 194 and 35 Great Northern Highway, Muchea Industrial Park Structure Plan 2022. Renumber any affected clauses accordingly. Amend scheme mapping accordingly.

AMD NO	GAZETTAL DATE	DETAILS	
		WHEN UPDATED	
73	14/03/2023	16/03/2023	Delete the second sentence of clause 5.3.1 and in its place, insert the following provision Development approval is required for any development within the Special Control Area, excluding development of a class specified in Column 1 of an item in the following Table and if all of the conditions set out in Column 2 of the Table opposite that item are satisfied in relation to the development.
72	05/05/2023	23/05/2023	Modify the Scheme Maps by introducing the Rural Residential zone over Lot M1942 Morley Rd, Lower Chittering

AMD NO	GAZETAL DATE	DETAILS	
		WHEN	
			Insert the definition for building exclusion area under the General Definitions of Schedule 1 – Dictionary of Defined Words and Expressions in alphabetic order. Insert the following into Schedule 12 – Rural Residential No. 2 – Lot M1942 Morley Road, Lower Chittering with conditions.
70	5/7/2024	30/7/2024	Rezone Lots 30 on Deposited Plan 92433 & 202 on Deposited Plan 60290 Great Northern Highway and Lots 3 on Deposited Plan 20433 & 201 on Deposited Plan 60290 Muchea East Rd, Muchea from 'Agricultural Resource' to 'Light Industry'. Insert development provisions into Schedule 11. No. 3 – Precinct 1 North A of the Muchea Industrial Park Structure Plan – Lots 30 & 202 Great Northern Hwy and Lots 3 & 201 Muchea East Rd, Muchea. Remove Additional Uses 7 & 20 from Schedule 3. Amend the Scheme Map accordingly.

Attachment 2 - Explanation of land supply data (Landgate vacant land data)

The Landgate Property Valuation Database (PVD) gives each cadastral lot in the Residential, Industrial and Commercial zones one of three values ('developed', 'undeveloped (vacant)' or 'unrated'). These values are defined below:

Category	Description
Developed	Refers to lots that are zoned for development for the purposes of the specified primary land use category (Residential, Industrial and Commercial) for which premises valuation information is captured in Landgate's property valuation database.
Undeveloped (vacant)	Refers to lots that are zoned for development for the purposes of the specified primary land use category (Residential, Industrial and Commercial) for that are recorded as vacant in Landgate's property valuation database.
Unrated	Refers to lots that are zoned for development for the purpose of the specified primary land use category (Residential, Industrial and Commercial) for which no vacant land or premises valuation information has been captured in Landgate's Property Valuation Database. This may include State or local government owned lots or premises exempt from rates, Crown allotments, common property within lots on survey, newly created lots on survey, land otherwise exempt from rates and some public roads which are zoned for the primary land use category (Residential, Industrial and Commercial) under the local planning scheme.

DEVELOPMENT SERVICES**DS01 – 12/25 Lower Chittering Bridle Trails Network**

Applicant	Shire of Chittering
File ref	SOCR – 1845402348-39062
Author	Senior Planning Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	<i>Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure</i>
Voting requirements	Simple Majority
Attachments	1. Lower Chittering Bridle Trail Final Survey Data 2. LCBTN Reference Group Meeting Minutes – 18 November 2025 3. Bridle Trail Route Plans

Councillor Campbell declared an proximity interest in this item and left the Chambers at 7.36pm.

Nature of Interest: Powderbark Road Bridle Trail borders or any part of it, is directly across a thoroughfare from Cr Campbell's property.

Cr Dewar sat in as the Presiding Member.

	Authority / Discretion	Definition
☐	Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
☒	Executive	The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
☐	Legislative	When Council initiates or adopts a policy position, or a local law
☐	Quasi-Judicial	When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal
☐	Information	Includes items for information purposes only and do not require a decision of Council (to 'note' only)

Executive Summary

Council is requested to make a determination on the future of the 'Lower Chittering Bridle Trails Network'. This report details the outcomes of the trial period and the additional consulting periods that have been undertaken during the trial period.

Background

At the Ordinary Council Meeting on Wednesday 19th June 2024, Council resolved to endorse the Maryville Downs Bridle Trail and the Powderbark Estate Bridle Trail for a period of 12 months to assess its suitability for the community before being brought back to Council for a final determination of whether or not the bridle trails remain open on a permanent basis.

It was also determined at this meeting that a reference group was required to be formed to allow for regular stakeholder meetings to occur to discuss any concerns and/or issues with the bridle trails as the trial was ongoing.

Council resolved in this meeting for further community engagement to be undertaken during this trial period

with adjoining landowners to the trails to determine what issues and/or concerns have arisen during this trial period.

The Council resolution is provided below:

SUBSTANTIVE MOTION / COUNCIL RESOLUTION 030624

Moved Cr Campbell, seconded Cr Ross

That Council:

- 1. Receives the 'Community Survey Assessment – Lower Chittering Bridle Trail Network' (Attachment 1);*
- 2. Endorses the recommendation to implement both proposed trails for a 12-month trial period to then be brought back before Council for final consideration at the conclusion of the trial period;*
- 3. Endorses the provision that the 12-month trial period can be suspended at any time by Council should it have reason to do so;*
- 4. Endorses community engagement during the trial period, particularly with the owners of properties that abut a trail route, to communicate the avenues within the Shire where issues and concerns can be raised; and*
- 5. That a reference group including members of the local community and equine riders be formed for the trial period, with a proposed terms of reference to be presented to Council at the July OCM.*

CARRIED 5 / 1

TIME: 8.11PM

For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar

Against: Cr Hughes

The reference group was then formalised as part of the Ordinary Council Meeting of Wednesday 17 July 2024. The bridle trails were then formally opened to the community on 23 August 2024, commencing the 12-month trial period which was set to end on 23 August 2025.

At its meeting held 21 May 2025, Council noted the historical meeting minutes of the Bridle Trail Reference Group. The Reference Group have not encountered problems or issues related to the bridle trails to date (raised by users of the trails or adjoining landowners) that have not been attempted to be resolved at some level by the Shire's administration.

As the process of additional community consultation was expected to take an additional period of time which would exceed the trial closing date of 23 August 2025, at the Ordinary Council Meeting of Wednesday 16th July 2025, Council resolved to extend the trial period of the bridle trails to remain open until such time that the further consultation was undertaken and a report prepared and brought back to Council no later than the February 2026 Ordinary Council Meeting.

The Council resolution to extend the trial period is provided below:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020725

Moved Cr Angus, seconded Cr Ross

That Council:

- 1. Endorse an extension of the 12-month trial period of the Lower Chittering Bridle Trail Network to allow for the trails to remain open while community consultation is undertaken;*
- 2. Instructs the Chief Executive Officer to undertake community consultation for a period not less than 28 days on the future of the Lower Chittering Bridle Trail Network in the following ways:*
 - a. Correspondence sent to all landowners that abut a bridle trail requesting feedback;*
 - b. Online survey made available; and*
 - c. Social media and website promotion of the online survey.*
- 3. Instructs the Chief Executive Officer to report back in detail to Council at the February 2026 Ordinary Council Meeting, following the period of community consultation to allow Council to make a determination on the future of the Lower Chittering Bridle Trail Network.*

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.15pm

The consultation was undertaken via two forms of advertisement. The first being an online survey which was published on the Shire's website and social media services. The second being letters being sent directly to all properties which adjoin the bridle trails, inviting comment. The online survey was advertised from Friday 29 August 2025 and ran for a 28-day period ending Friday 26 September 2025. The letters distributed to all adjoining properties also afforded a 28 day period to provide comment.

Further information regarding the results of this consultation period will be discussed in the 'Consultation Summary' section of this report.

When Council determined to extend the duration of the trial period, an advice note was also included which states:

"Advice Note from Council: If possible for the detailed report to include an estimate of the number of horses within the Shire."

This was considered for the final report, however it was not possible to retrospectively collect this data to an extent that the data could be accurately relied upon for Council to make an informed decision.

Consultation Summary

Local

The online survey featured a total of 16 questions. These questions focused on where the respondent lives, the amount of times they've used the bridle trails, how the users rated the quality of the trails and how the trails could be improved (if made permanent). The online survey received a total of 258 responses and a general summary of the survey is that:

- The majority of users reside within Lower Chittering (150) and that users from Bullsbrook/Swan Valley (41) were the next closest locality to use the trails.
- 80% of respondents have used the Maryville Downs bridle trail, with 33% using this trail 1-3 times during the trial period. 28% claim to use it monthly and 16% have not used it at all.
- 47% were 'very satisfied' and 38% were 'satisfied' with the overall experience of the Maryville Downs trail. 6% were 'very dissatisfied' with the trail.
- 57% of respondents have used the Powderbark Estate bridle trail, with 36% using this trail 1-3 times during the trial period. 34% have not used this trail at all.
- 34% were 'very satisfied' and 42% were 'satisfied' with the overall experience of the Powderbark Estate trail. 4% were 'very dissatisfied' with the trail.
- 63% of respondents would prefer to drive and float their horse to the bridle trails, with 49% preferring to ride their horse from their property.
- 42% would prefer to walk their horse less than 1km on a public road to a bridle trail access point.
- 26% would walk their horse 1-3km on a public road and 21% would not walk their horse on a road at all.
- 40% of respondents stated they had no issues whilst on the trails, with 39% experiencing issues of motorbikes and/or unauthorised vehicles.
- 32% have no preference for the style of gates at trail access points. 28% would prefer the gates remain opened (as it currently is) and 24% would prefer a form of 'step over gate'.
- 85% of respondents would support the bridle trails being opened on a permanent basis. 7% would support the trails with changes, and 8% do not support the trails being opened on a permanent basis.

A full report of the survey data is available in Attachment 1 of this report.

The second form of formal advertising undertaken for this trial period was directly contacting all adjoining landowners of both trails and providing each landowner with the opportunity to provide a written submission. Of the 25 adjoining properties to the Powderbark Estate Bridle Trail, four submissions were received, with three of these submissions objecting to the trail.

The key concerns of the objecting landowners to the Powderbark Estate bridle trail are the issues of smell (from 'waste' being left on the trails) and unauthorised vehicles (such as motorbikes and cars) also accessing the trail.

Of the 51 adjoining landowners to the Maryville Downs Bridle Trail, a total of 11 responses were received from nine adjoining landowners. Five of these responses (from a total of three landowners) were objecting to the trails, and six submissions were in support.

The key concerns of the objecting landowners to the Maryville Downs bridle trail are the issues of privacy, security breaches and the potential devaluing of properties that adjoin the trails.

The full submissions can be viewed in Attachment 1 of this report.

State

Shire officers consulted with the Lands Department within the Department of Planning, Lands and Heritage (DPLH) to determine the correct management purpose of the reserves currently being utilised for the bridle trails. DPLH confirmed that these reserves are designated as 'Pedestrian Access Ways' (PAW).

Based on this information, Shire officers then sought further confirmation regarding the ability to permit horse riding on the PAWs with the Shire's insurers and also obtained legal advice to confirm what activities can currently be permitted on the PAWs. This legal advice obtained will be further explained throughout the report, however in short, the legal advice obtained confirms that the PAWs can be used for horse riding in its current form.

Legislative Implications

State

- Local Government Act 1995

The Shire obtained legal advice regarding the permissibility of use for the PAWs for the purpose of horse riding. This legal advice confirmed that the PAWs are under the care, control and management of the Shire by virtue of section 3.53 of *Local Government Act 1995* and that whilst a PAW is technically intended for use by pedestrians, there is no reason to suggest that the PAW cannot be used for the purpose of horse riding.

- Land Administration Act 1997

The Shire is required to be managing the land in accordance with its requirements under section 264(3) of the *Land Administration Act 1997* and that failure to comply with a management order may result in the management order being revoked. The legal advice obtained also states that it is common for local governments to permit PAWs (or land reserved for that purpose) to be used for the walking of dogs if appropriate signage is in place to regulate those activities. The activity of horse riding is generally consistent with the land use of a PAW provided that the activity of horse riding does not interfere with or prevent the primary use of the PAW or the use of the PAW for fire and emergency access purposes.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

There is currently \$30,000 allocated in the budget this financial year (25/26) for incidental requirements to maintain the trial period, and to commence infrastructure installation should Council wish to make the trails permanently accessible. Should Council decide to permanently open the trails, these funds will be used to

improve the quality of the trails via staged approaches. Further improvements to the bridle trails would include the upgrading of gates, signage, car parking, and the possibility of increasing CCTV surveillance. If Council are to determine to open the trails permanently, the future budget allocation to the bridle trails can be further refined and discussed during budget deliberations, including the future 26/27 budget adoption.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 - 2034

Community Theme:	Community
Community Aspiration:	Inclusive, Active, and Resilient Community
Strategy:	1.4 – Empowerment and Skill-building
Strategic Objective:	Foster a sense of inclusivity, activity and resilience where all members feel safe, valued, supported, and empowered.

State

Nil

Site Inspection

Site inspection undertaken: Yes

Shire officers have frequently driven the bridle trails during the trial period to see if any long-term damage was being made to the environment or the trails themselves. Shire officers conducted the most recent inspection of the trails on 18 November 2025, with the below images demonstrating that the bridle trails have not resulted in any damage to the quality of the PAWs.



Image 1: Maryville Downs Bridle Trail (Senior Planning Officer, 2025)



Image 2: Maryville Downs Bridle Trail (Senior Planning Officer, 2025)



Image 3: Maryville Downs Bridle Trail (Senior Planning Officer, 2025)



Image 4: Powderbark Estate Bridle Trail (Senior Planning Officer, 2025)



Image 5: Powderbark Estate Bridle Trail (Senior Planning Officer, 2025)



Image 6: Powderbark Estate Bridle Trail (Senior Planning Officer, 2025)

Environmental Consideration

Environment consideration given: Yes

Shire officers did not witness any environmental issues occurring during the trial period, and do not expect this to change if the trails were made permanent.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputational: Adverse impacts on adjoining landowners of the trails.	Likely	Minor	Moderate	Appropriate gates and signage to encourage appropriate usage of the bridle trails by users.
Opportunity: To increase active surveillance to minimise security risk for adjoining landowners.				

Officer Comment/Details

Reference Group

The bridle trail reference group met for the fourth time on Tuesday 18th November 2025. During the meeting, the key discussion points were in relation to the consultation period survey data, the concerns of objecting landowners, general concerns and issues with the trails, and a recommendation from the reference group for the bridle trails.

The reference group acknowledges the privacy and security concerns of the objecting landowners and as a result, the reference group demonstrated a willingness to explore further trail route possibilities which would remove these landowners from the Maryville Downs bridle trail to mitigate their concerns.

A recommendation was made by the reference group to support both bridle trails being opened on a permanent basis. The recommendation also included the preference for 'step-over' gates to be installed to allow the current gates to be closed so that horses can still access the trails whilst removing the ability for vehicles and motorbikes to gain easy access to the trails. The recommendation also included a willingness to look at moving the route of the Maryville Downs trail to include a portion of horse riding on the road so that the objecting landowners of the Maryville Downs trail are no longer impacted by the trails.

This recommendation can be viewed in Attachment 2 of this report, which contains the confirmed minutes of the final reference group meeting. It will also be put forward as a recommendation to Council to accept the minutes of the bridle trail reference group that was conducted on Tuesday 18th November 2025.

Legal Advice

As there are potential legal ramifications to opening the bridle trails on a permanent basis along a PAW which has historically been used as a strategic firebreak/emergency access way, Shire officers obtained advice from the Shire's insurance agency (LGIS), who then directed the Shire to obtain its own legal advice from the Shire's legal representation (McLeods).

A summary of the advice obtained from LGIS is that it is ultimately a commercial decision from the Shire if they wish to open the PAW on a permanent basis and allow the bridle trails to continue.

Whilst it is a Shire decision, there are also potential liability/property devaluing concerns which could impact upon the Shire's decision-making process. The legal advice obtained indicates that the Shire could potentially attract liability issues from the use of the land as a bridle trail. The Shire would likely attract liability if the land is not suitable for use of a bridle trail and horse riders or others in the area suffer loss or injury as a result of that use or if the use of the bridle trails clearly prevents the use of the land from being properly and effectively used for its primary intended purpose.

The Shire would need to ensure it takes all necessary measures to limit any risks by ensuring that the bridle trail is fit for purpose and is clearly and appropriately signed as to what the intended use of the land is for.

Any claims made against the Shire for safety and security concerns would need to clearly make a claim that the bridle trail activities are the direct result of any impact on land value or amenity. Any such claim would likely be difficult to sustain, however it is possible that a claim could be made if the appropriate mitigation measures (i.e. gates and signage) are not appropriately put in place.

Concerns from Residents

During the final consultation period, several objections were received from adjoining property owners to both trails. Three objections were received to the Powderbark Estate bridle trail and three objections were received to the Maryville Downs bridle trail.

The main concerns of the Powderbark Estate bridle trail were focused on unauthorised vehicles, such as motorbikes and cars accessing the trails instead of horse riding. One of the objecting landowners has resided at their respective property for 20+ years and has only witnessed a rise in unauthorised vehicles using the trails during this trial period. Previously, there was enough time for this landowner to potentially confront any illegal users of the land, however now that the gates are opened this is significantly harder to prevent.

Concerns were also expressed about the smell of faeces being left on the trail to degrade. Whilst Shire officers believe that the amount of faeces left on the trails has been minimal and will naturally degrade, this is still a legitimate concern for adjoining landowners as they are experiencing this issue during their day-to-day activities on their properties.

Shire officers reached out to all three objecting landowners to see if they wished to have an on-site meeting at their respective properties to further understand their concerns. One landowner did not wish to have a meeting and one did not wish for an on-site meeting and simply conveyed their above concerns over the phone. The third objector did wish to have an on-site meeting, however this landowner is not able to meet until after this Council report was prepared and finalised for Council.

The main concerns of the Maryville Downs bridle trail were focused on privacy and security concerns due to the close proximity of their respective buildings to the trail. One property has their dwelling 10m from the fence line of the bridle trail, and another has a clear view into the property's outbuildings of which the landowner conducts a business from. The distances of these structures to the bridle trail are legitimate concerns and have negatively impacted on the livelihoods of these landowners, with both property owners deciding to install their own security cameras as a result of this trial period.

Shire officers reached out to all three objecting landowners to see if they wished to have an on-site meeting at their respective properties to further understand their concerns. One landowner did not provide a response, however, the other two landowners requested a site visit. These two site visits were undertaken on the 11th and 12th of November 2025 by Shire officers. Both landowners further explained and demonstrated their legitimate concerns for the bridle trails of privacy invasion (and the perception of privacy invasion) and security concerns due to their buildings being located within a very close proximity to the trails (as mentioned in the above paragraph). Shire officers believe that these concerns from the two objecting neighbours are legitimate concerns and should be given a valid consideration by Council when making a decision on the future of the trails.

Shire officers view of benefits and concerns of the trails

The survey conducted during the consultation period has demonstrated that there is a level of support for the bridle trails to remain permanent. It is also acknowledged that there are legitimate concerns held by adjoining landowners, who have witnessed and experienced real issues during the trial period. It is also acknowledged that these landowners have purchased their properties with an expectation of the PAWs being primarily used for emergency purposes and not for use as a bridle trail. While the Shire has the legal ability to allow these PAWs to be used for bridle trails, it is also incumbent on the Shire to understand and consider impacts of such a change, on established residents.

It is the understood impacts of the bridle trails on multiple existing residents that has informed the Shire officer's recommendation for the permanency of these bridle trail not to proceed. However, as there is a strong level of support for bridle trails within the Lower Chittering district as demonstrated by the survey results and trial period, it is additionally recommended that alternate bridle trail locations and routes continue to be explored by the Shire, to address the community demand for such infrastructure. This may be a longer process given the limited Crown reserves currently available that have suitable purposes (such as PAW), and may include a further consultation with the Bridle Trail Reference Group. It is acknowledged that any amended trail routes are likely to use greater lengths of road reserves and may be less accommodating and user friendly to the horse riders.

Should Council consider that the trial period represented the best trail routes available to the Shire, and given the adjoining landowner objections, do not want to proceed with this project, it can resolve to close the trial period and not proceed with the permanency of the of bridle trails. Should Council wish to proceed with this resolution then it is recommended that the importance of a bridle trail be recognised in the Shire's future integrated planning framework, with future opportunities be explored when future rural residential subdivisions occur in the locality, or when suitable land becomes available for such use. An alternate resolution has been provided to this effect.

Notwithstanding the above, Council may wish to recognise the level of support for the current bridle trails and consider that there are overwhelming benefits to the strong equine community of Lower Chittering, for such a facility to be provided. In this instance, an alternate resolution has been provided to support the permanency of the bridle trails, which also makes provision for any continued and substantiated issues occurring from the use of the PAWs as bridle trails, for the bridle trails to be closed if those issues cannot be resolved. This option will provide Council the opportunity to implement appropriate signage and gates to assist in mitigating some of the issues experienced by adjoining landowners, and understand if these measures successfully address the concerns of adjoining landowners. This option will require budgetary expense to implement the infrastructure, and should the bridle trails be ultimately discontinued due to issues experienced, the infrastructure is unlikely to be able to be repurposed, and will simply be an unrecoverable expense.

The alternate resolutions described above have been provided below for Council's consideration:

Alternative Motion 1

That Council:

1. *Determine to close the trial period of the Lower Chittering Bridle Trail Network and not proceed with the permanency of the bridle trails as trialled, for the following reasons:*
 - a. *Privacy and security concerns of adjoining landowners; and*
 - b. *Adverse impacts on the amenity of adjoining landowners.*
2. *Acknowledge the strong desire from the community to have access to a bridle trail(s) and to consider the strong appetite from the community for Bridle Trails in the formulation of the Shire's Strategic Community Plan which is currently undergoing a major review.*
3. *Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).*

Alternative Motion 2

That Council:

1. *Determine to permanently open the Lower Chittering Bridle Trail Network as trialled and instructs the Chief Executive Officer to commence implementation of relevant infrastructure including:*
 - a. *Step-over gates;*
 - b. *Guideline Signage; and*
 - c. *Other infrastructure that is considered appropriate for the continued use of the bridle trails.*
2. *Acknowledge that any continued and substantiated issues occurring from the use of the Pedestrian Access Ways as bridle trails, may result in the bridle trails being closed, if those issues cannot be suitably resolved.*
3. *Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).*

Shire officers acknowledge the data from the survey, but at the same time also acknowledges the valid concerns of the adjoining landowners, and as such consider that there is not an obvious recommendation to be made to Council.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 021225

Moved Cr Foulkes-Taylor, seconded Cr Grayer

That Council:

1. Determine to close the trial period of the Lower Chittering Bridle Trail Network and not proceed with the permanency of the bridle trial routes in its current format.
2. Instruct the Chief Executive Officer to further explore suitable bridle trial routes to service the Lower Chittering community, which will not result in adjoining landowners being impacted. This will include further direct consultation with any adjoining landowner to any new bridle trail route proposed.
3. Instruct the Chief Executive Officer to report back to Council after further exploration of suitable bridle trail routes and successful community consultation has occurred to allow Council to make a determination on any new bridle trail routes.
4. Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).

CARRIED: 4 / 2

TIME: 7.46PM

FOR: Cr Campbell, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Cr Angus, Cr Curtis

FORESHADOWED MOTION

That Council:

1. Determine to permanently open the Lower Chittering Bridle Trail Network as trialed and instructs the Chief Executive Officer to commence implementation of relevant infrastructure including:
 - a. Step-over gates;
 - b. Guideline Signage; and
 - c. Other infrastructure that is considered appropriate for the continued use of the bridle trails.
2. Acknowledge that any continued and substantiated issues occurring from the use of the Pedestrian Access Ways as bridle trails, may result in the bridle trails being closed, if those issues cannot be suitably resolved.
3. Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).

Councillor Campbell returned to the Chambers at 7.46pm

Proposed Alternative Route for Maryville Downs Bridle Trail

DS02 - 08/26

Attachment 2

Approximately 4.5km of trail route

Sussex Bend

Holstein Loop

Dexter Chase

Santa Gertrudis Drive

McGlew Road

Approximate
Proposed Float
Parking Area, please
refer to page 2

Maine-Anjou Drive

Jersey Road

Chittering Road





Lower Chittering Bridle Trail Network – Adjoining Landowner Submissions

The below submissions are exactly how they have been received by the Shire. Any references to property addresses have been removed to ensure privacy of the submission is upheld.

Adjoining Landowner 1 –

“I’m very happy for this to go ahead. We have had two attempts with bridle trails. So hopefully this one is permanent. Not like the first attempt at a bridle trail used for 12 months then shut for years and made us ride on the roads with the cars or float our horses to the Bullsbrook Bridle Trail. Now with all the new housing happening on the hill we will have even more riders in the future. So please go ahead with this new trail so we can feel secure riding again!”

Adjoining Landowner 2 –

“Hello,

Please find attached my feedback form for the ‘Bridle Trail Adjoining Landowner Feedback’ as requested.

We are in full support of this bridle trail alternative route, and think it would be wonderful for the community to have a safe place to ride together – horses only, no motorbikes / dirt bikes to be permitted on the trails as a landowner, I would not want the dirt bikes zooming around at the back of my property ruining the tranquil and peaceful surrounds, when there is plenty of bike tracks nearby they can use so this firmly must be for horse trail riding only.

Thank You”

Adjoining Landowner 2 (Attached Formal Submission) –

“FANTASTIC!! I agree with this 100%

There needs to be a safe place for those in the community to trail ride and this spot is great. It doesn’t impact any land owners as the trail is right at the bottom/back of sloping properties who wouldn’t even see the riders.

There must be a restriction to horses only, NO motorbikes or dirt bikes to keep this safe for all involved. It needs to be for horse riders only.

I am in full support of this bridle trail.”

Adjoining Landowner 3 –

“I would love for this bridle trail to go ahead.

I have no issues with people walking dogs on leads or horse riding along the path behind our property.

Would not like it used for motorbikes.”

Adjoining Landowner 4 –

“We are strongly in favour of the new proposed bridle trail, I have horses myself and have to float them elsewhere to ride in a safe area as I’ve had some near misses riding on the road as the traffic has increased with the new subdivision. It would be wonderful to have a safe place to ride so close to home. We have no problem with other riders, walkers, dog walkers going along the back

of our property. We fully support the Shire with the new proposed bridle trail and hope in the long term it can be extended.”

Adjoining Landowner 5 –

“We appreciate the intent is to provide better access to horse owners but can’t help worry about the fact that a parking area can provide increased traffic of unwanted activity eg. Squatting/homelessness in cars, dumping of rubbish. Would it remain gated off as a deterrent for people without floats?

We purchased the [REDACTED] for the idea of no neighbours and tranquility and don’t enjoy the thought of having to monitor a parking area for any safety/environmental concerns.

If the parking area was to be approved our land value would decline.

There was no mention of this on the plans from the developer, the surrounding bushland was meant to be a ‘forever’ bushland/nature..”

Adjoining Landowner 6 –

“Hello,

Our property's rear fence borders the Emergency Access Firebreak that is being considered for the Alternative Bridle trail for Maryville Downs. Our address is [REDACTED].

As property owners, this alternative trail intrudes on our privacy and is a serious safety concern. Our property was also part of the trail that was shut down last year due privacy and theft concerns. There have been numerous break-ins in sheds along Dexter Chase and Gurnsey rise when the trail was open for use last year. Two of those break-ins were our neighbours property, which as you can understand is too close for comfort. Police reports have been lodged and WAPOL is aware and involved.

We have also noted cars, quad bikes and motor bikes on the access track which is a hazard to the horse riders but also a serious safety concerns for us as it would be very easy to jump the fence and be in our backyards. We have a dog who regularly patrols our fenceline. We cannot be held responsible for our dog actively protecting the fenceline by barking if the horses get spooked and take off. We've specially trained our dog to bark if they see unknown people approaching our fenceline, this is how we protect our property from thieves.

We purchased our block for its unique vantage and privacy. This would be completely ruined if the trail is given the go-ahead again.

We understand the need for a safe place for the horse riding community to ride their horses. A safe and suitable place should be provided to them but not at the expense of established properties and residents. I strongly urge the Shire to reassess this trial and instead provide a purpose built trail in a future subdivision that can be in the plans before people purchase their properties. This way they are aware of what they sign up for and are not feeling shortchanged because of intrusion of privacy.

We strongly oppose this Alternative Bridal Trail route and hereby give notice that we shall not be held responsible if accidents were to occur due to our dog patrolling our fence while inside our property line. Additionally, we would consider the Shire culpable for thefts and other criminal activity on our and neighbouring properties that were enabled and aided by this trail being

accessible to the public. This isn't a theoretical concern - it has occurred multiple times in the last 12 months under the previous bridal trail arrangement that included the same route.

Thank you in advance for your action on this.”

Adjoining Landowner 7 –

“Can’t see our block on that plan, as appears to not show malvi Close (Maryville Downs 11B).

What is Bridle Trail?

Whom has access?

What Access rights?

Hours of use?

Etc.”

*Shire officers provided the requested information to this adjoining landowner. No additional submission was received.