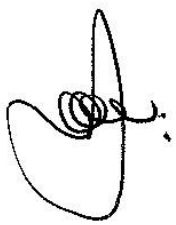
ORDINARY MEETING OF THE SHIRE OF KULIN COUNCIL AGENDA

Wednesday 18 November 2026 at 5:15pm, Shire of Kulin Council Chambers, 38 Johnston Street Kulin

DISCLAIMER: The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used. Please note this agenda contains recommendations, which have not yet been adopted by Council.



Alan Leeson
Chief Executive Officer
13 November 2026

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1 DECLARATION OF OPENING

The President declares the meeting open.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

In accordance with Section 5.23A of the *Local Government Act 1995,* and Part 2A of the *Local Government (Administration) Regulations 1996*, this Council meeting is being digitally recorded (audio). All recordings will be retained as part of the Shire of Kulin's records and will be made available to the public via Council's website, excluding recordings of matters that Council take behind closed doors.

3 RECORD OF ATTENDANCE

ATTENDANCE

G Robins	President
B Smoker	Deputy President
J Noble	Councillor
C Mullan	Councillor
R Bowey	Councillor
B Miller	Councillor
L Siviour	Councillor
A Leeson	Chief Executive Officer
F Murphy	Executive Manager Financial Services
T Scadding	Executive Manager Community Development
C Lewis	Executive Manager of Governance and Risk
J Hobson	Executive Manager Works
C Higgins	Executive Support Officer

APOLOGIES

LEAVE OF ABSENCE
Nil

4 DECLARATIONS OF INTEREST BY MEMBERS

4.1 Declarations of Financial Interest

4.2 Declarations of Proximity Interest

4.3 Declarations of Impartiality Interest

4.4 Declarations of Indirect Financial Interest

5 PUBLIC QUESTION TIME

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION / RECEIVAL OF MINUTES OF PREVIOUS MEETINGS

7.1 Previous Council Meetings

Minutes of the Shire of Kulin Ordinary Council meeting held on 21 October 2026, provided to Councillors via the Shire's portal.

OFFICER'S RECOMMENDATION

That the minutes of the Shire of Kulin Ordinary Council meeting held on 21 October 2026, be confirmed as a true and correct record.

VOTING REQUIREMENTS

Simple majority.

Attachment 1- Unconfirmed Minutes of Shire of Kulin Ordinary Council Meeting 21 October 2026

7.2 Committee Meetings

7.2.1 RoeROC Committee Meeting 24 September 2026

OFFICER'S RECOMMENDATION
That the unconfirmed minutes of the Roe Regional Organisation of Councils (RoeROC) meeting held on 24 September 2026 be received.

VOTING REQUIREMENTS

Simple majority.

Attachment 2- Unconfirmed Minutes of RoeROC Meeting 24 September 2026

7.2.2 Freebairn Recreation Centre Annual General Meeting 2026

OFFICER'S RECOMMENDATION
That the unconfirmed minutes of the Freebairn Recreation Centre Annual General Meeting held on 29 October 2026 be received.

VOTING REQUIREMENTS

Simple majority.

Attachment 3- Unconfirmed Minutes of the Freebairn Recreation Centre Annual General Meeting 2026

7.2.3 Freebairn Recreation Centre Sporting Council Meeting October 2026

OFFICER'S RECOMMENDATION
That the unconfirmed minutes of the Freebairn Recreation Centre Sporting Council Meeting held on 29 October 2026 be received.

VOTING REQUIREMENTS

Simple majority.

Attachment 4- Unconfirmed Minutes of the Freebairn Recreation Centre Sporting Council Meeting 29 October 2026

8 PRESENTATIONS / DEPUTATIONS

9 Agenda Business - Matters Requiring Decision

9.1 List of Accounts Paid During the Month of October 2026

Responsible Officer:	Chief Executive Officer
File Reference:	12.06
Author:	Fiona Murphy, Executive Manager Financial Services
Strategic Reference:	*Shire of Kulin Strategic Integrated Plan 2025-2035 – Goal 12 – Accurate forward planning to achieve community priorities*
Disclosure of Interest:	Nil
Attachment:	Attachment 5 – Copy of Schedule of Payments, Credit Card Summary and Credit Card Statement October 2026

SUMMARY

For Council to receive the list of accounts paid from the municipal fund and the trust fund, and payments made using purchasing cards under the Chief Executive Officer's delegated authority, during the month of October 2026, in accordance with its statutory obligations under *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996.*

BACKGROUND & COMMENT

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's Municipal and Trust funds.

Regulation 13 – List of Accounts

In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996,* a list of accounts paid by the Chief Executive Officer is to be provided to Council each month.

Lists detailing the payments for October 2026 are attached within **Attachment 5.**

The table below summarises the payments made during October 2026.

October 2026	
Fund	Amount
Municipal	$1,893,875.21
Trust	$800.00
Total	**$1,894,675.21**

Regulation 13A – Credit, Debit and Other Purchasing Cards

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* requires a list of payments made using credit, debit or other purchasing cards to be prepared and presented to Council each month.

Lists of payments made using credit, debit and other purchasing cards in October 2026 are attached within **Attachment 5.**

FINANCIAL IMPLICATIONS

The expenditure explained in this report is in accordance with the Annual Budget, as adopted or amended by Council. Relevant financial delegations for the expenditure have been granted by Council (last reviewed in June 2026).

STATUTORY AND PLANNING IMPLICATIONS

Regulations 13 and 13A of the *Local Government (Financial Management) Regulations 1996* are set out below:

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

(a) the payee's name; and
(b) the amount of the payment; and
(c) the date of the payment; and
(d) sufficient information to identify the transaction.

(2) a list of accounts for approval to be paid is to be prepared each month showing –

(a) for each account which requires council authorisation in that month –
(i) the payee's name; and
(ii) the amount of the payment; and

(iii) sufficient information to identify the transaction; and

(b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under subregulation (1) or (2) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

(a) the payee's name;

(b) the amount of the payment;

(c) the date of the payment;

(d) sufficient information to identify the payment.

(2) A list prepared under subregulation (1) must be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS
Nil

COMMUNITY CONSULTATION
Nil

WORKFORCE IMPLICATIONS
Nil

OFFICER'S RECOMMENDATION
That Council receive:

1. the list of accounts paid from the Municipal and Trust accounts during the month of October 2026, totalling $1,894,675.21 as detailed within Attachment 5; and
2. the list of payments made using credit, debit and purchasing cards in October 2026, as detailed within Attachment 5.

VOTING REQUIREMENTS
Simple majority required.

Attachment 5 - Copy of Schedule of Payments Credit Card Summary and Credit Card Statement October 2026

9.2 Financial Report – October 2026

Responsible Officer:	Chief Executive Officer
File Reference:	12.01
Author:	Fiona Murphy, Executive Manager Financial Services
Strategic Reference:	*Shire of Kulin Strategic Integrated Plan 2025-2035 - Goal 12 – Accurate Forward Planning To Achieve Community Priorities*
Disclosure of Interest:	Nil
Attachment:	Attachment 6 - Monthly Financial Report October 2026

SUMMARY

Council is provided with the financial report for the month ended 31 October 2026 for review, in accordance with its statutory obligations under the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. The monthly financial report is attached as **Attachment 6.**

BACKGROUND & COMMENT

The monthly financial report includes:

- an update on revenue and expenditure in comparison to the annual budget;
- a statement of financial position;
- the basis of preparation;
- an explanation of material variances (greater than $10,000 and 10%) are included in the monthly financial report; and
- other supplementary financial information relevant to the report month.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Council is required by section 6.4 of the *Local Government Act 1995* to prepare financial reports as prescribed. Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* require preparation of monthly financial activity statements and statements of financial position.

Regulations 34 and 35 are set out below:

34. Financial activity statement required each month (Act s.64)

(1A) in this regulation –

***committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

*(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month (the **relevant month**) in the following detail —*

- *(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- *(b) budget estimates to the end of the relevant month; and*
- *(c) actual amounts of expenditure, revenue and income to the end of the relevant month; and*
- *(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- *(e) the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.*

(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).

(1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.

(2) Each statement of financial activity is to be accompanied by documents containing —

- *[(a) deleted]*
- *(b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
- *(c) such other supporting information as is considered relevant by the local government.*

(3) The information in a statement of financial activity must be shown according to nature classification.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

- *(a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percent or value, calculated in accordance with the ASS, to be used in statements of financial activity for reporting material variances.

35. Financial position statement required each month

(1) *A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the **previous month**) and —*

(a) the financial position of the local government as at the last day of the previous financial year; or

(b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.

(2) A statement of financial position must be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and

(b) recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS
Nil

COMMUNITY CONSULTATION
Nil

WORKFORCE IMPLICATIONS
Nil

OFFICER'S RECOMMENDATION
That Council, in accordance with Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*, receive the Monthly Financial Report including Statement of Financial Activity, Statement of Financial Position and supporting documentation for the period ending 31 October 2026, as presented in Attachment 6.

VOTING REQUIREMENTS
Simple majority required.

Attachment 6 – Monthly Financial Report October 2026

9.3 Budget Amendment – Electronic Document and Records Management System

Responsible Officer:	Chief Executive Officer, Alan Leeson
File Reference:	16.01 Records Management
Author:	Cassi Lewis, Executive Manager Governance and Risk
Strategic Reference:	*Shire of Kulin Strategic Plan 2025-2035 - Goal 11 – High Standard of Governance*
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

To seek approval from Council for a budget amendment for the procurement of an Electronic Document and Records Management System (EDRMS).

BACKGROUND & COMMENT

The 2026/2027 annual budget includes an allocation for records management software and subscription fees. A Request for Quotation process was undertaken in October 2026. The quotations received exceeded the available allocation, and an additional $15,000 is requested to enable the procurement to proceed.

Staff consider an EDRMS essential to improving the Shire's management of its official records. The system is intended to improve the capture, storage and retrieval of records, support appropriate access controls and assist staff to meet their obligations under the *State Records Act 2000* and the Shire's Record Keeping Plan.

Approval of the amendment will allow procurement to progress within the revised allocation.

FINANCIAL IMPLICATIONS

The amendment will increase budgeted expenditure by $15,000 and reduce the forecast closing budget position by the same amount. Offsetting savings or additional revenue will be considered during the 2026/2027 budget review.

Ongoing subscription, support and other recurring costs will need to be provided for in future budgets.

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995 – section 6.2 provides the annual budget framework. This budget amendment requires Council approval by absolute majority.

Local Government (Financial Management) Regulations 1996 – the amendment and its financial impact will be included in the annual budget review under regulation 33A.

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

WORKFORCE IMPLICATIONS

Nil

OFFICER'S RECOMMENDATION

That Council approves an amendment to the 2026/2027 annual budget to increase the IT Software & Maintenance expenditure by $15,000 for the procurement of an Electronic Document and Records Management System.

VOTING REQUIREMENTS

Absolute majority required.

9.4 Change of Date – December 2026 Ordinary Council Meeting

Responsible Officer:	Chief Executive Officer
File Reference:	13.0
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	*Shire of Kulin Strategic Plan 2025-2035 – Goal 11 – High Standard of Governance*
Disclosure of Interest:	Nil
Attachment:	Nil

SUMMARY

The meeting schedule for 2026 determined by Council set the date of the December Ordinary Council Meeting on Wednesday 16 December 2026 at 4pm. This was resolved by Council in August 2026 to be moved to Thursday 17 December 2026 at 4pm to avoid a clash with the Kulin District High School end of year presentation night and advertised in accordance with the the *Local Government (Administration Regulations) 1996.*

Following review of operational requirements and limitations in staffing availability that has now been identified, it is recommended that Council consider changing the date of the December 2026 Ordinary Council Meeting to bring it forward to Tuesday 15 December 2026 at 4pm.

BACKGROUND & COMMENT

Council determines meeting dates each year in accordance with legislation. Council is permitted to change dates of Council meetings by resolution, with changes to be advertised as required in accordance with the *Local Government (Administration Regulations) 1996.*

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND PLANNING IMPLICATIONS

Local Government Act 1995
Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil required to change the date. However, Council is required to ensure notification of the change of date is advertised as required by legislation.

WORKFORCE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority.

OFFICER'S RECOMMENDATION

That Council moves the date of the December 2026 Ordinary Council Meeting, currently scheduled for 4pm on Thursday 17 December 2026 to 4pm on Tuesday 15 December 2026.

9.5 Development Application – Grain Handling and Storage Facility on Lot 302 on Deposited Plan 32191 North Lake Grace-Karlgarin Road, Pingaring

Responsible Officer: Alan Leeson – Chief Executive Officer
File Reference: 18.02 – Land Use and Planning
Author: Mr Joe Douglas - Town Planner (Exurban Rural & Regional Planning)
Strategic Reference: *Shire of Kulin Strategic Integrated Plan 2025-2035 - Goal 1 – Safe, capable and efficient transport network and Goal 9 - Protection of natural and built assets*
Disclosure of Interest: Nil
Attachment: Attachment 7 – Development Application

SUMMARY

This report recommends that Council resolve to approve a development application submitted by Cooperative Bulk Handling Limited requesting the Shire's permanent approval for two (2) existing grain storage bulkheads and associated infrastructure on Lot 302 on Deposited Plan 32191 North Lake Grace-Karlgarin Road (corner Commonwealth Road), Pingaring subject to a number of conditions and advice notes.

BACKGROUND & COMMENT

Cooperative Bulk Handling Limited (CBH) has submitted a development application requesting the Shire's permanent approval for two (2) existing grain storage bulkheads and associated infrastructure on Lot 302 on Deposited Plan 32191 North Lake Grace-Karlgarin Road (corner Commonwealth Road), Pingaring. A full copy of the application is provided in Attachment 7.

In September 2025, Council granted CBH a temporary approval to construct two (2) new grain storage bulkheads comprising a total combined storage capacity of 60,260 tonnes and associated infrastructure on Lot 302 to allow for additional storage capacity at its facility in Pingaring to accommodate record yields during the 2025/26 harvest season. It is understood construction works were completed on 18 November 2025 in accordance with the terms of Council's temporary approval with no major issues arising thereafter.

The company is now seeking to convert this temporary low specification storage infrastructure to permanent through the development application process.

Lot 302 is classified 'Rural' zone in the Shire of Kulin Local Planning Scheme No.2 (LPS2).

The stated objectives in LPS2 for the development and use of any land classified 'Rural' zone are as follows:

- To provide for a wide range of activity that is predominantly rural in nature;
- To protect land from uses that may jeopardise the future development of that land for other planned purposes which are compatible with its Rural zoning;
- To protect land from closer development that would detract from the rural character and amenity of the area;
- To prevent any development which may detrimentally affect the commercial viability of Rural zoned landholdings; and
- To provide for the development of a range of local government approved non-rural uses which accord with the provisions of the Scheme and the local government's policies.

The existing development on Lot 302 falls under the use class 'Warehouse' which is listed in the Zoning Table of LPS2 as a discretionary (i.e. 'D') use meaning it is not permitted unless the local government has exercised its discretion by granting development approval.

Assessment of the development application in the context of all relevant objectives and standards of the Shire's local planning framework including LPS2, the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, all relevant State Planning Policies and the outcomes from consultation with Main Roads WA and key Shire staff has confirmed the proposal is compliant or capable of compliance with the following relevant requirements:

- Land capability and suitability;
- Land use compatibility including buffer separation distances to sensitive land uses;
- Lot boundary setbacks;
- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment and cultural heritage significance;
- Vehicle access and parking including traffic management and safety;

- The provision of key essential services; and
- Flood, stormwater drainage and bushfire risk management.

Notwithstanding the above conclusion Council should note the development, if approved on a permanent basis, will result in a 48% increase to the total grain storage capacity adjacent to the Pingaring townsite which is significant, particularly in terms of the increased volume of heavy vehicle movements associated with the transportation of grain to and from the facility during and after each harvest season.

CBH and its traffic consultants have advised in supporting documentation the proposed development will lead to a reduction in heavy vehicle movements to/from the facility during annual harvest periods by reducing the need to outload grain when local grain production exceeds the existing available on-site storage capacity thereby improving traffic safety for all motorists.

It is also understood out loading outside of harvest periods to remove all grain from site for export will be undertaken at the same rate that currently occurs (i.e. approximately 2,000 tonnes per day) although over a longer period proportional to the increase in storage capacity.

Whilst the proposed development will lead to a reduction in heavy vehicle movements to/from the facility during annual harvest periods, it will generate approximately 1,057 additional heavy vehicle movements per annum for grain deliveries based on an average payload of 57 tonnes per vehicle and the same number of vehicle movements for out loading purposes.

In light of this outcome, the findings and recommendations contained in the Traffic Impact Statement and advice received from Main Roads WA, the Shire's Chief Executive Officer and Executive Manager of Works, it is the reporting officer's view any approval granted for the development should be conditional upon the following requirements to ensure all vehicle access to/from the development is fit-for-purpose and does not give rise to any future potential safety issues and/or extraordinary maintenance and repair costs for the Shire:

i) Sealing and draining of the existing exit to Commonwealth Road from Lot 100 on Plan 24050 by CBH at its own cost to provide an obvious travel path for heavy vehicle exiting Lot 100 and travelling to Lot 302 to deliver grain and to protect the existing sealed road pavement at this site exit from damage and the deposition of gravel;

ii) Sealing and draining of the first 50 metres of the new on-site driveway exit on Lot 302 and associated crossover to North Lake Grace-Karlgarin Road by CBH at its own cost to again protect the existing sealed road pavement at this site exit from damage and the deposition of gravel;

iii) Installation of suitable directional signage at the new entry and exit points to Lot 302 along its North Lake Grace–Karlgarin Road frontage as well as the upgraded exit from Lot 100 on Deposited Plan 24050 along its Commonwealth Road frontage at the proponent's own cost; and

iv) CBH to make a proportionate financial contribution to the following work by the Shire within an agreed timeframe once the total cost has been determined and confirmed by the Shire:
    - Review and reduction of the current speed limit along Commonwealth Road west of and up to its intersection with North Lake Grace–Karlgarin Road from 110 to 80km/h, including the installation of new speed limit signage and any associated temporary and/or permanent warning signage, to help improve traffic safety at this intersection;
    - Review and possible reduction of the speed limit along North Lake Grace–Karlgarin Road in proximity to the new site entry/exit for Lot 302, including the installation of new speed limit signage and any associated temporary and/or permanent warning signage, to help improve traffic safety along this road;
    - All work required to obtain approval and install a give way sign and associated pavement markings on the North Lake Grace–Karlgarin Road approach to Commonwealth Road to improve traffic safety at this intersection which is currently uncontrolled; and
    - Preparation of a road condition/dilapidation report for all local roads surrounding the facility to help monitor all impacts on the local road network arising from the proposed development and determine the need to require CBH to pay a proportionate financial contribution to the Shire for road maintenance and repair works in the event of any unforeseen or extraordinary damage to the local road network that may arise as a direct result of the development.

Council should note a proportionate financial contribution by CBH to the abovementioned work is considered reasonable given the company and its members are not the only road users and the fact the development has generated a need for this work to ensure safe and efficient vehicle access to/from the facility as a whole. It is also supported by the Western Australian Planning Commission's recently adopted Operational Policy 1.12 entitled *'Proposals Adjoining Regional Roads'.*

In light of the above findings, it is concluded the proposal for Lot 302 is acceptable and unlikely to have any negative impacts on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in a proper and orderly manner. It is also recommended the Shire closely monitor CBH's compliance with all conditions of approval to ensure they are suitably addressed and satisfied as required.

An alternative to the recommendation for conditional development approval provided below is not considered necessary for the following reasons:

i) The proposal is well founded, permissible and has scope to be lawfully approved;
ii) The proposal is capable of being implemented in a proper and orderly manner without any negative impacts subject to compliance with a number of conditions; and
iii) CBH is legally obliged to address/satisfy all other statutory and regulatory requirements applicable to the proposal.

FINANCIAL IMPLICATIONS

All administrative costs associated with processing the application are provided for in the Shire's annual budget and have been offset in full by the development application fee paid by CBH. All costs associated with the proposed development on the subject land, including Lot 100 on Deposited Plan 24050, will be met by CBH.

Given the need for various work by the Shire as explained previously above to ensure the local road network is fit for purpose and remains so for the life of the development, the Shire must itself make a proportionate contribution to the total cost of the works given CBH and its members are not the only road users.

It is significant to note should CBH be aggrieved by Council's final decision in this matter it has the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason the Shire would need to respond.

The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from $5,000 to $60,000 excluding GST and possibly more depending upon how far the matter proceeds through the review process.

STATUTORY AND PLANNING IMPLICATIONS

- *Planning and Development Act 2005* (as amended)
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Shire of Kulin Local Planning Scheme No.2

POLICY IMPLICATIONS

- State Planning Policy 2.0 - Environment and Natural Resources
- State Planning Policy 2.5 – Rural Planning
- State Planning Policy 2.9 - Water
- State Planning Policy 3.0 - Urban Growth and Settlement
- State Planning Policy 4.1 – Industrial Interface
- WAPC Operational Policy 1.12 - Proposals Adjoining Regional Roads

COMMUNITY CONSULTATION

Not required by Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and/or Local Planning Scheme No.2 or deemed necessary by the Shire administration. The application was however referred to Main Roads WA for review and comment and was the subject of discussion with the Shire's Chief Executive Officer and Executive Manager of Works during the planning assessment process.

WORKFORCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolve to approve the development application submitted by Cooperative Bulk Handling Limited requesting the Shire's permanent approval for two (2) existing grain storage bulkheads and associated infrastructure on Lot 302 on Deposited Plan 32191 North Lake Grace-Karlgarin Road (corner Commonwealth Road), Pingaring

subject to the following conditions and advice notes:

Conditions:

1. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.

2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.

3. All stormwater drainage infrastructure shall be constructed and maintained by the proponent at its own cost in accordance with the details and recommendations contained in the Stormwater Drainage Report submitted in support of the application (i.e. CBH Document Number 574-R0563-CI-RPT-0001 Revision B dated 22 September 2025) and to the specifications and satisfaction of the local government for the life of the development.

4. Should any stormwater drainage issues arise as a direct result of the proposed development and the local government provides written notification to that affect, the proponent shall at its own cost arrange to undertake all required remediation works to the specifications and satisfaction of the local government within sixty (60) days unless otherwise approved by the local government.

5. The proponent shall within six (6) months of the date of this approval, unless otherwise agreed by the local government's Chief Executive Officer, make a proportionate financial contribution to the cost of the following work by the Shire:
   i) Review and reduction of the current speed limit along Commonwealth Road west of and up to its intersection with North Lake Grace–Karlgarin Road from 110 to 80km/h, including the installation of new speed limit signage and any associated temporary and/or permanent warning signage, to help improve traffic safety at this intersection;
   ii) Review and possible reduction of the speed limit along North Lake Grace–Karlgarin Road in proximity to the new site entry/exit for Lot 302, including the installation of new speed limit signage and any associated temporary and/or permanent warning signage, to help improve traffic safety along this road;
   iii) All work required to obtain approval and install a give way sign and associated pavement markings on the North Lake Grace–Karlgarin Road approach to Commonwealth Road to improve traffic safety at this intersection which is currently uncontrolled; and
   iv) Preparation of a road condition/dilapidation report for all local roads surrounding the facility to help monitor all impacts on the local road network arising from the proposed development and determine the need to require CBH to pay a proportionate financial contribution to the Shire for road maintenance and repair works in the event of any unforeseen or extraordinary damage to the local road network that may arise as a direct result of the development.

   The proportionate financial contribution required by this condition shall be negotiated with the local government prior to payment based upon the total number of vehicle movements on the local road network generated by the existing approved development on Lot 100 on Deposited Plan 24050 and the proposed new development the subject of this approval as a percentage of the total number of vehicle movements as estimated by the local government having regard for historical and current traffic count data.

6. In the event of any unforeseen or extraordinary damage to the local road network that may arise as a direct consequence of the development the subject of this approval, the local government reserves its right to serve notice requiring the proponent to arrange and pay for the required repair works within a designated period, or to undertake the repair works itself where the local government's Chief Executive Officer, in consultation with the local government's Executive Manager of Works, deems them to be urgent due to safety concerns and thereafter recover all costs incurred from the proponent. Any money payable to the local government by the proponent pursuant to the requirements of this condition shall be paid within thirty (30) days of issuance of a valid tax invoice unless otherwise agreed and approved by the local government.

7. The proponent shall within thirty (30) days of the date of this approval, unless otherwise agreed by the local government's Chief Executive Officer, arrange for the installation of suitable directional signage at the new entry and exit points to Lot 302 along its North Lake Grace–Karlgarin Road frontage as well as the upgraded exit from Lot 100 on Deposited Plan 24050 along its Commonwealth Road frontage to the specifications and satisfaction of the local government's Executive Manager of Works.

8. The proponent shall regularly monitor and manage all dust generated by the development hereby approved. Should dust become an issue and the local government provides written notification to that affect, the proponent shall at its own cost arrange for the preparation and submission of a Dust Management Plan within sixty (60) days of receipt of notification for consideration and endorsement by the local government's Chief Executive Officer in consultation with the local government's Environmental Health Officer and/or the Department of Water and Environmental Regulation. The approved Dust Management Plan required by this condition shall be

implemented thereafter for the life of the development.

Advice Notes:

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the proponent and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Kulin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the proponent to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. An 'Application to Construct or Install an Apparatus for the Treatment of Sewage' prepared pursuant to the specific requirements of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* must be prepared and submitted to the Shire of Kulin or the Executive Director of Public Health for consideration and determination.
4. The proponent is reminded of their obligation to ensure compliance with the Shire of Kulin Annual Firebreak Order as it applies specifically to all rural land to help guard against the potential bushfire risk.
5. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the *Environmental (Noise) Regulations 1997*.
6. The proponent is responsible for ensuring the correct siting of the proposed development on the land the subject of this approval. An identification survey demonstrating correct siting may be requested by the local government at the proponent's cost to ensure compliance with this determination notice and all applicable provisions.
7. The applicant is expected to review and give due consideration to the adequacy and availability of staff amenities, including toilet facilities and associated wastewater disposal arrangements, having regard to the nature and operational requirements of CBH's overall grain handling and storage operations at Pingaring.
8. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Kulin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.
9. If the proponent is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted within 28 days of receipt of notification of this determination.

VOTING REQUIREMENTS

Simple majority required.

Attachment 7 – Development Application – CBH Grain Handling and Storage Facility

10 Compliance

10.1 Compliance Reporting – General and Financial Compliance October 2026

Responsible Officer:	Chief Executive Officer
File Reference:	04.05
Author:	Alan Leeson, Chief Executive Officer
Strategic Reference:	*Shire of Kulin Strategic Integrated Plan 2025-2035 - Goal 4 – Civic Leadership – accurate forward planning to achieve community priorities*
Disclosure of Interest:	Nil
Attachment:	Attachment 8 - General and Financial Compliance Checklist – October 2026

SUMMARY

This report addresses General and Financial Compliance matters for October 2026. The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

BACKGROUND & COMMENT

The General and Financial Compliance Checklist is an internal working document. This document is regularly reviewed and updated where required.

FINANCIAL IMPLICATIONS

Usual administration expenses associated with complying with Council obligations.

STATUTORY AND PLANNING IMPLICATIONS

Nil

POLICY IMPLICATIONS

Identified as necessary. For this report - Nil.

COMMUNITY CONSULTATION

N/A

WORKFORCE IMPLICATIONS
Nil

OFFICER'S RECOMMENDATION

That Council receive the General and Financial Compliance Checklist for October 2026.

VOTING REQUIREMENTS

Simple majority required.

Attachment 8 – General and Financial Compliance Checklist October 2026

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 MOTIONS FROM MEMBERS WITHOUT NOTICE

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

14 MEETING IS CLOSED TO THE PUBLIC

15 CLOSURE / DATE AND TIME OF NEXT MEETING

There being no further business the President declares the meeting closed.

The next Ordinary Meeting of Council will be held on Thursday 17 December 2026 at 4.00pm.