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Our Ref : 201381
 Previous Ref :
 Your Ref : 3244-123
 Enquiries : Tim Reed (6551 9452)

26 February 2025

Application No: 201381 - Nukarni

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.


Please provide any information, comment or recommended conditions pertinent to this application by 09 April 2025 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made or if you have no comments to offer.

Referral agencies are to use the Model Subdivision Conditions Schedule (1 January 2024) in providing a recommendation to the Commission. Non-standard conditions are discouraged, however, if a non-standard condition is recommended additional information will need to be provided to justify the condition. The condition will need to be assessed for consistency against the validity test for conditions. A copy of the Model Subdivision Conditions Schedule can be accessed: <http://www.dplh.wa.gov.au>

Please send responses via Planning Online Portal here: <https://planningonline.dplh.wa.gov.au/>.

This proposal has also been referred to the following organisations for their comments: *Water Corporation, Public Transport Authority, DBCA - Wheatbelt, Main Roads, Wheatbelt, Western Power, Merredin, Shire of and LG Merredin, Shire of.*

Yours faithfully


 Ms Sam Boucher
 WAPC Secretary

APPLICATION DETAILS

Application Type	Subdivision	Application No	201381
Applicant(s)	CLE Town Planning + Design. CLE Town Planning + Design		

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Owner(s)	PUBLIC TRANSPORT AUTHORITY, DEPARTMENT OF PLANNING LAND AND HERITAGE		
Locality	Nukarni		
Lot No(s).	999, 28518	Purpose	Subdivision
Location	.	Local Gov. Zoning	RAILWAY
Volume/Folio No.	9999/999, LR3023/760	Local Government	Merredin, Shire of
Plan/Diagram No.	3289, 181929	Tax Sheet	
Centroid Coordinates			
Other Factors	PTA RAILWAY, THREATENED FAUNA BUFFER, MRWA - STATE ROAD EXTERNAL REFERRAL, THREATENED ECOLOGICAL COMMUNITY BUFFER		

10 February 2025

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH, WA, 6001

Attention: Nick Welch

Dear Nick

**RE: SUBDIVISION APPLICATION - CBH GROUP NETWORK STRATEGY IMPLEMENTATION PROJECT
LOT 28518 (NO STREET ADDRESS) NUKARNI AND RAILWAY RESERVE (SHIRE OF MERREDIN)**

Please find enclosed a subdivision application is to excise a portion of the railway reserve to create a standalone 4.17ha freehold site at CBH Group's (CBH) Nukarni site.

The application comprises this letter and the following:

- Signed application forms;
- Subdivision Plan (CLE Ref. 3244-123-01); and
- Certificates of Title.

This application is lodged on behalf of CBH, with the consent of the Public Transport Authority (PTA), the managing authority of the railway reserve, with CBH having an option in its current lease arrangement with PTA to purchase the land subject to a subdivision approval being granted.

BACKGROUND

CBH is Australia's largest co-operative and a leader in the Australian grain industry, with operations extending along the value chain from grain storage, handling, transport, marketing and processing.

CBH is currently reviewing, rationalising and expanding its network of existing grain storage and handling facilities across Western Australia. CBH intends to focus on maintenance and capital enhancement at CBH's top 100 grain receival sites, where over 90% of the grain is received, stored, and handled for distribution to the ports and some domestic markets.

The *Government Railways Act 1904* was amended specifically for CBH in 1998 to allow for lease terms up to 99 years, which provided CBH with the option to purchase all or part of the land subject to the 99-year lease agreements, at any time during the lease term. Section 63B (3) of the *Government Railways Act 1904* outlines the terms of the 99-year lease arrangements, which provides the mechanism for CBH to convert leasehold titles to a freehold lot subject to a subdivision approval being granted.

As the lease outlines, the cost of subdividing the land, obtaining all necessary approvals for subdivision, and transferring the land from the Crown is to be borne by CBH.

Lot 28518 which forms a large portion of the site currently accommodates existing CBH grain storage facilities with CBH now wishing to facilitate the creation of a standalone 4.17ha lot to protect its existing grain assets on the lot.

CBH have been in ongoing discussions with the PTA regarding its intent to convert the current lease arrangements via subdivision to facilitate their sale to CBH. As the responsible authority of the railways reserve, PTA have provided their consent on the enclosed application form.

PROPOSAL

This applicant proposes to create a 4.17ha freehold lot from existing Lot 28518 and a portion of the railways reserve, consistent with CBH's existing 99-year lease with the PTA. The lease area boundary adjoining the rail corridor is located approximately 5m from the centre line of the rail, with no changes proposed to this alignment.

This application will facilitate the conversion of the leasehold to freehold to allow CBH to acquire the lot and protect its existing grain handling infrastructure within its own lot. As mentioned above, the lease area that is being proposed to be converted to a standalone freehold lot includes a part of the railway reserve.

The lease area includes CBH's existing grain storage facilities which adjoins the rail corridor, with no additional development being proposed within the lot.

The new lot will retain legal road frontage and access to Nukarni Bin Road to the north, ensuring the lot is able to continue to be accessed.

Local Planning Framework

The entire application area is reserved 'Railway' in the Shire of Merredin's Local Planning Scheme No. 6 (LPS 6). The objectives of LPS 6 state that the reserve is to provide for land and facilities for railway purposes and associated activities

The continued use of the site for grain loading purposes is ancillary to the purpose of the reserve and this application simply intends to maintain this.

Servicing

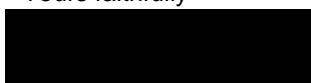
It is important to note that Lot 28518 (the current leasehold) is already connected to all necessary services, including power, demonstrated by this land already supporting CBH's current grain handling facilities.

As this application sees the formalisation of the existing leasehold, and by default, these services are already connected to the lot, we would ask that this application attract no conditions requiring their servicing.

CONCLUSION

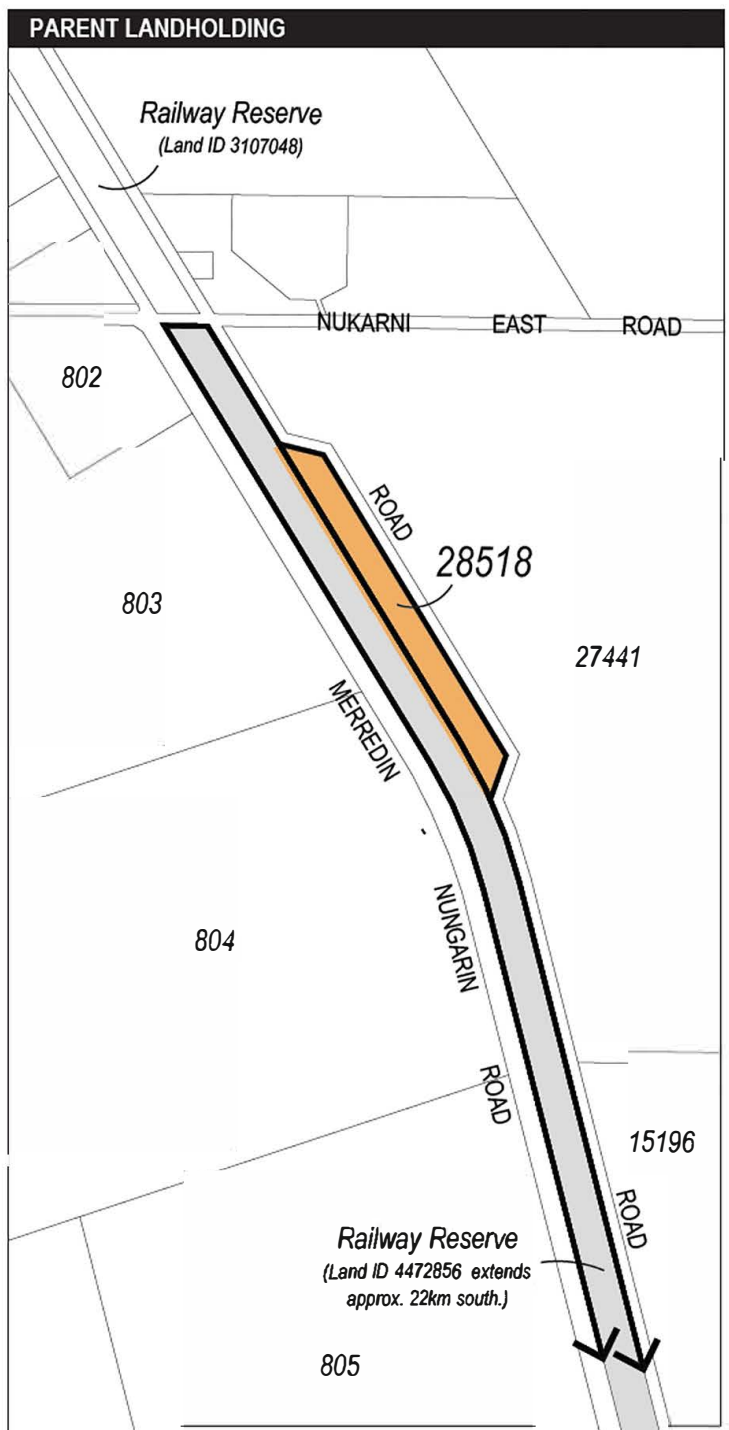
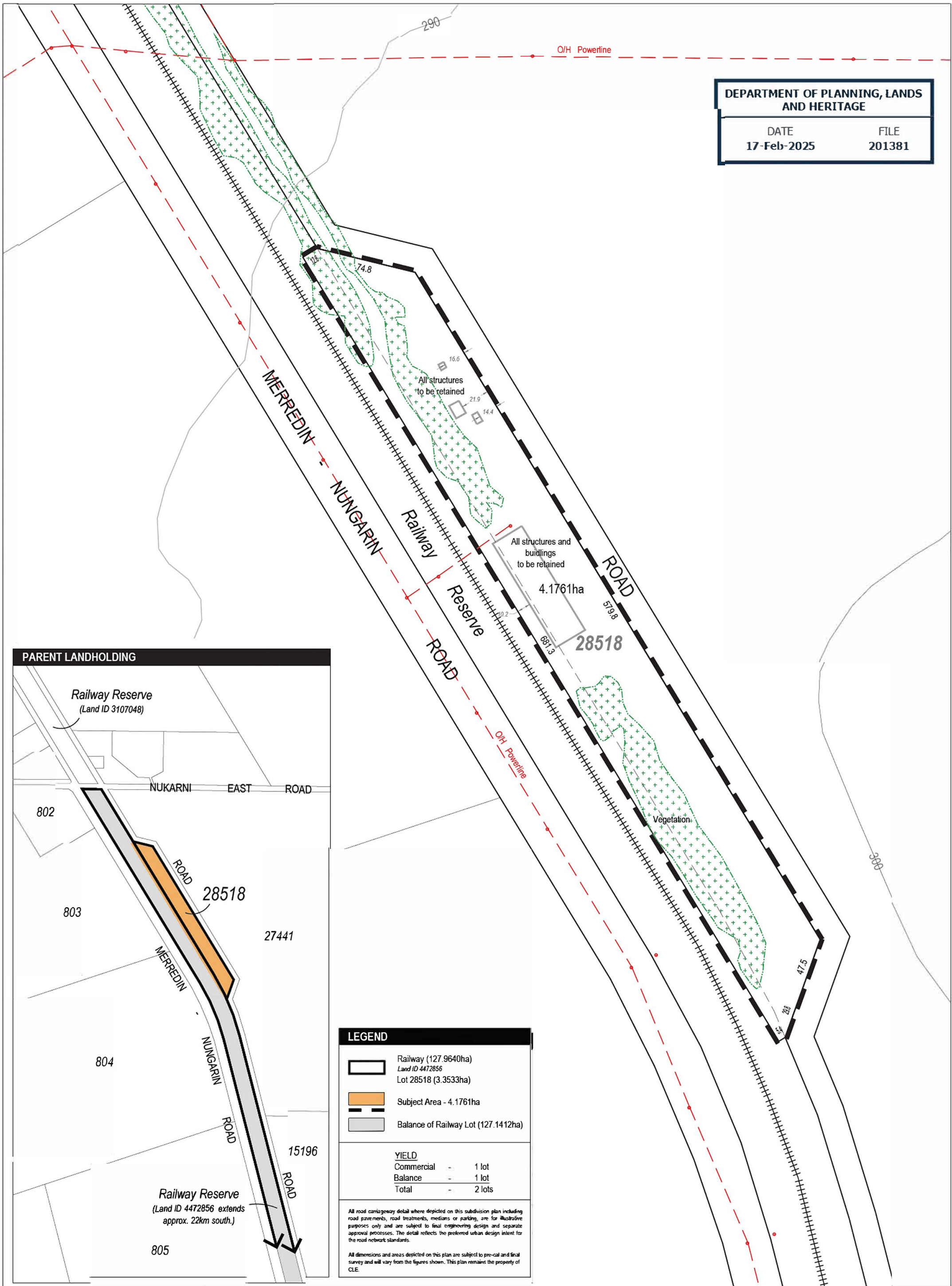
On this basis we respectfully request the WAPC's approval of this application. Should you have any queries regarding this application please contact Harry Norman on 9382 1233 or via email harry@cleplan.com.au.

Yours faithfully



HARRY NORMAN
SENIOR PLANNER
CLE TOWN PLANNING + DESIGN

Encl: Attachment 1 - Signed application forms
Attachment 2 - Subdivision Plan (CLE Ref. 3244-123-01)
Attachment 3 - Certificates of Title



LEGEND

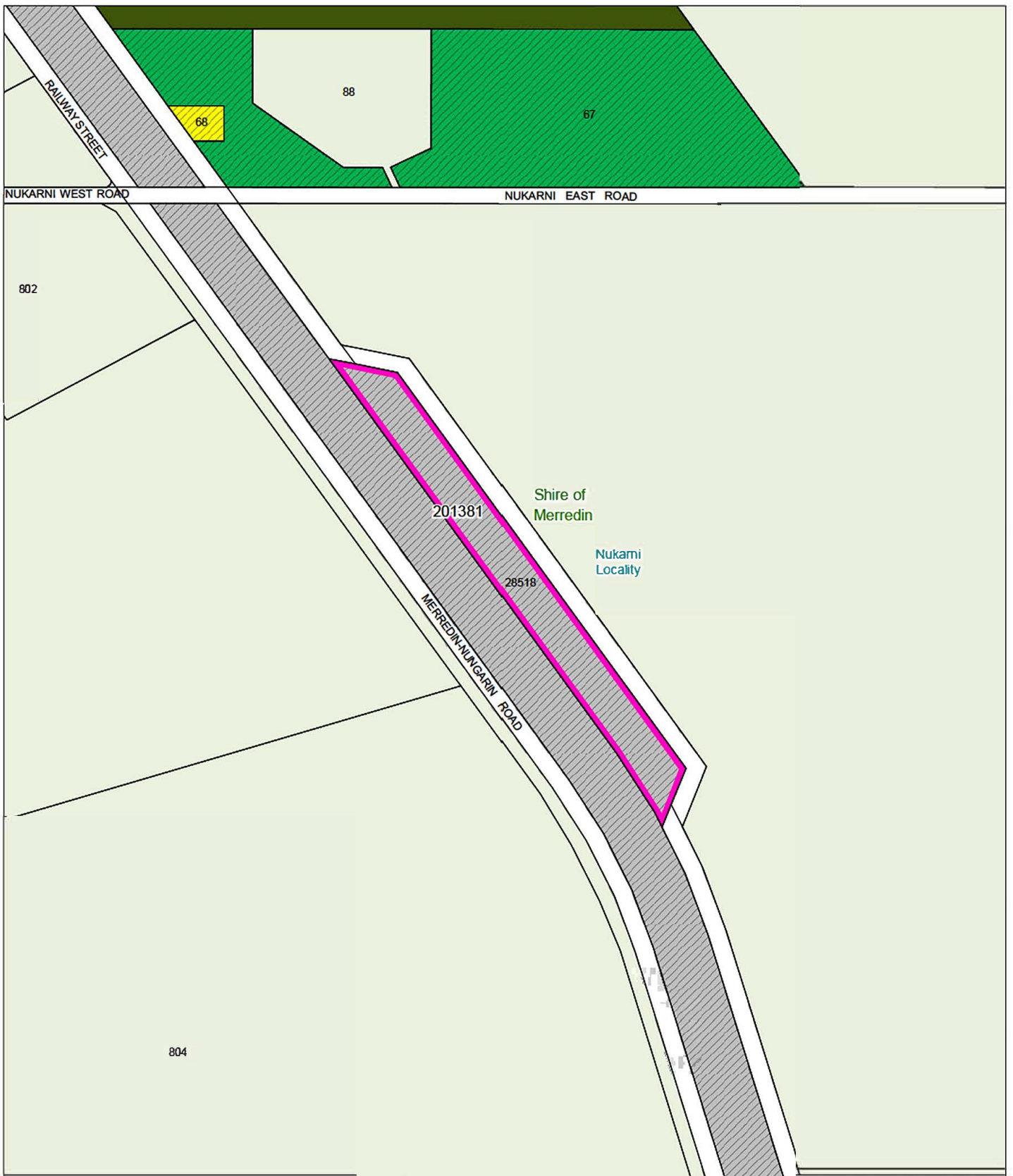
- Railway (127.9640ha)
Land ID 4472856
Lot 28518 (3.3533ha)
- Subject Area - 4.1761ha
- Balance of Railway Lot (127.1412ha)

YIELD	
Commercial	- 1 lot
Balance	- 1 lot
Total	- 2 lots

All road carriageway detail where depicted on this subdivision plan including road pavements, road treatments, medians or parking, are for illustrative purposes only and are subject to final engineering design and separate approval processes. The detail reflects the preferred urban design intent for the road network standards.

All dimensions and areas depicted on this plan are subject to pre-cut and final survey and will vary from the figures shown. This plan remains the property of CLE.





**Location Plan for:
Subdivision Application**

This data is to be used only for the processing of a
Subdivision Application

Application Number: **201381**

Decision: **Outstanding**

Printed: **17/02/2025**



Produced by Data Analytics,
Department of Planning, Lands and Heritage, Perth WA

Base information supplied by
Western Australian Land Information Authority SLIP 1447-2023-1

Application Status

Outstanding

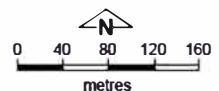
Existing LPS Zones and Reserves

- Conservation
- General farming
- Parks and recreation
- Public purposes : Civic and cultural
- Railway

Easements and Referrals

Region Scheme Reserves

- Localities & Local Government Boundaries**
- Local government boundary
 - Locality



Form 1A - Preliminary approval application

Lodgement ID	2025-00970		
Date submitted	10/02/2025		
Submitted by	Mark de Cruz		
Your reference	3244-123		
Location of subject property	Nukarni		
Existing tenure	Freehold (Green Title)	Application type	Subdivision
Proposed tenure	Freehold (Green Title)		

Applicants

Applicant (1)

Is person the primary applicant?	Yes		
Is the applicant an organisation/company?	Yes	Is the applicant a landowner?	No
Organisation/company	CLE Town Planning + Design	ACN/ABN	47 835 193 240
Name	Mark de Cruz	Position	IT Manager
Email	[REDACTED]		
Phone number	[REDACTED]	Additional phone no.	N/A
Address	[REDACTED]	Additional phone no. type	N/A
	West Leederville 6007 Australia		

Applicant (2)

Is person the primary applicant?	No		
Is the applicant an organisation/company?	Yes	Is the applicant a landowner?	No
Organisation/company	CLE Town Planning + Design	ACN/ABN	47 835 193 240
Name	Harry Norman	Position	Senior Planner
Email	[REDACTED]		
Phone number	[REDACTED]	Additional phone no.	N/A
Address	[REDACTED]	Additional phone no. type	N/A
	West Leederville 6007 Australia		

Certificate of Title details

Certificate of Title (1)

Volume	LR3023	Folio	760
Plan number	181929	Lot number	28518
Part lot?	No	Location	N/A
Reserve number	34906		
Address	no street address information available Nukarni	Nearest road intersection	Nukami East Road / Merredin - Nungarin Road

Certificate of Title (2)			
Volume	9999	Folio	999
Plan number	9999	Lot number	999
Part lot?	No	Location	N/A
Reserve number	4472856		
Address	no street address information available Nukarni	Nearest road intersection	Nukarni East Road / Merredin - Nungarin Road

Landowners	
Have all registered proprietors (landowners) listed on the Certificate/s of Title provided consent?	Yes
Are any of the landowner's names different from that shown on the certificate of title?	No

Landowner (1)			
Is the landowner an organisation/company?	Yes	Landowner type	Government agency/authority
Organisation/company	DEPARTMENT OF PLANNING LAND AND HERITAGE	ACN/ABN	68 565 723 484
Name	Chris Ziatas	Position	Manager Land Management Central
Email	[REDACTED]		
Phone number	N/A		
Address	[REDACTED] Perth 6000 Australia		
Consent to apply:			
Has this landowner provided consent to apply?		Yes	
Date of consent document	20/01/2025		
Landowner (2)			
Is the landowner an organisation/company?	Yes	Landowner type	Government agency/authority
Organisation/company	PUBLIC TRANSPORT AUTHORITY	ACN/ABN	61 850 109 576
Name	Michael Parker	Position	Executive Director, Infrastructure Planning and Land Services
Email	[REDACTED]		
Phone number	N/A		
Address	[REDACTED] Perth Business Centre 6849 Australia		
Consent to apply:			
Has this landowner provided consent to apply?		Yes	
Date of consent document	20/12/2024		

Additional consent to apply**Consent to apply checklist**

Current copies of all records of title are attached	Yes
All registered proprietors (landowners) listed on the certificate/s of title have signed the application or an attached letter of consent. This includes landowners specified on a certificate of title for a leasehold lot	No
Consent to apply is given on behalf of landowners or tier 1 corporation	No
The application is by or on behalf of a prospective purchaser/s under contract of sale or offer and acceptance	No
Consent to apply is given by or on behalf of joint tenant survivors	No
Consent to apply is given by or on behalf of an executor of a deceased estate	No
This application includes land that is owned by or vested in or held by management order by a government agency or local government	Yes
This application includes Crown land	No

Summary of the Proposal

Existing tenure	Freehold (Green Title)	Application type	Subdivision
Proposed tenure	Freehold (Green Title)		
Local government where the subject land is located		Merredin, Shire of	
Additional local government/s where the subject land is located		N/A	
Have you submitted a related application?		No	
Lodgement ID of related application		N/A	
How is the application related?		N/A	

Land use and lots

Current land use	Railway, CBH loading/unloading facility		
Total number of current lot/s subject of this application	2	Number of proposed lot/s	2

Proposed use/development:

Proposed zone (1)	Commercial	Zone lot size	2 HA - 5 HA
		Number of zone lots	1
Proposed zone (2)	Other	Zone lot size	Over 25 HA
		Number of zone lots	1

Reserved lots:

Reserve lot type (N/A)	N/A	Number of reserve lots	N/A
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Dwellings, outbuildings and structures

Does the subject lot/s contain existing dwellings, outbuildings and/or structures?	Yes		
Dwellings:			
Number of dwellings	N/A	Specify details	N/A
Details of partially retained/ removed dwellings	N/A		

Outbuildings:			
Number of outbuildings	4	Specify details	All to be retained
Details of partially retained/ removed outbuildings	N/A		
Other development:			
Specify details	N/A		
Amendment			
Type 1 (a) Addition of land from outside the parcel of a strata titles scheme to common property in the scheme (but not including temporary common property)			No
Type 1 (b) Conversion of a lot in a strata titles scheme to common property in the scheme			No
Type 2 Removal from the parcel of a strata titles scheme of land comprised of common property			No
Type 3 Consolidation of 2 or more lots in a strata titles scheme into 1 lot in the scheme (not affecting common property in the scheme)			No
Type 4 Subdivision that does not involve the alteration of the boundaries of the parcel and is not a type 1, type 2 or type 3 subdivision			No
Termination			
Strata company resolution in support of the termination proposal is available?			No
Has an outline termination proposal been prepared?			No
Survey-Strata or Leasehold (Survey-Strata)			
Is common property proposed?			No
Does the plan of subdivision show the indicative internal sewer and water connections to each lot?			No
Proposed leasehold scheme term			N/A
Is an option for postponement of the leasehold expiry scheme proposed?			No
What is the proposed postponement timeframe?			N/A
Strata or Leasehold (Strata)			
Is common property proposed?			No
Does this application relate to an approved development application?			No
Development application approval date/s	N/A	Development application reference number/s	N/A
Does this application relate to an approved building permit?			No
Building permit issue date/s	N/A	Building permit reference number/s	N/A
Is it proposed to create a vacant strata lot by registration of the plan?			No
Number of vacant strata lot/s	N/A		
Details of restrictions to be placed on any lots on the plan	N/A		
Leasehold scheme proposed timeframe	N/A		
Is an option for postponement of the leasehold expiry scheme proposed?			No
Proposed postponement timeframe	N/A		

Subdivision details			
Transport impacts			
Are there 10 - 100 vehicle trips in the subdivision's peak hour?			No
Are there more than 100 vehicle trips in the subdivision's peak hour?			No
Access to/from, right-of-way or private road			

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Access is to be provided from an existing right of way or private road?	No
Road and rail noise	
Is the proposal within the trigger distance of a strategic transport route as defined by State Planning Policy 5.4?	No
Contaminated sites	
Has the land ever been used for potentially contaminating activity?	No
Does the land contain any site or sites that have been classified under the Contaminated Sites Act 2003?	No
Does the land contain any site or sites that have been reported or are required to be reported under the Contaminated Sites Act 2003?	No
Information requirements liveable neighbourhoods	
Is this application to be assessed under the Liveable Neighbourhoods policy?	No
Acid sulfate soils	
Is the land located in an area where site characteristics or local knowledge lead you to form the view that there is a significant risk of disturbing acid sulfate soils at this location?	No
Bushfire prone areas	
Is all, or a section of the subdivision in a designated bushfire prone area?	No
Has a Bushfire Attack Level (BAL) Contour Map been prepared?	No
Does the BAL Contour Map indicate areas of the subject site as BAL-12.5 or above?	No
Has a Bushfire Management Plan (BMP) been prepared?	No
On-site sewerage disposal	
Is on-site sewerage disposal proposed?	No
Is it proposed to create lots of 4ha or smaller?	No
Has a site and soil evaluation been provided?	No

Final Checklist	
Subdivision plans are based on an accurate and up-to-date feature survey that includes existing ground levels relative to AHD or topography of the subject lot/s. A feature survey is not required for amalgamation approval	Yes
Relevant copies of the subdivision plans and supporting documentation or accompanying information are attached	Yes
The subdivision plan is capable of being reproduced in black and white format	Yes
The subdivision plan is drawn to a standard scale (ie 1:100, 1:200, 1:500, 1:1000) at A3 or A4	Yes
All dimensions on the subdivision plan are in metric standard	Yes
The north point is shown clearly on the subdivision plan	Yes
The subdivision plan shows all lots or the whole strata or community titles (land) scheme plan (whichever is applicable)	No
The subdivision plan shows all existing and proposed lot boundaries	Yes
The subdivision plan shows all existing and proposed lot dimensions (including lot areas)	No
The subdivision plan shows the lot numbers and boundaries of all adjoining lots	Yes
Is a battleaxe lot/s proposed?	No
The subdivision plan shows the width and length of the access leg, the area of the access leg and the total area of the lot	No
The subdivision plan shows the name/s of existing road/s	Yes
Is a new road/s proposed to be created?	No
The subdivision plan shows the width of proposed road/s	No
Is the land vacant?	No
The subdivision plan shows all buildings and/or improvements, including driveways and crossovers (including setbacks) which are to be retained, or removed	Yes
Does the land contain features such as watercourses, wetlands, significant vegetation, flood plains and dams?	Yes

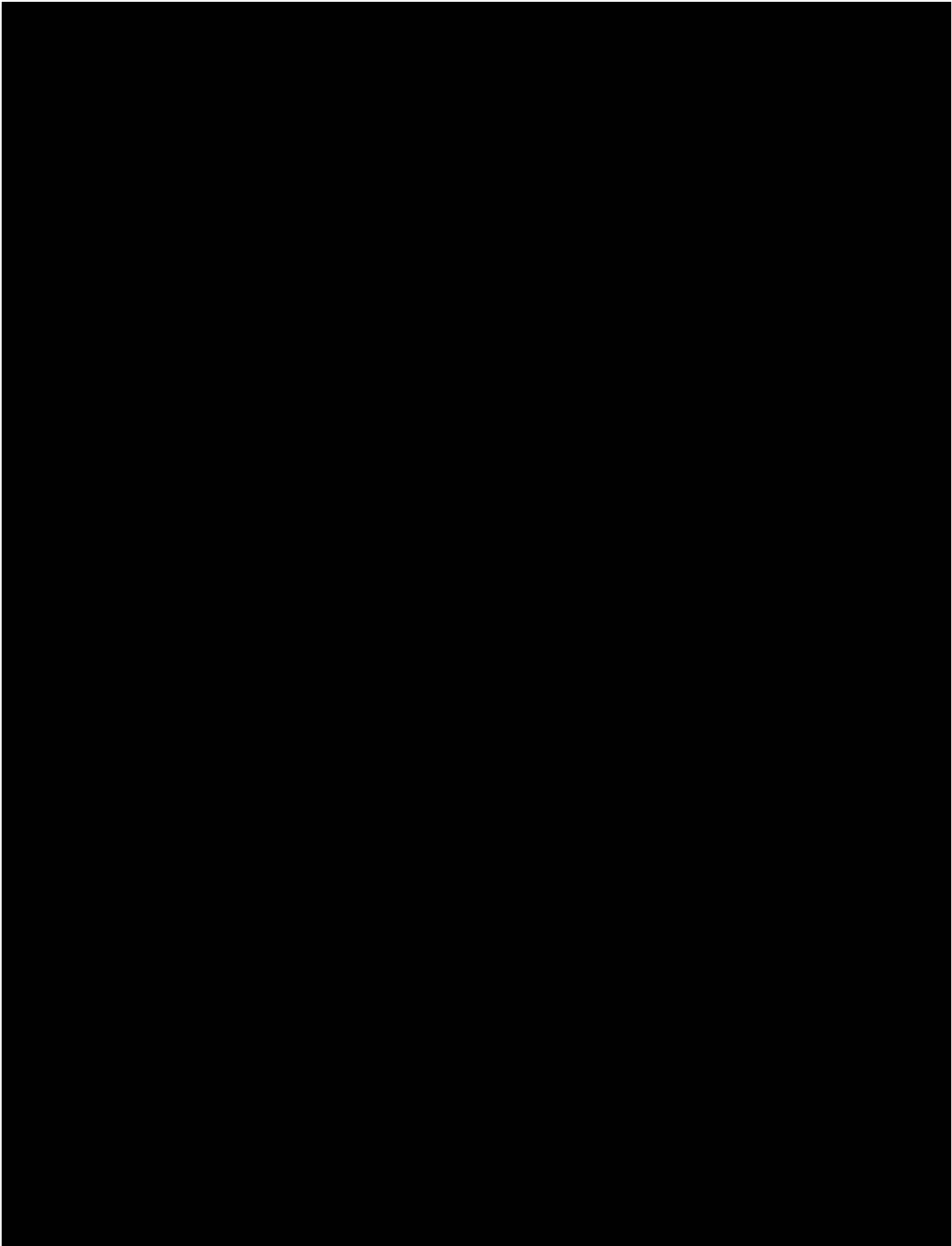
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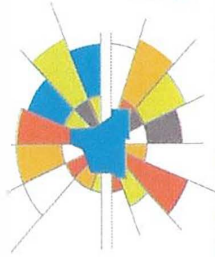
The subdivision plan shows features such as watercourses, wetlands, significant vegetation, flood plains and dams?	Yes
The subdivision plan shows all electrical, sewer and water infrastructure. For on-site sewage disposal, the indicative disposal areas for wastewater distribution are to be shown	Yes
Additional information required in the case of applications for residential infill subdivision within existing residential zoned areas	No

Estimated Fee & Payment Details			
Estimated fee payable	\$3,814.00		
Number of proposed lots	2	Number of reserved lots	0
Payer details			
Would you like to nominate that the invoice is sent to another party for payment?		Yes	
Payer name	CO-OPERATIVE BULK HANDLING LTD	Organisation/company	N/A
Phone number	██████████	Email	██████████
Postal address	██████████	City/Town/Suburb	Perth
Postcode	6842		
Submit application			
Are the payer's details correct?		Yes	
Have you checked the Summary of the Proposal and acknowledged all items?		Yes	

Attachments	
Document type	Document
Certificate of Title	Certificate of Title LR3023-760 Lot 28518 On Deposited Plan 181929.pdf
Certificate of Title	3244-123-01 (CT 9999-999_ID4472856).pdf
Covering letter	3244Ltr135 (Subdivision Application - Nukarni).pdf
Export PDF - Lodged application	20250210 2025-00970 no street address information available, Nukarni - Form 1A.pdf
Landowners Consent	3244-123 Nukarni (Signature_DPLH).pdf
Landowners Consent	3244-123 Nukarni (Signature_PTA).pdf
Subdivision plan	3244-123-01 (Sub_Nukarni).pdf
Tax Invoice	Tax Invoice - INV0004651 - 20250214.pdf
Tax Invoice - Receipt	Tax Invoice Receipt - INV0004651 - 20250214.pdf

WAPC contact information			
Infoline	1800 626 477	Planning Online	https://planningonline.dplh.wa.gov.au
Web address	www.dplh.wa.gov.au	Email	corporate@wapc.wa.gov.au
Perth	Albany	Bunbury	Mandurah
140 William Street Perth, 6000 Locked Bag 2506 Perth, 6001 (08) 6551 9000	178 Stirling Terrace PO Box 1108 Albany 6331 (08) 9892 7333	Sixth Floor Bunbury Tower 61 Victoria Street Bunbury 6230 (08) 9791 0577	Level 1 - Suite 94 16 Dolphin Drive Mandurah 6210 (08) 9586 4680





SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

