

## MINUTES

### ORDINARY COUNCIL MEETING

14<sup>TH</sup> OCTOBER 2014

COMMENCING AT 7:30 PM

COUNCIL CHAMBERS  
THE TOWN OF NARROGIN  
89 EARL STREET  
NARROGIN, WA 6312

Meaning of and CAUTION concerning Council's "In Principle" support:

When Council uses this expression it means that: (a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and (b) Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.

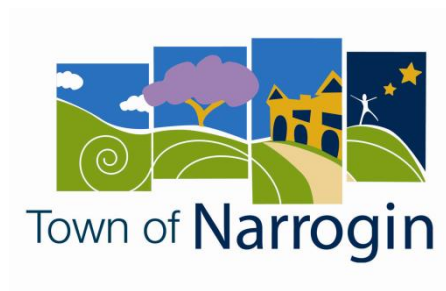
Therefore, whilst you can take some comfort from Council's "support" you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.

Disclaimer:

"Warning - Verbal Information & Advice: Given the inherent unreliability and uncertainty that surrounds verbal communication, the Town strongly recommends that, if a matter is of importance to you, then you should NOT act upon or otherwise rely upon any VERBAL information or advice you receive from the Town unless it is first confirmed in writing."

These minutes were confirmed at the Ordinary Council meeting held on  
28 October 2014

Signed  Date 28/10/14  
(Presiding Member at the meeting at which minutes were confirmed)



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## ORDINARY COUNCIL MEETING MINUTES

14<sup>th</sup> OCTOBER 2014

### 1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

Cr Paternoster opened the meeting at 7:30pm and requested that the meeting be adjourned due to the Mayor and Chief Executive Officer returning from the Shire of Narrogin Merger Public Meeting that was being held.

**Council Resolution: 1014.138**

**Moved Cr McKenzie**

**Seconded Cr Ward**

That the meeting be adjourned until the Mayor and Chief Executive Officer arrive in approximately 10 minutes.

**Carried 6/0**

***Please note: The mayor arrived at the meeting at 7:34pm with the Chief Executive Officer and re-opened the meeting.***

### 2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Mayor Ballard From 7:34pm  
Deputy Mayor Cr Paternoster  
Cr Russell  
Cr Kain  
Cr Ward  
Cr McKenzie  
Cr Schutz  
Cr Bartron

Mr Aaron Cook – Chief Executive Officer from 7:34pm

Mr Colin Bastow – Director of Corporate and Community Services

**Mr Andrew Day** Member of the Public.

### 3. DECLARATION OF INTEREST BY ELECTED MEMBERS AND COUNCIL EMPLOYEES IN MATTERS INCLUDED IN THE MEETING AGENDA

Cr Schutz – 10.1.351 as the applicant is a client.

### 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 5. PUBLIC QUESTION TIME

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Barton expressed that he will not be able to attend the meeting on the 28<sup>th</sup> October and requested a leave of Absence.

**Council Resolution: 1014.139**

**Moved Cr McKenzie**

**Seconded Cr Schutz**

That Cr Bartron be approved for a leave of absence on the 28<sup>th</sup> October 2014.

**CARRIED 8/0**

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**Council Resolution: 1014.140**

**Moved Cr Bartron**

**Seconded Cr Kain**

That Council:

Accept the minutes of the Ordinary Council Meeting held on 23<sup>rd</sup> September, 2014 and be confirmed as an accurate record of proceedings.

**CARRIED 8/0**

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

**9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

## 10. MATTERS WHICH REQUIRE DECISIONS

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## 10.1 DEVELOPMENT AND TECHNICAL SERVICES

### 10.1.350 PROPOSED STAGE 2 REDEVELOPMENT NARROGIN TOYOTA NO 162 (LOT 5) FEDERAL STREET, NARROGIN

**File Reference:** A170400 & IPA144375  
**Disclosure of Interest:** Nil  
**Applicant:** Wally Cybula  
**Previous Item Nos:** Item 10.2.313 – 8<sup>th</sup> July 2014  
**Date:** 6<sup>th</sup> October 2014  
**Author:** Brian Robinson, Director Technical & Environmental Services

#### **Attachments:**

Copy of application for planning consent and reduced copy of plans.

#### **Summary:**

Council is requested to determine an application for planning consent for Stage 2 of a major redevelopment of the Narrogin Toyota/Mazda dealership site consisting of substantial new sales showroom building.

#### **Background:**

The subject property is a 6,374m<sup>2</sup> lot, located on the western side of Federal Street just south of Felspar Street. Whilst land immediately north of the site is zoned and developed for residential purposes, land to the rear is a Water Corporation reserve. Land abutting the southern side boundary forms part of the Town Commonage Reserve.

The site is currently developed with the Narrogin Toyota/Mazda Car Dealership, which consists of a showroom/office building fronting Federal Street and open air used car display area. A workshop and service department are located to the rear of the showroom.

At its meeting held on the 8<sup>th</sup> July 2014, Council resolved to grant conditional approval to Stage 1 of a major site redevelopment. Stage 1 comprises a new workshop/service department, new vehicle washdown, oils and general storage facilities. Approval is now being sought to Stage 2 & 3 of the redevelopment which are summarised as follows:

#### Stage 2

Stage 2 involves demolition of the existing workshop and construction of a 605m<sup>2</sup> building (27.5m x 22m) containing the following:

- A Main Showroom for vehicle display;
- A reception, lounge,
- Three sales offices;
- Administration offices for the Dealer Principal, Finance/Insurance and Administrative functions;
- A Car Delivery bay
- A 44m<sup>2</sup> retail area for Stihl and waiting area for the service department;

- A 30m<sup>2</sup> meeting room; and
- Male, Female and Disabled Ablutions.

A covered portico is also proposed, attached to the southern side of the building over a new driveway. New paving, landscaping and access ramps are also proposed.

The new showroom is proposed for construction immediately behind the existing showroom, allowing the current premises to be used during construction process.

### Stage 3

Following completion of Stage 2, the existing Showroom Building is to be demolished to make way for a new 680m<sup>2</sup> car display yard, 6 parking bays and a new pedestrian ramp to facilitate pedestrian access from Federal Street to the Showroom.

Reduced copies of the submitted floor plan and elevations are shown attached.

### **Comment:**

Town Planning Scheme No 2 includes the subject land within the “Other Commercial Zone”, where “Motor Vehicle & Marine Sales Premises” are a permitted use. That is a use which is permitted subject to compliance with the identified development standards.

To assist Council in determining the application, the following assessment of the applicable development standards is provided:

### Setbacks

The Zoning and Development Table for the “Other Commercial” Zone identifies the following setback requirements:

Front: 11 metres;  
Rear 7.5 metres;  
Sides 5 metre one side

Plans submitted with the application demonstrate that the showroom will be setback approximately 34 metres from the front boundary. The development therefore complies with the front setback requirement.

In terms of setbacks to the rear and side boundaries, Stage 1 was approved by Council at its 8<sup>th</sup> July 2014 meeting with nil setbacks to rear and both side boundaries. The relaxation of the setbacks to the rear and one side were granted pursuant to clause 6.2.1 of the Scheme.

Plans submitted for Stage 2 detail that the Showroom will also be constructed with a nil setback to the northern side boundary. As setback greater than 5 metres will be provided to the southern boundary, stage 2 complies with the setback requirements.

### Carparking

Town Planning Scheme provisions relating to the Other Commercial Zone apply a normal car parking requirement of 1 carbay per 45m<sup>2</sup> of gross floor area or display area. Providing parking at this ratio would result in a requirements for 28 carbays for

Stages 2 & 3. With only 6 carbays proposed in Stage 2 & 3, the application as submitted does not comply with the specified standards.

Notwithstanding the above, where an application does not comply with standard or requirement prescribed by the Scheme, Council may still approve the application pursuant to clause 6.2.1, provided that Council is satisfied that:

- The approval would be consistent with the orderly and proper planning of the locality and the objectives of the scheme;
- The non-compliance will not adversely affect the occupiers or inhabitants of the area; and
- The spirit and purpose of the requirements will not be reasonably be departed from.

In the authors opinion, a requirement for 28 carbays for Stages 2 & 3 would be excessive. It is considered that a relaxation of the standard could be granted without detrimentally impacting on the amenity of the adjacent area.

To assist the Council in determining what level of parking should be required, the following comparisons are offered:

Local Authority	Scheme Requirement for Motor Vehicle Sales & Service	Parking required for Stage 2 & 3
City of Albany	1 bay 100m <sup>2</sup> of display plus 1 per employee	12.8 car bays plus 8 staff bays
City of Bunbury	1 bay per 200m <sup>2</sup> of display (minimum of five) plus 4 bays per service bay or 1/50m <sup>2</sup> whichever is greater	6.4 car bays
City of Mandurah	1 bay per 30m <sup>2</sup>	42 car bays
Town of Narrogin	1 bay per 45m <sup>2</sup>	28 carbays.
City of Rockingham	1 bay per 50 for showrooms & 1 per 200m <sup>2</sup> for open air display	16 carbays

As previously detailed, the applicant is proposing 6 car bays for Stages 2 and 3, which would be consistent with the City of Bunbury's requirement. In the authors opinion, the provision of 6 car parking bays on site would be adequate to meet the need for customer parking that would be generated by the new showroom and open air display area.

The above said, there is a need to address the following:

a) Parking for the existing open air display area

In addition to the new open air display area, the applicant is proposing to retain the existing open air display area for second hand vehicles. Being approximately 894m<sup>2</sup> parking for this area is provided for in the adjacent Federal Street verge, which was previously sealed with bitumen. It is recommended that the applicant be required to formally identify a minimum of four car bays within this area to provide formal customer parking for the second hand display yard.



b) Staff Parking

With three sales offices, a reception, three other offices (including the dealer principal) and a service department, a minimum of 8 staff are anticipated to be associated with the new showroom. This in addition to staff associated with the detailing and mechanical services provided in proposed stage 1.

Currently there is no formal provision for staff parking on site.

From examination of the submitted plans, it appears that sufficient room exists on site for the provision of staff parking bays in two potential locations, which are described as:

A potential area for up to 8 bays on the southern side of the central driveway.  
An area identified for car storage in Stage 1.

An appropriate condition could be imposed requiring the provision revised plans demonstrating the provision of 8 staff bays in this area.

Alternatively, the owner of the subject land also owns Lot 3 Federal Street abutting the northern side boundary. Being zoned Residential, Lot 3 is cannot legally be approved for the purposes of Motor Vehicle and Machinery Sales and Service. It is however noted that a carpark is an "IP" use within the Residential Zone.

Landscaping

Within the "Other Commercial" Zone TPS No 2 stipulates that that 20% of the site is to be landscaped. As detailed in clause 3.4.2 of the Scheme, landscaping may consist of open areas *designed, developed and maintained as garden planting and areas for pedestrian use.*"

Currently the site contains little or no landscaping with the exception of paved surfaces. As an alternative the owners have developed and maintained portion of the existing verge for landscaping purposes.

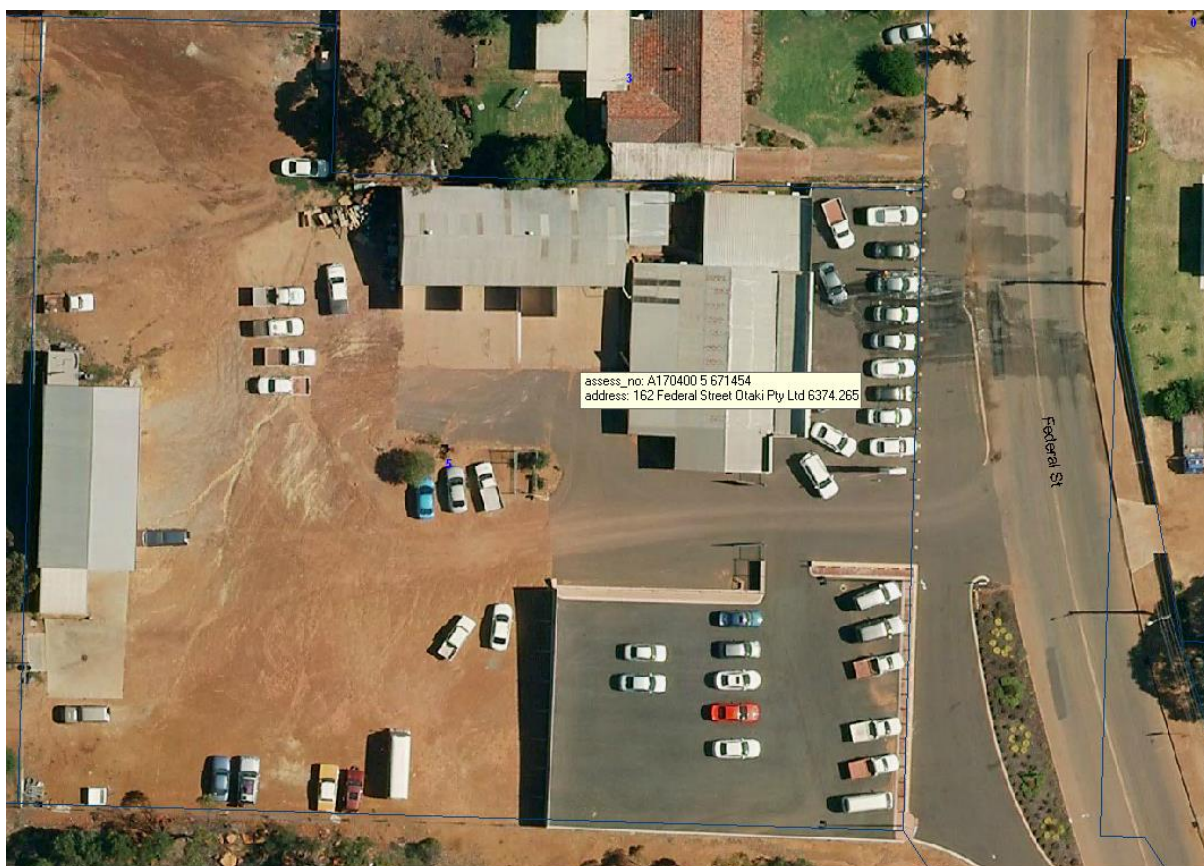
The submitted plans detail a two metre strip of landscaping between the new open air display and Federal Street. This equates to 56m<sup>2</sup>. Apart from this, no other planted landscaping areas have been proposed. Including the construction of new pedestrian paths within the development, a total of less than 300m<sup>2</sup> of landscaping is proposed. Given the subject land area, Council would normally require up to 1,274,8m<sup>2</sup> of landscaping (20%).

It is acknowledged that the redevelopment as proposed will significantly improve the appearance of the site. However it is recommended that additional landscaping should be required. As a minimum, it is recommended that the applicants be required to landscape the existing hardstand verge, located between the proposed new open air display area and Federal Street, save a 2 metre wide footpath.

## Drainage

The subject land slopes upward from Federal Street rising some 5 metres. As a result, containing stormwater flows, particularly during major storm events is difficult. On several occasions over recent years, stormwater has passed over the Federal Street Road pavement inundating properties on the eastern side of Federal Street.

As evidenced on the aerial photograph shown overleaf, low volumes of water have also been observed existing the site and crossing Federal Street.



Given the relatively impervious ground conditions on site, the establishment of additional roofed areas and hardstand are not expected to increase stormwater run-off from the property. In fact the installation of a landscaped garden bed between the open air display and Federal Street is likely to improve stormwater retention on site.

Through redevelopment of the site, additional opportunities exist to increase the capacity to hold stormwater on site through an upgraded drainage system. It is recommended that an appropriate condition be imposed.

**Consultation:**

Chief Executive Officer and applicant.

**Statutory Environment:**

Council's prior planning consent is required for the development in accordance with the provisions of the Town of Narrogin's Town Planning Scheme No 2.

**Policy Implications: - Nil**

**Financial Implications:**

The required planning application fee of \$5,555 has been paid.

**Strategic Implications:**

The Narrogin Toyota site is a strategic one located on the southern entrance to the Town. Given the age and appearance of the current development, redevelopment of the site is strongly encouraged.

**Voting Requirements:**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council:

- A. Approve the proposed new Showroom and Open Air Display Area forming Stages 2 and 3 of the redevelopment of Narrogin Toyota at No 162 (Lot 5) Federal Street, Narrogin subject to compliance with the following conditions:
  - 1. This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to Council, is granted by it in writing.
  - 2. Prior to commencement of the development hereby approved, the plans submitted with the application shall be modified to address the following matters to the satisfaction of the Chief Executive Officer:
    - a) Revision of the submitted plans to provide for staff parking at a rate of 1 bay per staff member within the site. These bays are to be in addition to the 11 customer parking bays identified on the submitted plans.
    - b) A minimum of four customer parking bays being identified within the Federal Street road reserve abutting the existing open air display area located in the south east corner of the site; and
    - c) Identification of additional landscaping within the Federal Street road verge abutting the proposed Open Air Display Area, to be installed and maintained by the applicant.

3. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan shall:
  - i. Be designed, constructed, drained and marked to the satisfaction of the Council prior to the commencement of the use hereby permitted.
  - ii. Thereafter be maintained to the satisfaction of the Council.
  - iii. Be made available for such use at all times and not used for any other purpose.
  - iv. Be properly formed to such levels that it can be used in accordance with the plan.
4. If lighting is to be installed to the car parking area then it is to be installed to the satisfaction of the Town of Narrogin.
5. Parking areas are not to be used for general storage or any purpose other than the parking of motor vehicles.
6. Car parking bays identified for customer vehicles being for customer parking only.
7. All stormwater and drainage run off to be contained on site or connected to a council stormwater legal point of discharge.
8. The proposed development being connected to the Water Corporations reticulated Sewerage service.
9. Submission and approval of a detailed landscaping plan. Such plans to specify details of the vegetation and the landscaping, as shown and approved, to be established within 60 days of the practicable completion of the building and from then on maintained to the specification and satisfaction of the Town of Narrogin. Such landscaping is to be fully reticulated.
10. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason or appearance or the emission of smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or otherwise.
11. Containment of all vehicle cleaning and wash-down areas and direction of waste materials to a suitable waste treatment facility (for instance a triple-interceptor) to the satisfaction of the Town of Narrogin.
12. No polluted drainage shall be discharged beyond the boundaries of the land from which it emanates or into watercourse or easement drain, but shall be so treated and/or absorbed on that lot to the satisfaction of Council.
13. Rubbish bin stores or bin storage areas shall be provided and constructed to requirements of the Town of Narrogin's Environmental Health Officer.
14. Each bin store shall be curbed to prevent entry of surface stormwater or groundwater and shall be roofed if over 17m<sup>2</sup> in area.

15. The office space within the proposed Showroom shall not be subleased, without the prior approval of Council.

Advice to Applicant:

1. Any use, additions to and further intensification of any part of the development or land which is not in accordance with the original application or conditions of approval shall be subject to a further development application and consent for that use.
2. Further to condition No 2(a) the applicant is advised that the Town of Narrogin is prepared relax the normal carparking rate of 1 carbay per 45m<sup>2</sup> and accept a total of 11 bays for customers. However Council requires that staff parking is also contained within the site. Options identified for potential staff parking include the southern side of the central driveway and the vehicle storage area identified in Stage 1.
3. Further to condition No 2(c) the applicant is advised that the application as submitted does not comply with the minimum requirements for landscaping within the "Other Commercial" Zone. Council is prepared to support the applicant landscaping the subject verge in lieu of additional landscaping being provided on site, provided that the landscaping is installed and maintained at the applicants cost.

Landscaping of the subject verge is to incorporate a 2m wide footpath which can be established through retention of portion of the existing verge hardstand.

4. Further to condition No 7 above, the applicant is advised that upgrading of the existing drainage system is required to Minimise the potential for stormwater flowing down the central driveway crossing Federal Street.
5. It is recommended that prior to the commencement of works on site, the boundaries should be established by a suitably qualified surveyor.

**Council Resolution: 1014.141**

**Moved Cr Schutz**

**Seconded Cr Ward**

That Council:

- A. Approve the proposed new Showroom and Open Air Display Area forming Stages 2 and 3 of the redevelopment of Narrogin Toyota at No 162 (Lot 5) Federal Street, Narrogin subject to compliance with the following conditions:
  1. This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to Council, is granted by it in writing.
  2. Prior to commencement of the development hereby approved, the plans submitted with the application shall be modified to address the following matters to the satisfaction of the Chief Executive Officer:

- d) Revision of the submitted plans to provide for staff parking at a rate of 1 bay per staff member within the site. These bays are to be in addition to the 11 customer parking bays identified on the submitted plans.
  - e) A minimum of four customer parking bays being identified within the Federal Street road reserve abutting the existing open air display area located in the south east corner of the site; and
  - f) Identification of additional landscaping within the Federal Street road verge abutting the proposed Open Air Display Area, to be installed and maintained by the applicant.
3. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan shall:
    - v. Be designed, constructed, drained and marked to the satisfaction of the Council prior to the commencement of the use hereby permitted.
    - vi. Thereafter be maintained to the satisfaction of the Council.
    - vii. Be made available for such use at all times and not used for any other purpose.
    - viii. Be properly formed to such levels that it can be used in accordance with the plan.
  4. If lighting is to be installed to the car parking area then it is to be installed to the satisfaction of the Town of Narrogin.
  5. Parking areas are not to be used for general storage or any purpose other than the parking of motor vehicles.
  6. Car parking bays identified for customer vehicles being for customer parking only.
  7. All stormwater and drainage run off to be contained on site or connected to a council stormwater legal point of discharge.
  8. The proposed development being connected to the Water Corporations reticulated Sewerage service.
  9. Submission and approval of a detailed landscaping plan. Such plans to specify details of the vegetation and the landscaping, as shown and approved, to be established within 60 days of the practicable completion of the building and from then on maintained to the specification and satisfaction of the Town of Narrogin. Such landscaping is to be fully reticulated.
  10. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason or appearance or the emission of smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or otherwise.
  11. Containment of all vehicle cleaning and wash-down areas and direction of waste materials to a suitable waste treatment facility (for instance a triple-interceptor) to the satisfaction of the Town of Narrogin.

12. No polluted drainage shall be discharged beyond the boundaries of the land from which it emanates or into watercourse or easement drain, but shall be so treated and/or absorbed on that lot to the satisfaction of Council.
13. Rubbish bin stores or bin storage areas shall be provided and constructed to requirements of the Town of Narrogin's Environmental Health Officer.
14. Each bin store shall be curbed to prevent entry of surface stormwater or groundwater and shall be roofed if over 17m<sup>2</sup> in area.
15. The office space within the proposed Showroom shall not be subleased, without the prior approval of Council if the lessee business does not meet the Town planning scheme approval as it is currently approved.

Advice to Applicant:

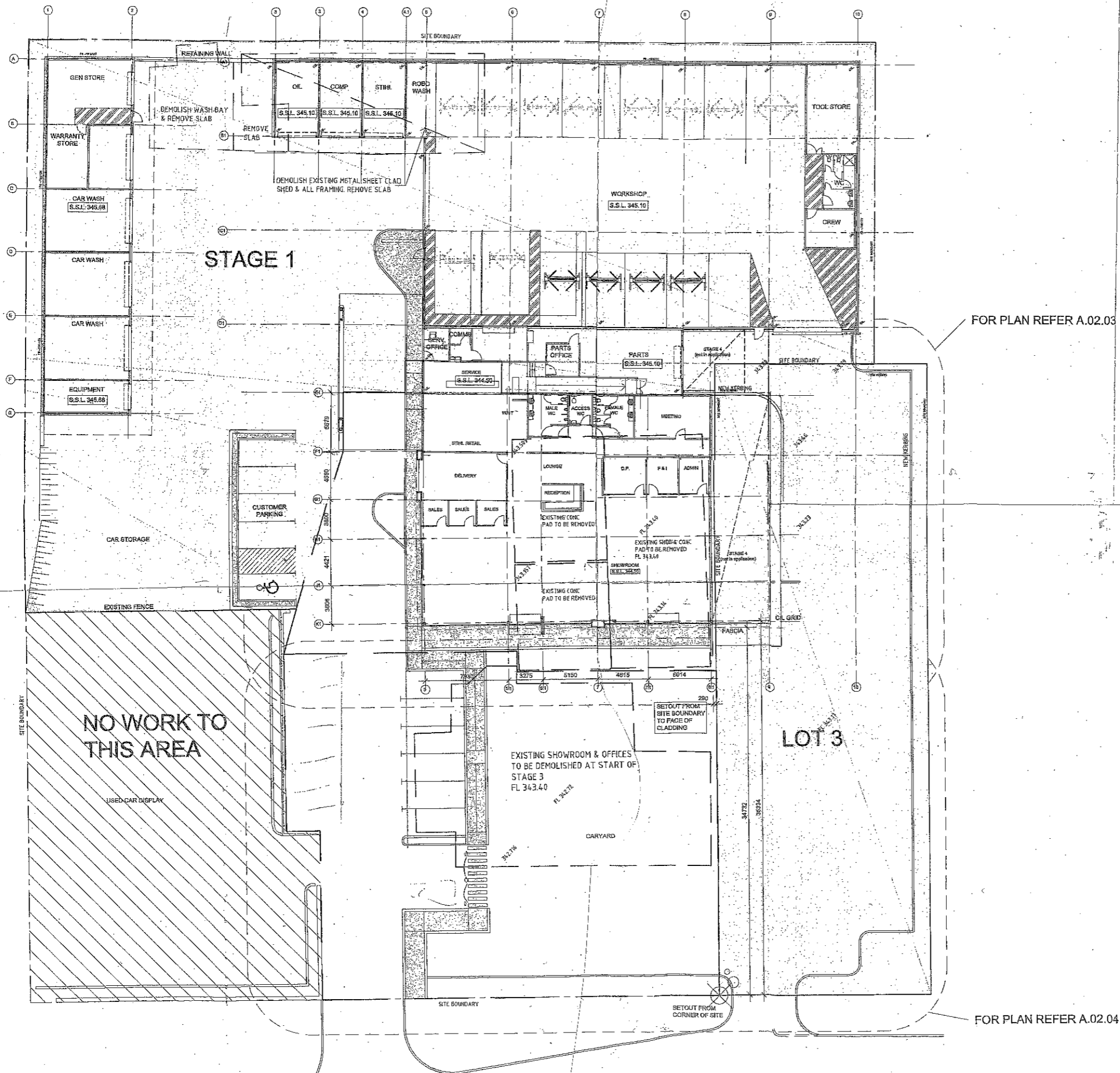
1. Any use, additions to and further intensification of any part of the development or land which is not in accordance with the original application or conditions of approval shall be subject to a further development application and consent for that use.
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3. Further to condition No 2(c) the applicant is advised that the application as submitted does not comply with the minimum requirements for landscaping within the "Other Commercial" Zone. Council is prepared to support the applicant landscaping the subject verge in lieu of additional landscaping being provided on site, provided that the landscaping is installed and maintained at the applicants cost.

Landscaping of the subject verge is to incorporate a 2m wide footpath which can be established through retention of portion of the existing verge hardstand.

4. Further to condition No 7 above, the applicant is advised that upgrading of the existing drainage system is required to Minimise the potential for stormwater flowing down the central driveway crossing Federal Street.
5. It is recommended that prior to the commencement of works on site, the boundaries should be established by a suitably qualified surveyor.

**CARRIED 8/0**

***Note reason for change: That in point 15 the following words were added: "if the lessee business does not meet the Town planning scheme approval as it is currently approved".***



DA ISSUE

REVISIONS	
C	13/09/14 DA ISSUE
B	02/09/14 CONSULTANT ISSUE
A	11/09/14 REVIEW

**roxby**  
 Architects  
 ROXBY ARCHITECTS  
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CLIENT:  
 WALLY CYBULA  
 LOCATION:  
 162 FEDERAL ST  
 NARROGIN WA  
 PROJECT TITLE:  
 NARROGIN  
 TOYOTA STAGE 2.  
 DRAWING NAME:  
 PROPOSED  
 SITE PLAN. STAGE 2 & 3

SCALE: 1:200 @ A1 PLOT SCALE:  
 DRAWN: APPROVED:  
 CHECKED: CAD FILE No.:  
 DATE: AUG. 2014

JOB No.: DRAWING No.: ISSUE:  
 12312 A01.01 C

1 SITE PLAN  
 SCALE 1:200







***Cr Schutz – Departed the meeting at 7:50pm due to a conflict of interest.***

**10.1.351 PROPOSED CHANGE OF USE – TRANSPORT DEPOT – NO 6 (LOT 11) HARBOUR STREET, NARROGIN**

**File Reference:** A236300  
**Disclosure of Interest:** Nil  
**Applicant:** Narrogin Freightlines  
**Previous Item Nos:** Nil  
**Date:** 8<sup>th</sup> October 2014  
**Author:** Brian Robinson, Director Technical & Environmental Services

**Attachments:**

Copy of correspondence received.

**Summary:**

Council is requested to consider correspondence from Narrogin Freightlines support to the subject land being used for a Transport Depot.

**Background:**

The subject land is a 6,573m<sup>2</sup> lot located on the southern side of Harbour Street some 50 metres west of Havelock Street. The site is currently developed with a dwelling and a substantial shed which were previously used as part of a bus depot.

Currently the site is being used for the storage of heavy vehicles.

Land on the northern side of Harbour Street is developed and/or zoned for “Other Commercial Development” spanning between Herald Street and Harbour Street. Two of the three properties are currently developed for Tyre Sales and small machine sales/repairs.

Land to the south is zoned and used for rural-residential purposes, whilst smaller 1,500m<sup>2</sup> allotments separate the land from Havelock Street.

Correspondence has been received seeking the Town of Narrogin’s support to utilise the property as a transport depot, being the base of operations for Narrogin Freightlines. Details provided indicate that the site will be used to receive larger loads which will then be distributed around town using a smaller delivery truck. This aspect of the applicants business is currently undertaken from 6 Eston Street.

A copy of the correspondence received is shown attached.

**Comment:**

The provisions of Town Planning Scheme No 2 include the subject land within the Rural-Residential Zone with an additional use zone (A7) permitting the operation of a Bus Depot and Caretakers Cottage.

Following the cessation of the Bus Depot, the site has been used for the storage of heavy transport vehicles. No objection was raised to this given the similarities between the parking of buses versus other transport vehicle.

In essence, the applicants are now proposing to use the site for a Transport Depot, which Town Planning Scheme No 2 defines as follows:

*Transport Depot: means land and building used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another such motor vehicle, and includes maintenance, management and repair of the vehicles used, but not of other vehicles.*

In accordance with Town Planning Scheme, a Transport Depot is an “AP” use within the Light Industry Zone (being a use that must be advertised) and a “P” use within the General Industry Zone (being a permitted use).

A Transport Depot is not a listed use within the Rural Residential Zone and therefore is prohibited.

Whilst TPS No 2 permits the use of the premises for a ‘bus depot’ above and beyond other uses normally permitted within the Special Rural Zone, the Scheme provisions do not legally permit Council to consider approving the site for a transport depot without first modifying the Town Planning Scheme.

**Consultation:**

Chief Executive Officer – Aaron Cook

**Statutory Environment:**

In accordance with the provisions Town Planning Scheme No 2 the use of the land for a transport depot is prohibited by the provisions of Town Planning Scheme No 2.

**Policy Implications:** - Nil

**Financial Implications:**

Should Council wish to entertain the request, a formal application for planning consent will be required along with the payment of the appropriate fee.

**Strategic Implications:**

The intent of the Special Rural Zone is to “provide opportunities for rural residential lifestyles whilst maintaining the rural character of the area.

**Voting Requirements:**

Simple Majority

**Council Resolution: 1014.142**

**Moved Cr Kain**

**Seconded Cr Ward**

That Council:

Suspend standing orders No. 9.1, 9.5 and 9.6 to facilitate discussion.

**CARRIED 7/0**

**Council Resolution: 1014.143**

**Moved Cr Kain**

**Seconded Cr Ward**

That Council:

Resume standing orders No. 9.1, 9.5 and 9.6.

**CARRIED 7/0**

**OFFICER'S RECOMMENDATION**

**Moved Cr Kain**

**Seconded Cr Bartron**

That Council advise the applicants that:

- a) Council is unable to support the request on the basis that the provisions of Town Planning Scheme No 2 prohibit the use of the land for a transport depot.
- b) The applicant be advised that Council may legally consider an application for a transport depot within the Light Industry and General Industry Zones.
- c) Council has no objection to the continued use of the subject land for the storage of vehicles only.

***Please note: Motion Withdrawn by Cr Kain and Bartron***

**Council Resolution: 1014.144**

**Moved Cr Ward**

**Seconded Cr Paternoster**

That Council:

Defer this item for the Director of Technical and Environmental Services to discuss this matter further with the applicant and prepare a addendum report that is to be presented to the meeting on the 28<sup>th</sup> October 2014.

**CARRIED 7/0**



ABN 33 630 289 587

PO Box 33 WITCHCLIFFE WA 6286  
Phone: (08) 9757 5065 Fax: (08) 9757 5165

Attn: Brian Robinson,  
Director of Technical Services,  
Town of Narrogin,  
Po Box 188  
NARROGIN W.A. 6312

4 Sept 2014

Dear Sir,

Re: Harbour St Narrogin

Further to your discussions with our freight Manager Andrew Day, we write to outline the background and our current requirements for operations from our yard at 6 Harbour St.

Our Narrogin Freightlines business currently operates from 6 Eston St, where it existed under a lease agreement with the owner of those premises at the time we purchased the business in 2007. We have owned premises at 6 Harbour St since 2005, after leasing those premises for some years prior to that, and that yard is utilised for parking of our Narrogin Freightlines and also our Glenbrae Hay Trans trucks overnight. The Harbour St property was operated as a bus depot prior to our purchasing it. Both properties according to rates notices are zoned "industrial".

The owner of 6 Eston St advises he wishes to sell that property, and although he has given us first option to purchase, it is not in our best interests to do so. The Eston St property is small with no room to expand, has no fencing and we actually have to unload freight on the edge of the road as there is insufficient room for the truck to park off road. Our intention has always been to pursue use of our own premises at 6 Harbour St for all of our business (Glenbrae Hay Trans and Narrogin Freightlines), so we now wish to move our Narrogin Freightlines operations from Eston St to Harbour St.

We have confirmed with Main Roads that b double access to Harbour St is already on the road network. We adhere to the conditions on the network listing regarding avoiding school bus times which we have checked with the bus operator. By having all our business in one location at Harbour St there will not actually be any changes to heavy vehicle movement. The b double trucks will still leave once in the morning and return once in the late afternoon as they do now. The only extra movements will be the small delivery truck distributing freight around town will operate from the Harbour St yard instead of the Eston St yard.

Improvements planned for the Harbour St yard are new security fencing along Harbour St, installation of a small office, some yard resurfacing and eventually painting of the existing shed, so the overall appearance of the premises will be improved.



Depot: 6 Eston Street NARROGIN Phone: 0418 924 591  
Fax: (08) 9881 2278 ngnfreight@westnet.com.au  
Accounts Department Phone: (08) 9881 3487  
Fax: (08) 0991 2764 nflaccounts@westnet.com.au

Phone: (08) 9757 5065  
Fax: (08) 9757 5165  
haytrans@westnet.com.au

Phone: (08) 9757 5065  
Fax: (08) 9757 5165  
haytrans@westnet.com.au

Before we go ahead with this expenditure, we are seeking confirmation that the Town of Narrogin approves of our planned operations. We obviously have a large investment in the Harbour St land, and to ensure the future of our two business's in town we need to utilise that property to it's full potential. To purchase additional land elsewhere and continue to operate our business from two locations is not a viable proposition. We feel that our plans will have little or no change to the impact on surrounding properties, considering the block is adjacent to the railway line and extended link road which is going to create more heavy vehicle traffic in the area anyway.

We look forward to your early response. Please do not hesitate to contact myself on 0409575065 or Andrew Day on 0418924591 if you need any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ann Noakes', written in a cursive style.

Ann Noakes

*Cr Schutz returned to the meeting.*

## **10.2 CORPORATE AND COMMUNITY SERVICES**

### **10.2.352 TENDER FOR THE SUPPLY OF BULK LPG (1415-2)**

**File Reference:** 23.12.1  
**Disclosure of Interest:** Nil  
**Applicant:** Nil  
**Previous Item Nos:** Nil  
**Date:** 7 October 2014  
**Author:** Colin Bastow – Director Corporate & Community Services

**Attachments:** - Nil

#### **Summary:**

Council to approve tender 1415-2 for the delivery and supply of bulk liquefied petroleum gas (LPG) to the Town.

#### **Background:**

The Town had a four year agreement with Kleenheat Gas to rent gas cylinders and supply bulk LPG gas to the Narrogin Regional Leisure Centre (NRLC). This agreement expired on the 30 August 2014.

Bulk LPG is also being supplied to the Narrogin Caravan Park (NCP) by Kleenheat Gas for the operation of the gas hot water systems and cloths driers.

#### **Comment:**

As the expected cost of bulk gas supplies is expected to exceed \$100,000 per year, the Town is legally requires to award a supplier via a tender process.

The Town will require the hire of appropriate sized gas storage cylinders/vessels at both the NRLC and NCP as well as the delivery and supply of bulk LPG to both of these sites for a period of two years.

Suppliers of LPG will not fix a long term single price for the supply of LPG due to the likely fluctuations in market pricing.

#### **Consultation:**

- Aaron Cook – CEO
- Town Records

#### **Statutory Environment:**

Local Government Act 1995



Local Government (Functions and General) Regulations 1996 (Part 4)

The Town is required to call for Tenders when purchasing of items valued at \$100,000 or greater unless there is specific exemptions such as WALGA preferred supplier.

**Policy Implications:** - Nil

**Financial Implications:**

The 2014/15 Budget included an allocation of \$140,000 for bulk LPG at the NRLC and \$2,500 at the NCP.

**Strategic Implications:** - Nil

**Voting Requirements:**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council:

Authorises the Chief Executive Officer to advertise the tender (1415-2) for the hire of 2 x 7.5kl LPG Vessels, 2 x 500l LPG Cylinders as well as the delivery and supply of bulk LPG to the NRLC and NCP for a two year period.

**Council Resolution: 1014.145**

**Moved Cr Russell**

**Seconded Cr Kain**

That Council:

Authorises the Chief Executive Officer to advertise the tender (1415-2) for the hire of 2 x 7.5kl LPG Vessels, 2 x 500l LPG Cylinders as well as the delivery and supply of bulk LPG to the NRLC and NCP for a two or four year period.

**CARRIED 8/0**

***Reason for Change: to allow Council to consider a four year period pricing in conjunction with the two year pricing to gain Council the best economic benefit.***

10.2.353

**CHAMBER OF COMMERCE CHRISTMAS TRADING HOURS  
REQUEST**

**File Reference:** 23.12.1  
**Disclosure of Interest:** Nil  
**Applicant:** Narrogin Chamber of Commerce  
**Previous Item Nos:** Nil  
**Date:** 7 October 2014  
**Author:** Aaron Cook – Chief Executive Officer

**Attachments:**

Letter of request from the Narrogin Chamber of Commerce.

**Summary:**

It is presented to Council to consider the request from the Narrogin Chamber of Commerce for the Christmas trading hours as per previous years.

**Background:**

Several years ago Christmas trading hours were issued by the Department of Commerce. This changed some 24 months ago and now for the Town businesses to have extended hours of trading during this period each local Government must make an application.

Due to this it was seen that the Chamber of Commerce should consult with its committee to provide direction for Council as the Chamber is the representative body for businesses in Narrogin.

**Comment:**

It is proposed for Council to consider the attached request from the Chamber of Commerce for the Christmas Trading Hours. This request is presented each year and has been endorsed previously to enable the local businesses to trade in excess of normal operating hours.

The hours that are presented to Council are the same as what was accepted by Council last year.

**Consultation:**

Chamber of Commerce and its members.

**Statutory Environment:** - Nil

**Policy Implications:** - Nil

**Financial Implications:** - Nil

**Strategic Implications:** - Nil

**Voting Requirements:**

Simple Majority

**Council Resolution: 1014.146**

**Moved Cr Kain**

**Seconded Cr Ward**

That Council:

Endorse the 2014 Christmas trading hours as presented by the Narrogin Chamber of Commerce and present this to the Department of Commerce for action and endorsement.

**CARRIED 8/0**



# Narrogin Chamber of Commerce

"To be a representative body promoting the growth and development of business in our community"

PO Box 374  
NARROGIN WA 6312

[narroginchamber@westnet.com.au](mailto:narroginchamber@westnet.com.au)



<https://www.facebook.com/narroginchamber>

Michael Kain:	Chairperson:	Tel	08 9881 2468
Kerry Bryant:	Executive Officer	Tel	0428 812 607
		Fax	08 9881 2605

Mr Aaron Cook  
Chief Executive Officer  
Town of Narrogin  
PO Box 188  
NARROGIN WA 6312

Dear Aaron

## PROPOSED TRADING HOURS FOR 2014 / 2015 CHRISTMAS / NEW YEAR PERIOD

At the committee meeting held last night the attached proposed Narrogin Christmas / New Year retail trading hours for 2014-2015 was felt to meet the needs of both shoppers and retailers in our region.

When the dates applied for by the Town of Narrogin are approved, would you please advise the chamber so that we can forward this information to our members?

Kind regards

Kerry Bryant  
Executive Officer

07 October 2014

Enc: 2014-2015 Proposed Hours

The online directory can be updated throughout the year at:

<http://www.narrogindirectoryonline.com.au>

## Narrogin Christmas/New Year retail trading hours 2014/2015

Date		Trading Hours
Monday 1 December 2014		8.00am to 9.00pm
Tuesday 2 December 2014		8.00am to 9.00pm
Wednesday 3 December 2014		8.00am to 9.00pm
Thursday 4 December 2014		8.00am to 9.00pm
Friday 5 December 2014		8.00am to 9.00pm
Saturday 6 December 2014		8.00am to 5.00pm
Monday 8 December 2014		8.00am to 9.00pm
Tuesday 9 December 2014		8.00am to 9.00pm
Wednesday 10 December 2014		8.00am to 9.00pm
Thursday 11 December 2014		8.00am to 9.00pm
Friday 12 December 2014		8.00am to 9.00pm
Saturday 13 December 2014		8.00am to 5.00pm
Sunday 14 December 2014		10.00am to 5.00pm
Monday 15 December 2014		8.00am to 9.00pm
Tuesday 16 December 2014		8.00am to 9.00pm
Wednesday 17 December 2014		8.00am to 9.00pm
Thursday 18 December 2014		8.00am to 9.00pm
Friday 19 December 2014		8.00am to 9.00pm
Saturday 20 December 2014		8.00am to 5.00pm
Sunday 21 December 2014		10.00am to 5.00pm
Monday 22 December 2014		8.00am to 9.00pm
Tuesday 23 December 2014		8.00am to 9.00pm
Wednesday 24 December 2014		8.00am to 9.00pm
<b>Thursday 25 December 2014 (public holiday)</b>		<b>CLOSED</b>
<b>Friday 26 December 2014 (public holiday)</b>		<b>CLOSED</b>
Saturday 27 December 2014		8.00am to 5.00pm
Sunday 28 December 2014		10.00am to 5.00pm
Monday 29 December 2014		8.00am to 9.00pm
Tuesday 30 December 2014		8.00am to 9.00pm
Wednesday 31 December 2014		8.00am to 9.00pm
<b>Thursday 1 January 2015 (public holiday)</b>		<b>CLOSED</b>

**11. ELECTED MEMBER'S MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING**

The Mayor raised that Council has been presented with the grant agreement for the merger funding by the Department of Local Government and Communities and the request is that this be actioned and endorsed by Council as the Town is the auspicing body for the grant.

**Council Resolution: 1014.147**

**Moved Cr McKenzie**

**Seconded Cr Bartron**

That Council:

Authorise the Chief Executive Officer to sign the grant agreement from the Department of Local Government and Communities for \$1,212,000 to fund the Town and Shire of Narrogin merger and execute the document with the Common Seal.

**CARRIED 8/0**

**13. CLOSURE OF MEETING**

The Mayor declared the meeting closed at 8:45pm.