

CITY OF CANTERBURY BANKSTOWN

MINUTES OF THE

INDEPENDENT HEARING AND ASSESSMENT PANEL MEETING

**HELD IN THE COUNCIL CHAMBERS
BANKSTOWN**

ON 9 OCTOBER 2017

PRESENT: Mr Anthony Hudson (Law) - Chairperson
Mr Michael File (Planning)
Dr Ian Garrard (Environment)
Mr Garth Paterson (Urban Design)

STAFF IN

ATTENDANCE: Ms Chauntelle Mitchell (Administration Officer - IHAP)
Mr Ian Woodward (Manager Development, not present for the closed session)
Ms Lia Chinnery (Coordinator Governance, not present for the closed session)
Mr Warren Farleigh (Team Leader Urban Planning, not present for the closed session)
Ms Juliette Kavanagh (Senior Planner, not present for the closed session)
Ms Lisa Ho (Urban Planner, not present for the closed session)

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.00 PM.

INTRODUCTION

The Chairperson welcomed all those present and explained the functions of IHAP and that the Panel would be considering the reports and the recommendation from the Council staff and the submissions made by the applicant and/or the applicant's representative(s) and determining the applications.

DECLARATIONS OF INTEREST

The Chairperson asked the Panel if any member needed to declare a pecuniary interest in any of the items on the agenda. There were no declarations of interest.

DELEGATION

By Minute No. 205, dated 25 October 2016 the Council delegated to the Independent Hearing and Assessment Panel the Council's power to determine certain development applications, to consider all Planning Proposals and make subsequent recommendations as to whether the matter should proceed to Gateway Determination.

DECISION

1 PLANNING PROPOSAL FOR 89-95 KARNE STREET NORTH, NARWEE

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

Public Addresses

Mr Ron Sim (Proponent)	<ul style="list-style-type: none">• Is of the view zoning for the subject site should be B1. Agrees with the Officer's report and is happy with the recommendation.• Responded to questions from the Panel in relation to overland flooding study, addressing requirements under SEPP 55, height controls and consideration of an appropriate FSR.
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Panel Assessment

The Panel agrees with the recommendation.

It is noted that the recommendation is based on a proposed 10 metre height limit. The Panel is of the opinion that it should be referred to in the approval to proceed to a Gateway determination.

IHAP Recommendation

The Panel agrees with the Council Staff report subject to the recommendation being amended as follows:

Add point 4 to read as follows:

"4. The height limit be restricted to 10 metres."

Vote: 4 – 0 in favour

2 14 MERLEN CRESCENT, YAGOONA: DEMOLITION OF EXISTING DOUBLE GARAGE AND ASSOCIATED PAVING AND CONSTRUCTION OF A SECONDARY DWELLING. S96(1A) AMENDMENT TO DELETE SKYLIGHT WINDOWS W02 AND W08

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

Public Addresses

There was no public address for this item.

Panel Assessment

The Panel agrees with the recommendation.

Two changes are to be incorporated into the recommendation:

- a) The plans are to be marked in red to delete the references to the skylight on elevation C in plan 3;
- b) Condition 2 should be amended to remove references to plans that are no longer relevant.

The Panel also notes that the dwelling has been constructed, but an occupation certificate has not been issued.

IHAP Determination

THAT Development Application DA-377/2016 be **MODIFIED** in accordance with the Council staff report recommendation, subject to the following changes to the recommended conditions:

- 1) Condition 2 of Determination Notice No. DA-377/2016 is amended to read (*amendments in italics*):
 - “2. Development shall take place in accordance with Development Application No. DA-377/2016, submitted by Mr Kiril Stojcevski, accompanied by Drawings submitted by NJS Design and Drafting, inclusive of Site Plan (Sheet 1), ~~Ground Floor Plan (Sheet 2), Elevations (Sheets 3 and 4)~~, BASIX Requirements (Sheet 5), Site Analysis Plan (Sheet 6), Notification Plan (Sheet 7) and 3D Perspective Plan (Sheet 8), all dated 25 January 2016; and Stormwater Drainage Plan prepared by Development Engineering Solutions (Rev C), dated 16 April 2016, and affixed with Council’s approval stamp *together with Section 96(1A) Modification application DA-377/2016/1, submitted by Mr Kiril Stojcevski, accompanied by Ground Floor Plan (Sheet 2) and Elevations (Sheet 3 (as amended in red) and 4), dated 06 September 2017, and affixed with Council’s approval stamp*, except where otherwise altered or amended by the conditions listed here under.”
- 2) Condition 4 and condition 38 of Determination Notice No. DA-377/2016 is deleted.

Vote: 4 – 0 in favour

The meeting closed at 6.22 p.m.