

**RECORD OF DEFERRAL  
SYDNEY WEST JOINT REGIONAL PLANNING PANEL  
MEETING HELD AT KU-RING-GAI COUNCIL  
ON THURSDAY, 11 SEPTEMBER 2014 at 3.00 PM**

Panel members:

Paul Mitchell - Chair  
Bruce McDonald – Panel Member  
Jason Perica – Panel Member  
Christiane Berlioz – Panel Member  
Elaine Malicki – Panel Member

Council staff in attendance:

Michael Miocic  
Shaun Garland

Apologies: Mary-Lynne Taylor  
Declarations of interest: None

Matter deferred:

**2013SYW094 – Ku-ring-gai Council – DA0327/13: Demolition of three dwellings at 742, 746 and 746A Pacific Highway. Construction of a four (4) storey hospital with 65 beds. Boundary adjustment between 746 and 748 Pacific Highway. Consolidation of 742, 746 and 746A into a single allotment at 742, 746, 746A and 748 Pacific Highway, Gordon.**

**Public submissions made at this meeting:**

**Addressing the Panel against the item** – Inshik Hong, Gerald Rousseau, Chao Wang and Xiaoli Yang

**Addressing the panel on behalf of the applicant** – Prof Gordon Parker, Father Keith Dalby, Dr Yvonne Skarbek, Holly Palmer, Greg Adsett, Dr Gary Galambos, Jonathan Levy and David Ryan.

**Panel Decision:**

The panel is fully convinced of the public interest benefit of the proposed facility but also recognises that other aspects of the public interest must be considered, including heritage protection and ensuring orderly development. The panel believes that the planning issues applying to this application have not been properly resolved despite the clear prior identification of these issues by Council's officers in their assessment report. Accordingly, the panel unanimously decides to defer the application so that the following issues can be attended to:

1. As a threshold issue, whether or not development of 244 Pacific Hwy is practical, or the site is isolated. If the former applies, concept plans are to be provided showing potential development with and without a right of way. In the case of a right of way, legal advice is to

be provided demonstrating that such a right of way will remain available over the long term. If the latter case applies and the property is found to be isolated, appropriate evidence of attempts to acquire the property is to be provided. Any valuation of the property must be based on the correct zoning and permissible development.

2. The need for increased setbacks at the northern and western sides of the main building are to be examined, taking into account the neighbouring heritage item to the north and the visual impact on R2 properties to the west.
3. Measures to mitigate the effects of the long western elevation of the main building.
4. Measures to address or otherwise comply with the excessive height at the northern and southern ends of the main building, taking into account its location at a zone interface.
5. Measures to mitigate the perceived excessive height of retaining walls for driveways to the south of the main building.
6. Demonstration that access to the area of open space to the south is practical and safe.
7. Demonstration of compliance with the parking requirements of Council or RMS or proper justification for any variations thereto.
8. Provision of a completely consistent set of amended plans.
9. Address the non-complying stormwater drainage issues as per the council officer's report.
10. A building design that better adjusts to the significant north/south gradient of the site, that does not result in unused underbuilding void and reduces the impact on interface properties to the west, potentially by stepping the building into differing levels.

The panel concluded by emphasising the need for the above issues to be addressed properly prior to the re-submission of amended plans for final determination.

Endorsed by



Paul Mitchell  
Acting Chair  
Sydney West Region  
Joint Regional Planning Panel  
24 September 2014