

MINUTES OF THE LOCAL PLANNING PANEL HELD BY WAY OF ELECTRONIC
DETERMINATION ON TUESDAY, 11 JANUARY 2022

PRESENT

Mary–Lynne Taylor (Chairperson), David Johnson, Michael Mason and Anne Smith

DECLARATIONS OF INTEREST

There were no declarations of interest made to this Local Planning Panel.

REPORTS - DEVELOPMENT APPLICATIONS

5.1 SUBJECT ELECTRONIC DETERMINATION:
 45 Mobbs Lane, CARLINGFORD

DESCRIPTION Reconsideration: Child Care Centre

REFERENCE DA/725/2020 - D08376225

APPLICANT/S DesignCorp

OWNERS Child Care Property Holdings Pty Ltd

REPORT OF Group Manager Development & Traffic Services

DETERMINATION

- (a) **That** the Parramatta Local Planning Panel (PLPP) exercising the functions of Council, pursuant to Section (1)(b) of the Environmental Planning and Assessment Act 1979, refuse development consent for DA/725/2020 on land at Lot 14 in DP 30791, 45 Mobbs Lane, Carlingford NSW 2118.
- (b) **Further, that** objectors be advised of the Panel's decision.

The Panel did not determine this application at its December 2021 meeting as the Panel wanted to discuss the matter with Council's Traffic Engineer and he was unavailable at that time. This application was deferred for a January 2022 meeting at which the Traffic Engineer and Planner would be available. The meeting was not open to the public, and further material was not sought or requested. A member of the public who had spoken at the meeting sent an additional submission and this was forwarded to the Panel and Council staff but it did not raise new issues. The Panel was advised by Council staff that it did not change their recommendation of approval.

All members of this Panel had previously visited the site and area at different times. During the discussion with the Council staff, the Panel was advised that recommended Condition 32 contained a typographical error and that the condition should have read that it is recommended that "No Stopping" signs are required to be placed on the road to the west of the site – to address limited sight distance and lines of traffic

travelling on Mobbs Lane from that direction. Other traffic conditions proposed in Council's report remained unchanged. It was noted that such a condition requires the approval of the Local Traffic Committee.

Following the discussion, the majority of the Panel voted to refuse the application on traffic safety grounds. The Chair of the Panel disagreed with the majority decision and would have approved the application based on the assessment and recommendation of the Council planning report.

REASONS FOR MAJORITY DECISION

1. Whilst the Panel acknowledges that the amended plans provide suitable design for the child care use on the site in terms of streetscape presentation and meeting the character of the residential area, the majority of the panel do not find the site suitable for the use on traffic safety terms namely:
 - the large amount of fast travelling road traffic on Mobbs Lane; the site being situated near to the crest of a hill – with resulting poor visibility;
 - the reliance on basement parking is unsatisfactory and the operators cannot guarantee use of the basement area by parents; the likelihood of queuing of vehicles entering the basement area;
 - the safety concerns relating to parents parking on the opposite (southern) side of Mobbs Lane and attempting to cross the busy road with young children for drop-off at the centre;
 - the uncertainty of the Local Traffic Committee's decision.
2. The Traffic Management plan provided by the applicant is considered insufficient to deal with the serious traffic challenges raised by this location.
3. The traffic safety concerns of the Panel and the local residents have not been sufficiently met by the proposed conditions of consent or the applicant's proposal.

The Panel decision was not unanimous:

Ayes: Michael Mason, David Johnson, Anne Smith

Noes: Mary-Lynne Taylor

INNOVATIVE

Nil



Chairperson