

Attachment G: Summary of Submissions

DA/419/2018

Mixed use development with commercial premises and residential flat building

114-120 Cary Street, 1, 2, 3, 5 Bath Street and 3 Arnott Avenue, Toronto

The application has been notified in accordance with DCP 2014.

The following table provides an overview of the main issues raised during the notification period:

Submissions Against

Issue	Comment
Mixed use development is inappropriate in this area.	A mixed use development is a permissible form of development in the B2 Local Centre Zone. This issue has been discussed under Clause 2.3 (Zone objectives and land use table) of LMLEP 2014.
The scale of development is contextually inappropriate to a lakeside village setting.	Subject to the deletion of Level 6 from the Cary Street block, the proposed bulk and scale and building height is considered contextually appropriate to the desired future character of Toronto. This issue has been discussed under Clause 4.6 (Exceptions to development standards) of LMLEP 2014.
Over development of the site	
Visual impact	This issue has been adequately discussed under Clause 4.6 (Exceptions to development standards) of LMLEP 2014 and Section 2.2 (Scenic Values) in the DCP section of the report.
Foreshore ambience will be destroyed.	<p>There is no evidence to suggest that foreshore ambience will be destroyed particularly as the subject site is not located directly on the foreshore.</p> <p>The proposed commercial tenancies at ground floor level with potential restaurants and cafes opening onto the adjoining operational land and railway corridor will help to activate Victory Parade.</p>

Increase in traffic.	The level of traffic generation has been assessed to have no noticeable impact on the surrounding road network. The issue of traffic generation has been discussed under SEPP (Infrastructure) and Section 5.1 (Traffic and Vehicle Access) of DCP 2014 as acceptable.
The combination of existing traffic generated by the school, McDonalds, Yacht Club and residential development already places significant traffic load on the area.	
Existing infrastructure is not designed to cope with the increase in traffic and is currently under pressure.	
Narrow side streets not designed to carry additional traffic.	Arnett Avenue is not wide enough to cater for a development of this size or scale and it is therefore the recommendation of this report that road widening occur.
Road widening of Arnett Street required to accommodate the development;	
No through traffic flow available.	Given the heritage listed railway corridor, it is highly unlikely that Arnett Avenue would be extended in the future to connect to Victory Parade.
Construct a road from the development area as either an extension of Arnett Avenue or a separate road from Bath Street to link up with Victory Parade to deal with traffic issues.	
Direct access to Cary Street not supported.	The RMS have provided their support to service vehicles exiting onto Cary Street. This issue has been discussed under SEPP (Infrastructure) and Section 5.1 (Traffic and Vehicle Access) of DCP 2014.
Safety concerns for school children and parents in the vicinity during drop off / pick up times.	The submitted traffic impact assessment indicates no servicing operations during school zone times. A condition is recommended for imposition to ensure this is the case.
The submitted plans do not include details for ingress and egress.	The submitted plans show ingress/egress via Arnett Avenue with commercial servicing egress onto Cary Street.

Lack of pedestrian access.	Cary Street provides for pedestrian access. As the development will attract significant pedestrian and cyclist traffic and connect to an existing shared pathway, a condition of consent is recommended for imposition requiring road widening on Arnott Avenue, which will include a shared pathway providing improved pedestrian access.
Lack of definition regarding public access to the Amateur Sailing Club and beyond, especially for parking for those vehicles with sail boats.	
More detailed information is required.	The initial application was lacking in detail and information and accordingly the applicant was requested to provide additional information. The applicant has now provided all information required for assessment purposes.
Sewerage.	This issue has been adequately discussed under Section 7.21 (Essential services) in the LEP section of the report.
The start of high rise development in the area.	There are a number of existing and approved multi storey mixed use developments and residential flat building in the Toronto area.
Preservation of heritage.	Heritage conservation has been adequately addressed under Clause 5.10 (Heritage Conservation) in the LEP section of the report.
Question the need for 120 units in Toronto.	Demand is driven by market forces.
Question the need for additional commercial space in Toronto given surplus.	
Insufficient communal space at ground floor level.	The amount of communal space is compliant with the ADG's. This issue is discussed under SEPP 65.
Difficulty servicing the development including garbage trucks and removalists.	Subject to approval, the applicant is required to prepare a Servicing and Loading Management Plan to the satisfaction of the RMS.
Excavation into ground water.	This issue has been discussed under Clause 7.2 (Earthworks) in the LEP section of the report. Furthermore, Water NSW have provided their General Terms of Approval, which will be included on any development consent issued.

Impact on the adjoining wetlands.	This issue has been discussed under SEPP (Coastal Wetland).
Environmental impact.	
Incomplete geotechnical report.	Additional information has been submitted to the satisfaction of Council's Development Engineer. Subject to approval, a condition will be imposed to ensure the recommendations of the Geotechnical Report shall be complied with.
BASIX compliance	This issue has been discussed under SEPP (BASIX), The nominated commitments in the BASIX certificate regulate how the proposed development is to be carried out. A condition of consent is recommended to ensure that BASIX commitments are complied with.
How is this in line with lake level rise?	The site is not located on flood prone land or lots affected by lake flooding.
How will the development cope with flood management?	
The proposed height is inappropriate and excessive to the adjoining heritage precinct.	The issue of building height has been discussed under Clause 4.3 (Height of buildings) and Clause 4.6 (Exceptions to development standards) of LMLEP 2014.
The proposed height is contrary to the Toronto Town Centre Area Plan.	
Adequate public space is required for the community in accordance with The Toronto Contributions Catchment Plan 2016.	The proposal has been levied in accordance with the Toronto Contributions Catchment Plan 2016 which includes an open space and recreation facilities levy.
Assurances are required to protect public land adjacent to the development on Bath Street and Victory Parade as they are in danger of being compromised as an alternate construction parking and storage facility.	A condition is recommended for imposition to ensure the public reserve adjoining the site shall not be affected by site works, construction materials stockpiles, waste, building products and debris, site sheds, spoil placement or the like.
I implore Council to provide adequate open space and several access points for the public in the redevelopment of land between Victory Parade and the lake.	The potential redevelopment of Council's Operational Land does not form a relevant planning consideration under this assessment.
How will the public assets be protected and not inadvertently privatised.	

<p>Noise</p> <p>Request acoustic glazing / insulation to the north eastern wall facing the Club.</p>	<p>Noise associated with occupation of the development will be in line with noise levels typical of a residential and commercial development. This issue has been adequately discussed under Section 6.22 (Acoustic Privacy) and Section 8.7 (Noise and Vibration) of DCP 2014.</p>
<p>Construction issues including noise and traffic.</p>	<p>Appropriate conditions of consent require the development of a Construction Environmental Management Plan (CEMP) and Noise Management Plan (NMP) be developed in consultation with neighbours to reduce the impact of construction works, this plan will address, but not be limited to safety, noise, dust, vibration, traffic routes, hours of work and the like.</p>
<p>Submission in support</p> <p>The submission in support of the proposed development is summarised as follows:</p>	
<p>The proposed development complements the existing aged care facility along Excelsior Parade, creating almost a “gateway” to the emerging ‘reinvigorated’ Toronto business and community hub.</p>	<p>This issue is discussed under Clause 4.6 (Exceptions to development standards) in the LEP section of the report.</p>
<p>Public reserve upgrade creates a seamless integration of the development and existing travel corridor to the Toronto town centre.</p>	<p>Whilst Council staff supported proposed landscaping works to the adjoining operational land at 2A Bath Street, owners consent had not been obtained. These works have been deleted from the development scheme.</p>
<p>Innovative design features.</p>	<p>Noted</p>
<p>The surrounding public spaces and podium level will cater to access and use by all demographics.</p>	<p>Noted</p>
<p>Significant uplift to the local economy during the construction phase and bring a sustained increase in local demand for goods and services through 2,800 sqm of commercial floor space and 124 new residences within easy walking distance to the highest concentration of retail businesses in Toronto.</p>	<p>This issue has been discussed under Section 2.19 (Economic impact) of DCP 2014.</p>

The total economic impact of the development during construction is \$129 million and 205 jobs, and \$21 million and 63 jobs during each year of operations.	
Designed to integrate with surrounding infrastructure and physically connect with existing transport corridors.	The provision of a shared pathway on Arnott Avenue will ensure good pedestrian connectivity.
The proponent has made significant alterations to the original plan to accommodate key aspects of the LEP and broader city strategy.	Noted.
The final proposal is the result of compromise both commercially and practically in the pursuit of a development that is both commercially feasible, deliverable in the immediate term, and acceptable within existing planning guidelines.	Noted
Western Lake Macquarie represents the lower socioeconomic region of the city and in recent times has felt significant impact from the slowing resource sector. The proposed development will support both the existing construction sector (which is the 'base load' employment sector in the area) during the first 18 months, and existing local business through the intensification of residents and additional commercial business street frontage.	Noted
Growing demand for allied health and aged care services, buoyed by the recent development in the area (Anglican Care) has attracted the attention of operators and niche capabilities seeking commercial space. The expansive ground floor commercial space will offer an ideal solution for these new businesses.	Noted
The proposed development will lift the profile of the area as an ideal location for Sydney based work force.	Noted

Re-development of the Toronto main street has caused significant disruption to local businesses, with growing vacancies owing to the reduced foot traffic at street level. Leveraging this increased construction activity through appropriately sequenced developments will not only increase current demand for services (from construction workers as seen in Warners Bay), but support an immediate increase in demand for local goods and services at the completion of works with a material uplift to local residential numbers and associated employment opportunities.	Noted
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