

Dear Sir/Madam,



Objection to Mixed Use Development. MP06 0309 Mod3

I submit my objection to the above modification on the following grounds:

#### MODIFICATION TO BE REJECTED AS NON COMPLIANT

The modification should be disallowed in that the helipad was incorporated previously in the concept plan but was withdrawn by the developer due to community concerns and the impact it had on the marina approval. The marina development was considered and approved on this basis. To allow a further consideration on an existing concept which did not have a helipad to the marina is erroneous and an abuse of the process.

The current proposal is a "new" concept and requires assessment separately under the current planning requirements of LMCC and other bodies.

To include this as a modification is a misuse of the planning protocols and reduces the confidence that the community expects of the planning rules. The ability to go back for another go using a grandfathered process is an abuse. If there is confidence that the concept is valid let it be assessed under existing LMCC and other state policies on its own merits.

#### DOCUMENTATION AND TIME SCALE TO PREPARE A RESPONSE

The documentation is substantial and most laypersons have limited capacity and the time to fully consider the issues presented. Given the timing of the year coinciding with end of year school activities and Christmas preparations it could be seen as a cynical attempt to bias the responses in favour of the proposal. To be seen as a fair process an extended timeframe should have been given.

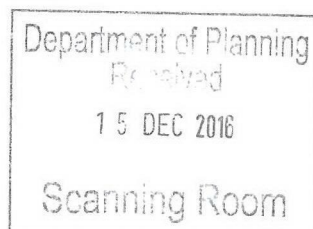
To not do so lowers the confidence the community needs that the process has been fair and the administration valid.

#### NON TECHNICAL PEOPLE TO RELY ON OTHERS MUST BE ACCEPTED AS A VALID CONCERN BY INDIVIDUAL SUBMITTERS.

Due to the highly technical nature of the documentation a layperson has great difficulty in coming to grips with forming an opinion and rely on others who have the required expertise and capacity to respond. I rely on the concerns and advice from these sources to present a balance to the information provided by the developer. It goes without saying that the information presented by the developer puts best light on the data and therefore has some bias. It is incumbent on the Planning Department to appraise the documentation independently from appropriate sources to exclude this bias. I rely on the research completed by community groups like MPDAG and individuals like Irene Bates and David Whyte and having read their submissions I support the sentiments and included in my submission.

#### COULD LEAD TO THE PERCEPTION THAT THE PROCESS IS QUESTIONABLE.

The massive amount of data presented requires several days at the library to adequately consider or significant computer facility to download, interpret and consolidate for the preparation of a submission. The vast majority of the community in the area affected by the development do not have such capacity. They rely on other members in the community to act as their voice to form a view. Whilst these submissions have a commonality in expressing the concerns they need to be treated as an individual submission. This includes petitions and form letters.



#### PERSONAL EXPERIENCE DURING FLIGHT SURVEY.

I was at home during the flight survey and even taking into account the intensity over 3-4 hours, the singular impact of one fly over is high and should not be diminished by claiming the intensity of the survey is not replicate on a single flight pass. The noise, disturbance to everyday activities diminished the quiet enjoyment of my property. Any proposal must take this into consideration and whilst it may only affect a few it is an excessive incumbrance on the affected property.

#### PROPOSAL ALIEN TO MAJORITY OF LAKE USE.

The helipad operation is alien to the majority use of the lake including the now approved marina users. Its incompatible with the frequent use of the boating community and further restricts the lake use for the application of safety zones. The proposal has no benefit to the local community in both economic terms and lifestyle. It is a proposal which detrimentally affects many for the very few who will use the helipad. This is an especially an affront to the majority of lake users, more so when other more viable alternatives exist.

#### UNACCEPTABLE ADDITIONAL RISKS.

The exposure to additional risks with the operation of the marina and the helipad is unacceptable. It is a major factor why proposals for helipads in similar proposed situations have been rejected by local councils in the past. There is no comfort in the stated fact that the operation will be "managed". The risk assessment must be considered independently.

#### EXHAUST FUMES.

The exhaust fumes from the operation in an area which is basin surround by hills does not allow for a quick dispersal of fumes. On the day of the flight survey the exhaust fumes remained prevalent for sometime which required being indoors as the irritation to the respiration was immediate and concerning for the health affects. Those with respiratory issues will be particularly vulnerable.

#### APPEAL FOR FURTHER INDEPENDENT REVIEW.

In order to have confidence in the assessment the community needs to feel that a true and fair process has been applied without the influence of bias. This includes technical report reviews independently considered, the taking of minutes from each meeting that the developer has had with the various stakeholders and that these be freely available for inspection. The final deliberation needs to be transparent and if the data is found to be conflicting, the community must have the right to be further involved before the final decision and prior to the formal PCC.

#### IMPACT ON PROPERTY VALUES.

The helipad proposal appears to have had a negative affect on the property market with properties for sale taking longer than usual to sell. The JPG land development has not yet shown that the properties are a good investment as capital growth in the existing first release has been poor. Further evidence is the lack of take up in new releases. The helipad proposal is influential in a prospective buyer's decision. Similarly the negative impacts on existing properties particularly those in the flight zone will reduce the value of the properties. On this basis alone the proposal should be rejected.

Yours Faithfully

*Nola Allan*

I am not affiliated with any political party or made any donations to influence.

*4 ~~Pillapai~~ Pillapai Rd.*

*Brightwaters 2264*



14 November 2016

Contact: Amy Robertson  
Phone: 02 9274 6185  
Email: [amy.robertson@planning.nsw.gov.au](mailto:amy.robertson@planning.nsw.gov.au)  
Our Ref: MP 06\_0309 MOD 3

Mrs N M Allan  
4 Pillapai Rd  
BRIGHTWATERS NSW 2264

Dear Sir / Madam

**Exhibition of request to modify the Concept Plan for a Mixed Use Development  
at  
Trinity Point Drive, Morisset Park**

Johnson Property Group (the Proponent) have lodged a request to modify the above project at Trinity Point under section 75W of the *Environmental Planning and Assessment Act 1979*. The Proponent seeks approval to modify the Concept Plan to include the use of a helipad. The proposed helipad details are:

- A 20m x 20m pontoon with a 30 metre wide managed safety zone (during helicopter landing and take-off only;
- Maximum of eight (8) movements per day (ie; 4 landings and 4 departures);
- Maximum of 38 movements per week (ie; 19 landings and 19 departures);
- Operating hours from 8am (Monday-Saturday) and from 9am (Sunday and public holidays), through to sunset (time seasonally variable), with no night time use; and
- No refuelling or maintenance facilities.

The modification request and associated documents are available on the Department's website at: [http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=6187](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6187)

And may also be viewed during the exhibition period at the locations shown overleaf.

If you wish to make a submission on the proposal you should read the submissions section overleaf. Submissions must reach the Department by close of business on **Friday 16 December 2016**.

Yours sincerely



Anthony Witherdin  
**Director**  
**Modification Assessments**

## EXHIBITION OF MODIFICATION REQUEST

# Trinity Point Mixed Use Development

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<b>Application No</b>	MP 06_0309 MOD 3
<b>Location</b>	Trinity Point Drive, Morisset Park
<b>Proponent</b>	Johnson Property Group
<b>Council Area</b>	Lake Macquarie
<b>Consent Authority</b>	Minister for Planning

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### Description of proposed modification

Johnson Property Group seeks approval to modify the Concept Plan to include the use of a helipad. The proposed helipad details are:

- a 20m x 20m pontoon with a 30 metre wide managed safety zone (during helicopter landing and take-off only);
  - maximum of eight (8) movements per day (ie. 4 landings and 4 departures);
  - maximum of 38 movements per week (ie. 19 landings and 19 departures);
  - operating hours from 8am (Monday-Saturday) and from 9am (Sunday and public holidays), through to sunset (time seasonally variable), and no night time use; and
  - no refuelling or maintenance facilities.
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### Exhibition

The Modification Request and accompanying documents may be viewed on the Department's website ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)) and inspected from **Thursday 17 November 2016** until **Friday 16**

**December 2016** during the relevant authority's ordinary office hours at:

- **Department of Planning & Environment:**
  - Information Centre, Level 22, 320 Pitt Street, Sydney; and
  - Level 2, 26 Honeysuckle Drive Newcastle;
- **Lake Macquarie City Council:** 126-138 Main Road, Speers Point;
- **Morisset Library:** 39 Yambo Street, Morisset; and
- **Central Coast Council:** Wyong office 2 Hely Street, Wyong.

At the time of publishing this advertisement, the Minister for Planning has not directed that a public hearing should be held.

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### Submissions

Any person may make a written submission concerning the Modification Request during the exhibition period. **If a submission is made by way of objection, the grounds of objection must be specified in the submission.**

**Persons wishing to make a submission should use the online form if possible.** To find the online form go to the webpage for this proposal via [www.majorprojects.planning.nsw.gov.au/page/on-exhibition](http://www.majorprojects.planning.nsw.gov.au/page/on-exhibition).

**Your submission must reach the Department by Friday 16 December 2016.** Before making your submission, please read our Privacy Statement at [www.planning.nsw.gov.au/privacy](http://www.planning.nsw.gov.au/privacy) or telephone the number below for a copy.

**The Department will publish your submission on its website** in accordance with our privacy statement.

**If you cannot lodge online** you can write to the address below. If you want the Department to delete your personal information before publication, please make this clear at the top of your letter. You need to include:

- your name and address, at the top of the letter only;
- the name of the application and the application number;
- a statement on whether you support or object to the proposal;
- the reasons why you support or object to the proposal; and
- a declaration of any reportable political donations made in the previous two years.

To find out what is reportable, and for a disclosure form, go to [www.planning.nsw.gov.au/DonationsandGiftDisclosure](http://www.planning.nsw.gov.au/DonationsandGiftDisclosure) or phone the number below for a copy.

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### Contact

Phone: Information Centre - 1300 305 695

Address: Planning Services, Department of Planning and Environment, GPO Box 39 SYDNEY NSW 2001. Your submission should be marked Attention: Director – Modification Assessments.