

Flood planning levels are detailed across the site, taking into account climate change implications. Utility infrastructure will be extended.

1.2.3 Land Uses Descriptions

- Staged 308 berth marina (see details above)
- Tourist and Marina Village
 - Marina Workshop & Maintenance Facility, including hardstand apron
 - A public village square linking the pedestrian system around the site;
 - Function rooms (flexible rooms, to cater for up to 3 x 100 seat functions, 1 x 300 seat function);
 - A restaurant (up to 200 seat) and separate small Café (around 30 seats);
 - Serviced meeting rooms;
 - Ancillary Marina/Tourism uses such as small marina lounge and amenities, chandlery, small convenience store (internet, convenience supplies, basic chemist products, basic food stuffs, fishing supplies), spaces for small gym and fitness facilities, beauty services; space for tourism operators/tours.
 - Tourism Reception and Tourism/Marina Operations, Management and Administration areas, plus marina managers residence;
 - Tourism accommodation incorporating 75 apartments; and
 - Associated Car Parking, landscaping, servicing and infrastructure.
- Residential Accommodation incorporating 75 apartments, with associated carparking, landscaping, servicing and infrastructure.

1.2.4 Concept Plan Consultations to date

Extensive consultations with Government Authorities and the community have occurred by JPG during preparation of the concept plan proposal under Part 3A of the EP& A Act in accordance with the Director General's EAR. The concept plan included the additional land uses proposed under the draft amendment to LMLEP 2004. These consultations are summarised below:

Consultation with Government Authority consultation includes:

- Department of Natural Resources;
- Department of Environment and Climate Change;
- Department of Water and Energy;
- Department of Planning Hunter Regional Office, Newcastle;
- Department of Primary Industries;
- Department of Lands;
- Mine Subsidence Board;
- NSW Road and Traffic Authority;
- Lake Macquarie City Council;
- Civil Aviation Safety Authority; and
- Tourism NSW.

The majority of these authorities had already been consulted since November 2006.

Aboriginal Community Consultation

Consultation with relevant Aboriginal groups has been undertaken as part of an Archaeological Assessment report prepared by Insite Heritage Pty Ltd for the proposed concept plan and attached to the Environmental Assessment Report for the concept plan.

Community Consultation

Direct contact by JPG with community group leaders of the following groups:

- Southlakes Business Chamber and Community Alliance;
- Central Coast Community Environment Network;
- Morisset Park & District Action Group; and
- Bonnells Bay and Sunshine Progress Associations.

The results of consultation with these Groups are contained in the Social & Economic report attached to the Environmental Assessment Report for the concept plan.

Other community groups who were approached but who declined to comment were:

- Bonnells Bay Precinct Committee;
- Lake Macquarie Tourism; and
- Hunter Economic Development Corporation.

Community Consultation Day

In addition to meeting with the Community Group leaders, a Community Consultation Day was held on-site on Sunday 25th November 2007. All of the Consulting Team were available on the day to answer questions, and a display, incorporating visuals of the proposed concept and all reports was made available. The day was well attended by the public, and it was estimated some 200 people visited. The public were also offered the opportunity to walk around the site if they desired.

A survey sheet was available for completion, and this was well utilised. The results of the survey have been tabulated and presented in the Social & Economic report attached to the Environmental Assessment Report for the concept plan.

The following key outcomes can be noted from the survey:

- 80% of people believe that the proposed development is of benefit, with the majority believing the main benefits are related to economics and employment.
- 20% of people have no concern with the proposed development. The main concerns of the remainder being helicopter noise, scale of built form, and scale of Marina.
- A measure of overall attitude towards the development resulted in 52% of people being positive, very positive or neutral about the proposed development and 43% being negative or very negative about the proposed development.

Presentation to Bonnells Bay Progress Association

JPG attended a regular meeting of the Bonnells Bay Progress Association on 5th February 08 and provided a detailed briefing of the proposed concept plan, in addition an initial meeting with the executive of Bonnells Bay and Sunshine Progress Association was held 22 January 2008. This meeting was well attended by approx 150 people and provided an opportunity for the community to have their questions answered directly from the proponents.

Community Feedback Portal on the Web

In addition, a website with an up to date and comprehensive online Community Portal (www.trinitypoint.com.au) for local information on the developing Trinity Point Community has been established. The website includes a Community Feedback Portal for proposals at Trinity Point.

JPG will continue to liaise with all community groups and authorities during exhibition of the draft LMLEP 2004 amendment and Part 3A concept plan.

1.3 COUNCIL CONSULTATIONS UNDER SECTION 62 OF THE EP & A ACT

Pursuant to Section 62 of the Environmental Planning & Assessment Act, Lake Macquarie City Council has consulted with relevant authorities with respect to the preparation of the proposed draft LEP. Comments received are summarised in the **Table 1** below:

Table 1: Summary of S.62 Consultations

Government Authority	Summary of Comments
Heritage Office	Waiting for advice
Ministry of Transport	<ul style="list-style-type: none">• Requests opportunity to review (LES) prior to public exhibition of the draft plan.• Acknowledges that the development is unlikely to generate significant residential development in addition to the tourist related uses however justification is required against the provisions of S 117 Direction 3.4- Integrated Land Use and Transport including:<ul style="list-style-type: none">-Measures to increase public transport use and reduce the dependence on private vehicles over time.-Level of any additional infrastructure and costs to government-Integration of the development with existing settlements to provide positive outcome for access across all modes-Capability of Staged Development to achieve consistency with the Ministry of Transport bus planning guidelines; and-Safe pedestrian and cycle access between the subject site and adjacent residential areas.
Hunter Water Corporation	<p>Water</p> <p>Hunter Water has assumed future development on the site based a 150 Equivalent Tenements (ET).</p> <p>Wastewater Transportation</p> <p>Construction of Morisset Park 4 WWPS will provide</p>

Government Authority Summary of Comments

	sufficient capacity once all works are complete.
	<p>Wastewater Treatment</p> <p>The proposed development has been catered for as part of planned stage 2 works to the Dora Creek Wastewater Treatment Works.</p>
Energy Australia	No major constraints impacting on the ability of Energy Australia to provide electricity to the subject land.
Dept of Environment and Climate Change (DEC)	<p>The site was identified in the Lower Hunter Regional Strategy (Oct 2006) and therefore will need to address the strategies sustainability criteria. The following issues should be considered for the preparation of the LEP:</p> <ul style="list-style-type: none"> • Impacts on native vegetation including threaten or regionally significant flora and fauna species, populations and ecological communities and any offset where impacts are proposed; • Any potential land use conflicts associated with air, noise and odour impacts; • Relevant threatened species provisions of the Environmental Planning and Assessment Act 1979 SEPP 44-Koala Habitat Protection, SEPP 71 Coastal Protection and the Native Vegetation Act 2003; • An appropriate level of Aboriginal cultural heritage assessment be undertaken and that the proposed LEP is not likely to impact on areas of cultural significance and the views of the aboriginal community groups be sought and considered during preparation of the LEP; • Potential impacts on a DECC estate; • Any contaminated areas be considered in accordance with the Contaminated Land Management Act 1997; and • Stormwater must be managed to prevent impacts on the adjacent, rivers, wetlands or estuaries.
Optus Pty Ltd	Optus has no assets in the immediate area
NSW Department of Primary Industries	<p>A buffer zone of 50m should be included between the development and the waters edge to provide public access and minimise impact on the Lake.</p> <p>The impact of climate change on flooding should be considered particularly as some of the site is currently below the 1 in 100 year flood level.</p> <p>Subject to meeting the above requirements DPI have no objections</p>
Mine Subsidence Board	No objections to the proposed rezoning.

Section 2

Site Analysis

2.1 LOCATION AND CONTEXT

The site is located approximately 6km east of the Morisset Town Centre, within the Lake Macquarie Local Government Area (LGA). Morisset is recognised in the Lower Hunter Regional Strategy as an emerging regional centre, expected to grow into a major centre. Trinity Point is located within proximity to major transport corridors including the Sydney-Newcastle F3 Freeway and Northern Railway Line. **Figure 3: Locality Plan** shows the location of the subject lands and the adjoining Trinity Point residential estate, relative to the broader context.



Figure 3 Locality Plan

The subject land to which the proposed LEP relates is Lot 31 DP 1117408, Trinity Point Drive, off Morisset Park Road within the south-western lakeside area of Morisset Park. The site consists of 3.66 hectares of land, with an extensive frontage to open space zoned foreshore and Lake Macquarie (refer **Figure 4 overpage**). It is highlighted that the Concept Plan applies to Lot 31 (subject of the proposed LEP amendment), as well as other lands as shown on Figure 4.



Figure 4: Lands subject to Part 3A Concept Plan (Lot 31 is lands subject to draft LEP Amendment)

The Concept Plan document and EAR provide detailed context, locality and site analysis and descriptions. These are not repeated in this report, although summary descriptions are provided.

2.2 LAND OWNERSHIP AND LEGAL DESCRIPTION

The subject site for this LEP amendment only (Lot 31) is owned by The Trustees of the Hospitaller Brothers of St John of God. Other lands and owner details for the entire Part 3A Concept Plan lands are included with that application.

2.3 HISTORY & IMPROVEMENTS

2.3.1 Site History

The subject site has had a range of previous uses. In summary these are:

- The original main buildings that existed on site were constructed by Mr Bert Bailey, and used for private purposes and agricultural activity. The

agricultural activity is unlikely to have been intense as Mr Bailey used the property as a retreat rather than as an income producing farm. The early films “Dad and Dave” and “On My Selection” were filmed on this site.

- The site was passed to religious organisations on Mr Bailey’s death. A group of Sisters first used the site as a rehabilitation and retirement centre for clergy.
- The site was subsequently taken over by The Brothers and eventually became a school for children with disabilities (known as St John of God Special School).
- The school focus then changed to assisting/educating children with behavioural disabilities, until its closure in 2000.

The aerial photograph **Photo 1** shows the extent of the former development. All buildings have since been demolished and the site is currently vacant.

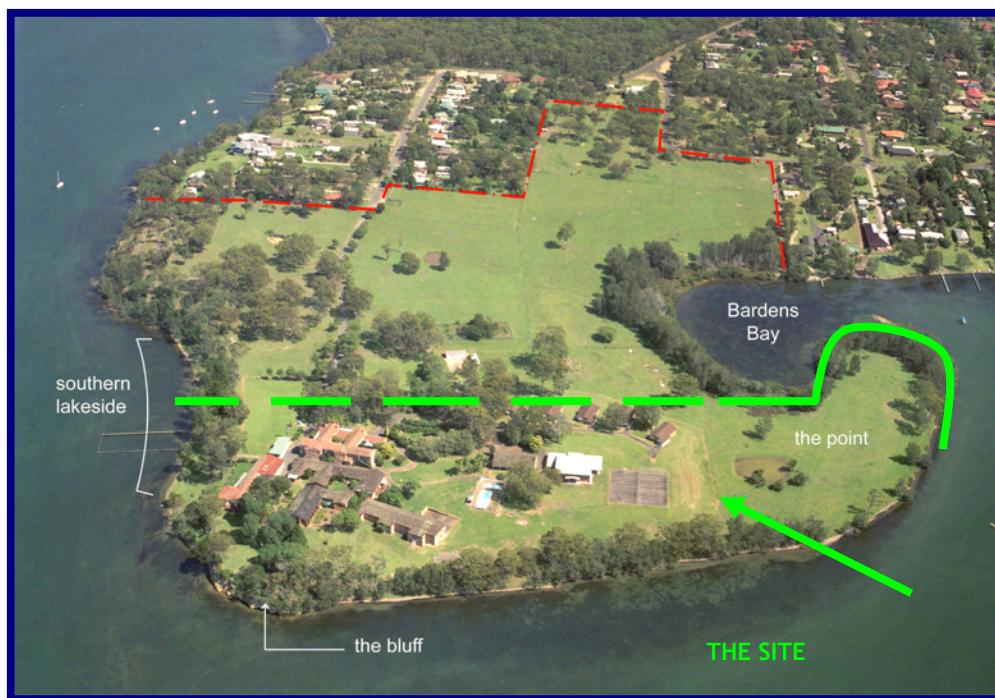


Photo 1: Aerial photo of the site showing former development.

2.3.2 Site Improvements

The site is currently vacant, the former St John of God Buildings being demolished. A historic grotto, lake bathing area and sundial identified by Insite Heritage Pty Ltd exist on the site. The following aerial photographs provide a good visual appreciation of the site: