

Trinity Point Drive Modification to Mixed use marina/tourist/residential (Concept Plan) (06\_0309 MOD 8.

I wish to lodge this submission relating to MP06-0309 MOD 8. I do not support the modification sought.

The modification seeks approval to delete Term of Approval C7(1) of the Concept Plan to remove the requirement for the proponent to enter into an agreement with Roads and Maritime Services to pay contributions towards the future upgrade of the Fishery Point Road/Macquarie street intersection.

. When Modification 5 was approved in November 2015 the proponent gained approval to increase the overall density of the Trinity Point Mixed Use Development. The number of apartments was increased, the number of seats in the café was increased and also the gross floor area and floor space ration. The building envelopes across the site were reconfigured as was the public domain and the Urban Design Guidelines were modified. These were major alterations to the original Concept Plan.

Principle 10 of the final PAC Ministers Approval dated 25<sup>th</sup> November 2015 required the proponent to pay a proportional contribution to the RMS toward the upgrade of the Fishery Point Road/Macquarie Street intersection in accordance with the Deed of Agreement required under Term C7 of the Concept Approval.

I note that Roads and Maritime Services have lodged an objection to the proposed amendment.

In the supporting letter from Johnson Property Group dated 31 August 2018 they state draft Deed Containing Agreement has not been received by them from RMS. However the RMS submission letter states that the Deed is with proponent to finalise and has been for in excess of a year. This contradiction must be addressed by your Department

The proponent puts forward the argument that construction of the upgrade of the subject intersection which is underway, has been fully funded and is independent of the Trinity Point Concept Approval so a contribution from JPG would be 'double dipping'. The facts are -

- . The RMS could no longer delay the work. Traffic already generated by the Trinity Point residential development is a significant factor in the necessity for the upgrade.
- . The increased number of users generated by the approval of Mod 5 will increase the traffic flow.
- . The work is funded from a mix of developer contributions and taxpayer dollars.
- . The developer agreed to the contribution when the Ministers Approval to Modification 5 was granted. Johnson Property Group has delayed signing the Deed agreement.

There appears to be no possible reason for this condition to now be set aside. The development is being advertised by the proponent. [trinitypoint.com.au](http://trinitypoint.com.au) lists the following amenities on offer, 188 berth marina, 5 star Pullman Hotel, Business Centre, Restaurant and Function Centre and Luxury Day Spa and

Gym. Marina berths are available for purchasers of adjoining residential land. The Pullman Hotel has received the International Property Awards , Best Hotel Architecture Asia Pacific award for 2017-2018. Very impressive considering it only exists on design plans.

All the above was made possible by the approval of Modification 5. This Modification to delete condition C7(1) must surely be rejected by the Department of Planning and Environment and the Planning Assessment Commission. Of all the Modifications lodged by this proponent since the original Concept Plan was approved in September 2009, this is the most arrogant and unreasonable to date.

If his request is granted I am sorry to say, the local community will lose any faith they have left in the planning process.

Submitted by Gloria Haynes, 75 Waikiki Road, Bonnells Bay, NSW 2264.

8<sup>th</sup> October 2018.