



SUNSHINE PROGRESS ASSOCIATION Inc

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Director
NSW Planning & Environment
GPO Box 39
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Attention Director – Modification Assessments

MP - 06_0309 MOD 3
Mixed Use Development at Trinity Point Drive Morisset Park
OBJECTION TO HELIPAD

Sunshine Progress Association Inc (SPA) is a community group that represents the legitimate interests of residents in Sunshine, the Morisset peninsula and the wider Southlake area in the Electorate of Lake Macquarie. This is a formal objection to the proposed inclusion of a Helipad at Trinity Point.

SPA objected to inclusion of the helipad in the original Concept Plan presented in 2009 and continues to do so. Johnson Property Group (JPG) withdrew the helipad from the Concept Plan in the face of massive community objection and in the certain knowledge that then Minister for Planning, Christina Keneally, would not approve any Concept Plan that included that feature.

Reintroduction of the helipad at this stage, under the circumstances that have been manipulated by JPG, is nothing but an abuse of procedure under the various Planning regulations. While JPG claims it has legal merit, that is questioned by the community. It certainly has no moral substance and is contrary to current Lake Macquarie City Council (LMCC) planning guidelines and strategies.

Having deleted the helipad from the Concept Plan in 2009, JPG cannot now claim it is an essential component of the project. To do so only emphasizes the abuse of process that is occurring.

Amendments to Concept Plans are meant to reflect minor changes of the type that arise in all major developments as the concept is refined and detailed design proceeds. Such amendments are not intended to accommodate radical alterations to the concept. The proposal to include a helipad

cannot be described as anything but a radical alteration, is therefore inadmissible and must be rejected.

JPG's strategy to circumvent Lake Macquarie City Council (LMCC) environmental and planning regulations became clear as soon as DA 1176/2014 was submitted in 2014, very shortly before the LEP on which it relied expired. The current LEP 2014 was promulgated within a few weeks.

The LMCC Lifestyle 2020 and LEP 2014 specifically prohibit helipads close to existing residential areas.

Given both the abuse of process that this application represents and the unacceptability of a helipad near existing residences under the 2014 LMCC LEP, it must be refused.

Some specific objections are:

1. The Acoustic report does not meet the Procedural requirements of Australian Standard AS 2363-1999. It was produced using a Squirrel helicopter which was developed for use by National Parks and similar organisations requiring the quietest possible helicopter that would have minimal impact on wildlife. To use such a helicopter in an acoustic test is patently an attempt to manipulate the result.
2. The helipad will alienate a further 6400 square metres of lake area, equivalent of 12 football fields.

It will reduce the recreational amenity of Bardens Bay by that area and introduce unacceptable noise and safety issues for users who just happen to be in the area when a helicopter arrives or departs. It is not hard to imagine the impact of the downdraft on kayaks, small sailing boats and small fishing tinnies, not to mention the noise impacts.

Will JPG provide ear protection and special rescue craft on the water for every helicopter movement?

Is the Department of Planning & Environment prepared to accept the risk that a child will drown when a small boat capsizes from the downdraft.

3. There is supposed to be an additional safety zone around the helipad when helicopters arrive and depart. However, small sailing dinghies cannot quickly depart from the danger zone if there is little wind and a helicopter suddenly descends upon the area.
4. The flight paths set out in the report are misleading. It is totally unacceptable that helicopters should be allowed to fly low over already developed residential areas that include schools and churches.
5. The number of movements at 38 per week is just below the maximum level claimed as possible under the Acoustic Report. Since that report reflects a manipulated result, because of the type of helicopter used, it cannot be used as justification for the helipad. The Acoustic

Report should be rejected and JPG should be required to do a re test using the same size helicopters planned for use, with the same full load on board.

6. It is claimed that there will be no maintenance or refueling facilities on site. This is surely a smokescreen as the adjacent marina will have refueling facilities. It is no stretch of the imagination to predict a further modification request in the near future should this current application somehow be inexplicably approved.

It is simply a case of progress by stealth and an abuse of process in a way that the regulations surely were not meant to accommodate. SPA asks the question: “ where will the helicopters be refueled if they are permitted 8 movements per day and engage in lengthy trips to say the Hunter Valley wineries.

7. No doubt the busiest days will be at the weekends, which also coincide with the busiest days for recreational use of Bardens Bay. The safety and noise impacts will coincide with the most intense use of the water. JPG does not have a right to displace users who have been in the area for many years.
8. The helipad will not accommodate Rescue helicopters.
9. The helipad will bring no economic benefit to the south Lake Macquarie community. On the contrary, it will negatively impact on lifestyle of existing residents and consequently reduce property values.

There are already established alternatives to this helipad proposal. The airports at Belmont and Warnervale are both in close proximity and could quite conveniently accessed, with buses and/or motor cruisers used to convey passengers to Trinity Point.

SPA specifically endorses three documents submitted by Morisset Park and District Action Group objecting to DA/1176/2014:

1. Objection to DA/1176/2014
2. Objection to Trinity Point Helipad Proposal: Nov 2016 and updated May 2018
3. Some Historical perspective – The Helipad

These documents contain very detailed and compelling arguments that do not require reproduction here, other than to establish that SPA is fully supportive of the contents of each.

SPA urges The Department of Planning & Environment to consider the rights and aspirations of existing residents and to reject MOD 3 in the legitimate interests of the community.

John Quinlan
President
Sunshine Project Association Inc.

