

## RESPONSE TO SUMMARY OF PUBLIC SUBMISSIONS PROVIDED BY ASSESSING OFFICER MP06\_0309

The following is a response to the summary of public submissions made to the exhibited Concept Plan. Many of the issues raised by the community were also raised in the Issues letter, which has been the subject of a detailed response. In light of these, the preferred project report amends the original Concept Plan.

### *Oppose*

Topic	Number of references in submissions	Details / Comment	JPG Response
Amenity	41	<ul style="list-style-type: none"> <li>The proposal will destroy this peaceful part of the lake. The area (both land and water) would be overused by visitors/occupants of the development, which would reduce the amenity and the use of this area for existing residents. The development is for the rich who do not live in the area and who do not know and will not respect the local area and its environment. The developer is thinking only about maximising their profits at the expense of the local amenity.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed amendments to the Concept Plan respond to the concerns raised. The proposed lower scale of development, removal of helipad and reduced Marina size ensures that the development will have no significant adverse impact of the amenity of the area whilst at the same time achieving the planning objective for a tourist outcome.</li> </ul>
Built Environment	158  38	<ul style="list-style-type: none"> <li>The built structures, including the residential, tourist, commercial and associated marina buildings are not sympathetic to the site; they do not fit into this part of Lake Macquarie.</li> </ul> <p>The 6-7 storey accommodation buildings in particular, are too tall and large, and would be visually prominent when viewed from land or water. Further, the bulk and scale of the buildings are not consistent with the existing or future character of the area. No form of</p>	<ul style="list-style-type: none"> <li>The Concept Plan has been amended to respond to concerns raised and significant reductions in building height have been made. The majority of the site now comprises buildings that are of a domestic scale compatible with the surrounding locality.</li> <li>The buildings surrounding the piazza area have also been reduced in height, however, have been maintained at maximum 4 storeys to ensure the piazza area is of a scale that will attract interest and ensure the success of the project.</li> <li>Adequate on site parking will be provided to cater for</li> </ul>

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		<p>landscaping would be able to reduce the visual impact of these buildings.</p> <ul style="list-style-type: none"> <li>The development does not provide sufficient, accessible or well designed carparking facilities. There is no car parking associated with the marina and public open space for use by members of the public. It appears that all car parking will be secured within the development, which will not be able to be used by general members of the public. This will result in car parking spilling into the surrounding residential streets, which places an undue burden on the local residents.</li> </ul> <p>This situation will be further exacerbated due to the construction of the development. The marina will be constructed prior to the accommodation buildings which house the car parking, thus leaving no car parking for a period of time.</p> <p>There is also a lack of coach/bus parking and manoeuvring area. This would restrict the ability of visitors and residents to organise bus trips to other tourist attractions in the area, such as the Hunter Valley.</p>	<p>the proposed development and parking will be provided in each stage commensurate with the demand.</p> <ul style="list-style-type: none"> <li>A bus bay is provided directly adjacent the site.</li> </ul>
Community consultation	11	<ul style="list-style-type: none"> <li>I do not believe there has been adequate consultation with the local community. The consultation that was undertaken was not independent and therefore not accountable, nor</li> </ul>	<ul style="list-style-type: none"> <li>The proposal has been the subject of a substantial range of consultation with the public both prior to lodgement of the concept plan and during the assessment phase. The pre-lodgement consultation</li> </ul>

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		was the consultation substantial (only 49 respondents). Furthermore, community views have been misrepresented in the documentation.	undertaken by JPG is outlined in the submitted EAR. <ul style="list-style-type: none"> <li>In addition the application has been placed on public exhibition to meet the statutory requirements of the Act.</li> </ul>
Completion of development	31	<ul style="list-style-type: none"> <li>Given the size and cost of the development and the current economic climate, there is the potential that the developer will complete only portions of the development, walk away and leave it uncompleted; a white elephant. In relation to the marina, this could result in the break water being constructed, with only a small number of berths being constructed. The costs of maintaining or removing these structures would fall upon the local community, which is not acceptable.</li> </ul> <p>There is also the potential that the developer may look to convert the tourism component to residential, should it not prove to be an economically viable. This will result in further variation to Council's zoning of the land for tourism purposes, effectively eroding the zoning of the land.</p>	<ul style="list-style-type: none"> <li>JPG have based the proposed development on sound market advice.</li> <li>Commitments have been given and statutory restrictions will ensure that the extent of tourism as stated in the submitted documentation will be delivered.</li> </ul>
Departure from original proposal	22	<ul style="list-style-type: none"> <li>The original concept/masterplan was much smaller and more acceptable. The plan was developed with the appropriate community and stakeholder consultation, and was perceived to be the best outcome for the site and community. However, the current proposal varies far from this. The masterplan incorporated a larger</li> </ul>	<ul style="list-style-type: none"> <li>The proposed concept plan as modified is now more consistent with the original masterplan and provides the appropriate balance between delivering a viable outcome and respecting the overall context of the area.</li> </ul>

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		proportion of tourist development which was to have a low height, small footprint and reduced massing. The proposal now proposes for a much higher residential component, with high, visually prominent buildings; so much for the low scale tourist outcome.	
Designated Development	1	<ul style="list-style-type: none"> <li>• 'Aircraft facilities' and 'Marinas' fall under the provisions of Designated Development. Thus, the applicant must address and substantiate that both of these functions of the development comply with the outlined tests and analysis</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed development is not a designated development. Notwithstanding this the concept plan has undergone a very detailed level of assessment. Further assessment processes will occur as part of the development / project application phase.</li> </ul>
Documentation	<p>8</p> <p>37</p>	<ul style="list-style-type: none"> <li>• Further documentation is required to understand the full impacts of the development. In particular this includes (but is not limited to) the following: <ul style="list-style-type: none"> <li>○ A detailed boating analysis, which analyses the navigatable area of the lake, not just the total surface area of the lake;</li> <li>○ A waste and effluent management plan, which analyses boats moored at the marina, slipway activities, and boat movements;</li> <li>○ Further acoustic studies</li> <li>○ An environmental impact study of the breakwater around the marina; and</li> <li>○ A photo montage of the development.</li> </ul> </li> <li>• Some of the documentation submitted with the application is lacking in content and/ or the content is flawed. This includes (but is not limited to) the following: <ul style="list-style-type: none"> <li>○ The environmental assessment, which has</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• More than adequate information has been submitted for the purpose of receiving concept plan approval.</li> <li>• More than adequate information has been submitted for the purpose of receiving concept plan approval.</li> </ul>

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	3	<p>failed to adequately address issues such as endangered marine life;</p> <ul style="list-style-type: none"> <li>○ The boating report which has not analysed the cumulative impacts of an increase in boat numbers;</li> <li>○ The acoustic report, which appears not to contain accurate and valid data;</li> <li>○ The helipad report which fails to address a large number of important issues (e.g. safety impacts, emergency access, etc);</li> <li>○ The berth demand study, which is flawed in its analysis;</li> <li>○ The financial model which is flawed in its analysis;</li> <li>○ The plans submitted with the application, which do not show the north and eastern sides of Bardens Bay and thus fail to show how much of the bay and channel the development takes up; and</li> <li>○ The helicopter accident statistic rates, which are inaccurate.</li> </ul> <p>It should also be noted that several of the reports submitted for the proposal have been prepared by individuals/companies with the name Johnson or affiliation (i.e. Britton).</p> <ul style="list-style-type: none"> <li>• The development has failed to address some of the matters contained in the Department's DGRs.</li> </ul>	<p>All documentation has been professionally prepared by independent consultants that have no relationship with JPG other than engaged to prepare and assist with the project.</p> <p>All Director General Requirements have been considered.</p>
Economic impact	15	<ul style="list-style-type: none"> <li>• The development will not bring the predicted</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed development will provide substantial</li> </ul>

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	15	<p>growth in employment. The size of the development is so large that it is unlikely that the services of local workers such as electricians, plumbers, etc would be used. This will result in specialised construction workers being sourced from companies located outside of the LGA. Thus, there will be no immediate benefit to the local economy through job creation, or investment in local companies.</p>	<p>local employment opportunities as reported in the submitted documentation, during both construction and operational phases.</p> <ul style="list-style-type: none"> <li>The issue of viability is a matter for the proponent to establish for themselves. However the viability of the marina cannot be considered in isolation of the whole development. It is the combined components and resultant synergies that make the project viable.</li> </ul>
	14	<p>Additionally, there will be minimal job creation opportunities after the completion of the project. It is actually quite likely that due to the increase in the local labour force, local unemployment will rise.</p>	
	1	<ul style="list-style-type: none"> <li>It is unlikely that the marina will be economically viable. Statistics provided by the developer show that the proposal is likely to operate below industry benchmarks. This, when combined with local census data and the location of the site away from more populated areas of the LGA, means the use of this facility would be limited.</li> <li>The public use facilities, such as the café and restaurant, are unlikely to be utilised and therefore unviable. Most residents within the local area are young families or retirees, who are unlikely to use such facilities. Such underutilisation also relates to the marina; due to</li> </ul>	<ul style="list-style-type: none"> <li>The proposed public facilities are likely to be very successful, they are well located to take advantage of the amenity offered by views of the lake from the site.</li> <li>It is considered that the proposed development has</li> </ul>

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		<p>the costs of berthing, it is unlikely that local residents will berth their vessels at the marina.</p> <ul style="list-style-type: none"> <li>The entire development will result in a reduction in the use of the lake by residents and visitors, which will in turn, have a negative economic impact on the entire Lake community.</li> </ul>	<p>a minimal impact on lake usage and this has been demonstrated in the submitted documentation. The amended concept plan however responds to concerns in the immediate vicinity of the site by reducing the number of berths and substantially shrinking the proposed marina footprint.</p>
Equitable Access	2	<ul style="list-style-type: none"> <li>It appears that the development has not given due consideration to equitable access for all members of the community (i.e. those with disabilities).</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development will provide equitable access as required. Full details will be included in future project / development applications.</li> </ul>
Flooding	18	<ul style="list-style-type: none"> <li>It is known and documented that flooding occurs across parts of the site. Currently the tourism portion of the development is located in an area identified by Council as being subject to flooding. Due consideration to the impact of flooding upon the development has not been given, including predicted sea level rise.</li> </ul>	<ul style="list-style-type: none"> <li>The proponent is aware of the flooding conditions across the site including allowances for sea level rise. Detailed technical reports have been prepared addressing the issue. The proposed development complies with the requirements.</li> </ul>
Flora and Fauna	74	<ul style="list-style-type: none"> <li>The development will destroy large areas of habitat and environmentally important areas (both water and land) by way of its location upon and within proximity to identified areas of habitat. This includes the location of the boat hoist within proximity to environmentally sensitive areas, the impact of helicopter noise and vibration to local wildlife, depletion of fish stocks due to the destruction of fish breeding grounds and habitats, and an increase in toxicity of fish as a result of increased levels of lead associated with the marina.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development does not destroy large areas of habitat. In fact very little threatened species is impacted by the proposed development and impacts have been dealt with through appropriate offsets that meet the requirements of DECC.</li> </ul>





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		requirements, and the developer is not required to obtain a license which regulate the number and path of flights. As such, flights may and likely will occur over urban areas, which is not acceptable.	
Heritage	8	<ul style="list-style-type: none"> <li>The development will result in the destruction of Aboriginal artefacts and middens. Consultation with appropriate indigenous groups is necessary to ensure that this does not occur.</li> </ul>	<ul style="list-style-type: none"> <li>Consultation has and will continue to occur as required. The Concept Plan includes a significant number of principles relating to consultation, management and interpretation of aboriginal heritage. DECC have endorsed the Concept Plan subject to conditions relating to aboriginal heritage.</li> </ul>
Housing Affordability	3	<ul style="list-style-type: none"> <li>Given the proximity of the development to the foreshore of the lake, and its apparent exclusiveness, the residential units will not be affordable for the majority of people. This will not assist in improving housing affordability in the area.</li> </ul>	<ul style="list-style-type: none"> <li>Housing affordability is addressed on a city wide basis and there is no specific requirement for this site to address the issue. However the amended concept plan has provided a range of homes that are likely to be more affordable for such a location than comparable developments. The site is not intended to be exclusive – substantial components of public access are proposed and essential to the design intent.</li> </ul>
Impact to Council	15  56  3	<ul style="list-style-type: none"> <li>If the development is approved, Council will have to pay for some infrastructure costs and the maintenance of this infrastructure. This includes dredging of Swansea channel due to the larger boats that will utilise the marina, maintenance of the public jetty/break water at the site and the upgrading and maintenance of roadways leading to the site.</li> <li>The proposed development, in particular the high</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development will pay Section 94 contributions to offset impacts on the public purse.</li> <li>Maintenance of the breakwater is expected to be the responsibility of the marina operator, not Council. Appropriate agreements will need to be put in place.</li> <li>The site is unique – linking a marina and reasonable sized land based tourist zoned site. Clear distinctions can be made in any approval to limit precedence.</li> </ul>

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		<p>rise accommodation buildings will create an undesirable precedent. This will open the flood gates for other similar developments to occur within close proximity to the lake, having further adverse impacts.</p> <ul style="list-style-type: none"> <li>There is a currently an undersupply of land zoned for tourism purposes on the western side of the lake. To permit the development with a high proportion of residential development on land zoned for tourism purposes would further exacerbate this lack of supply of land zoned for tourism purposes.</li> </ul>	<ul style="list-style-type: none"> <li>The perceived undersupply of land zoned for tourism is not supported in evidence. We are not aware that people are regularly approaching Council to have land rezoned for tourism.</li> <li>As is evident in the submitted documentation the support of permanent residential development is desirable. This is because banks will not fund purely tourism based outcomes. In addition JPG remain firmly of the view that a project incorporating residents and tourists will create vitality and viability. The project as a whole will still provide tourism outcomes and generate all the benefits that such outcomes bring – including the tourism resource, employment benefits and expenditure in the locality.</li> </ul>
Inappropriate use of the land	<p>7</p> <p>19</p> <p>17</p>	<ul style="list-style-type: none"> <li>The site was originally used by the St John of God church, and contains a graveyard (which was last used in the 1970s and 1980s). The historical use of the site should be considered and a marina development should not occur on this site; rather it should be used as a park/picnic/camping ground more in line with the tourism zoning of the land.</li> <li>The proposed dry dock and marina workshops are essentially industrial development. This is not a form of development that is suited for this site,</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development adequately considers the historic aspects of the site. Detailed reports have been included in the application documentation.</li> <li>The proposed marina workshop operations are of low scale and do not cater for major boat repairs. The facility is of a scale compatible to the locality and ancillary to the marina operations.</li> </ul>

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	<p>20</p> <p>21</p> <p>32</p>	<p>or its waterfront location.</p> <ul style="list-style-type: none"> <li>The site is located too far away from a town centre as well as the access point to the coast. In particular, this relates to the development of high density residential development a substantial distance away from the Morisset Town Centre; normal planning practice is for this type of development to be located within town centres close to transport nodes.</li> </ul> <p>Additionally, the site is located a substantial distance away from Swansea Channel (the Lake's access point to the coast). The likelihood that the marina will be used given its distance location is low.</p> <ul style="list-style-type: none"> <li>There is a clear physical separation between the mixed use components of the development that will result in an inappropriate development of the site. The mixed use development is based on a 50/50 ratio of apartments (residential and tourist). The proponent has minimised the footprint of the tourist buildings, resulting in inappropriately high buildings. On the other hand, residential development is very spread out and spacious (in order of 75% of the land area), which is not consistent with the zoning and intended development of the land.</li> </ul>	<p>The site is uniquely positioned on the edge of lake Macquarie and so the development of a marina is appropriate. The co-location of a tourist facility mixed with residential homes is considered desirable. Whilst locating every development near a town centre might be a desirable principle it is not always practical or possible.</p> <p>The evidence supports that the marina will be well utilised.</p> <p>The amended concept plan allows tourism to occupy 100% of the site if the demand exists. Residential will however be restricted to a maximum of 50% of the residential apartments.</p>

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		<ul style="list-style-type: none"> <li>Swansea Channel is already known to have siltation problems, resulting in restricted access for a number of boats. The developer is trying to attract large ocean going boats that measure up to 12 metres. Due to their size, these types of boats are unlikely to be able to navigate Swansea Channel; thus meaning that the development is inappropriate for its location.</li> <li>The marina is proposed to be located in a bay, which is subject to severe weather conditions. The marina is not appropriate for it's location, as marinas are normally located in safe harbours. To mitigate some of the impact of these weather conditions, the developer proposes to construct a break water. Given that the break water is necessary to mitigate the impact of severe weather conditions, it illustrates that the location of the marina is not appropriate.</li> </ul>	<p>The proposed development does not specifically target the larger boat market it simply provides the opportunity for larger boats to access a number of the proposed berths. Smaller boats can be berthed in larger berths.</p> <p>Coastal engineers have determined that the location is appropriate for a marina accounting for all coastal processes. The suggestion that the marina is not well located because of the need for a break wall is not supported by evidence. Many marinas are protected by break walls.</p>
Incomplete works	1	<ul style="list-style-type: none"> <li>There is an amount of road works associated with the Trinity Point Residential Estate which have not been completed. The proposed development, if approved should not be allowed to proceed until those earlier works are completed.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development will comply with the requirements of Council/RTA in relation to current and ongoing road works.</li> </ul>
Inconsistency with legislation	34	<ul style="list-style-type: none"> <li>The development is not consistent with a number of pieces of legislation. This includes (but is not limited to) the following: <ul style="list-style-type: none"> <li>State and local government legislation relating to development within the lake, such</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The proposed development is considered to be consistent with the objectives of the relevant legislation.</li> </ul>

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		<ul style="list-style-type: none"> <li>as jetties and mooring poles;</li> <li>○ State government legislation and policies relating to coastal development and development within public open space zones, including SEPP 71, SEPP 19 and the NSW Coastal Policy;</li> <li>○ Council's Lifestyle 2020 Strategy, LEP and foreshore/lake development policies such as the Council's Mooring Plan;</li> <li>○ The EP&amp;A Act, as it relates to the principles of ecologically sustainable development and the precautionary principle; and</li> <li>○ SEPP 65</li> </ul>	
Increase in traffic volume	72	<ul style="list-style-type: none"> <li>• There will be a significant increase in the volume of traffic both during the construction and operation of the development. This will result in further congestion of the roads at the Morisset Peninsula, inconvenience to the local residents, increased likelihood of accidents, and increased traffic pollution.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased traffic as a result of the proposed development is inevitable. The impacts have been addressed in the submitted documentation and are considered to be within reasonable standards. Where necessary road improvements works will be implemented.</li> <li>• The proposed development will not unreasonably contribute to the likelihood of traffic accidents or traffic pollution.</li> </ul>
Lack of Infrastructure	74	<ul style="list-style-type: none"> <li>• The Morisset Peninsula does not have adequate infrastructure to cater for the development; nor does the development propose to provide such adequate infrastructure. This includes public transport services such as bus and rail, police and health care professionals, inadequate roadways to the development site, lack of other</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed increased demand for public infrastructure in percentage terms is not significant. The social infrastructure report included with the documentation establishes that existing facilities are appropriate for the development type proposed.</li> </ul>

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		tourist facilities for potential occupants/visitors, lack of appropriate waste water management facilities, and lack of playground and open space areas.	
Marina	9 15 93 1	<ul style="list-style-type: none"> <li>The marina will likely require lighting to be used to illuminate the piers at night. This lighting would have a significant impact on the residents of the lake, to whom these lights are visible.</li> <li>The marina is marketed towards larger, ocean going boats. The use of these larger boats will require more openings of Swansea Bridge to enable access to/from the Lake. This increase in bridge openings will cause localised traffic congestion within Swansea.</li> <li>The increased number and in particular the increased size of boats in the area will cause local environmental problems and impact to other smaller boat users in the Lake. This includes disturbance of the lake bottom and subsequent environmental impacts, increased foreshore erosion from the wash created by the larger boats, increased siltation, increased water traffic problems, overcrowding and safety issues.</li> <li>The marina will displace the existing swing moorings located in the bay.</li> </ul>	<ul style="list-style-type: none"> <li>Lighting will be designed to meet Australian Standards and will be addressed in greater detail as part of the future development / project application process.</li> <li>No significant increased demand for opening of Swansea Bridge is likely to result. Bridge opening times are fixed and no changes are proposed as a result.</li> <li>Significant environmental studies have been conducted and it is considered that the proposed development will not have unreasonable impacts. The marina will operate to best practice standards.</li> <li>MSB are in favour of Marinas rather than a proliferation of swing moorings.</li> </ul>
Mines	1	<ul style="list-style-type: none"> <li>The driving of poles into the floor of the lake has the potential to cause cracking of the lake floor.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed marina design relies on minimal disturbance to the lake bed. The proposal will meet</li> </ul>

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		This cracking can then result in water entering into the mines that are located below the lake. The impacts of this could be disastrous.	requirements of the Mine Subsidence Board and other authorities
Need	27	<ul style="list-style-type: none"> <li>There is no apparent need for this type of development (the buildings, the marina, or the helipad) to be built in this area of the Lake. There is substantial land available for low density residential development, and there is no need for high density living in this area of the Lake. There are also a number of existing marinas in the Lake which could be expanded. Lastly, there are other air travel facilities such as Warnervale airport where clients could fly to.</li> </ul>	<ul style="list-style-type: none"> <li>Council has identified a demand for tourism and has zoned the site accordingly. The proposed development seeks to meet the demand. The proposed development could not be regarded as high density as reflected by the low FSR. The helipad has been deleted from the proposed development.</li> </ul>
Noise	207	<ul style="list-style-type: none"> <li>Residences of the area would be subjected to unacceptable noise impacts. These impacts would primarily arise from the use of the helipad and helicopters (at any time of the day), however, would also be generated by the increased use of larger boats in the area, the daily operations of the site (boat repair, general traffic, functions, etc), and noise generated by construction of the development.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed helipad has been deleted following concerns raised by the community. All other potential noise aspects have been adequately addressed in detail reports submitted with the application. The proposed development will comply with relevant noise controls standards. Construction noise will be addressed through appropriate management plans. Further assessment of such issues will occur as part of future development / project applications.</li> </ul>
Political donations	1	<ul style="list-style-type: none"> <li>It is not clear whether or not the developer has made contributions to the Labour Party over a number of years. Such information is relevant and should be made available to the general public.</li> </ul>	<ul style="list-style-type: none"> <li>Information on these matters is available through the existing sources.</li> </ul>
Pollution	143	<ul style="list-style-type: none"> <li>The development will generate a significant amount of pollution. For instance, pollution to the</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development incorporates best practice environmental controls. DECC have</li> </ul>

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		lake will occur from boats both when in use, and when moored at the marina through oil seepage, and anti-fouling and anti-corrosive measures. Furthermore, this situation would be further exacerbated as the bay has no natural tidal flush, so all pollution will remain in the area.	assessed the proposed development and agree that it may be approved subject to appropriate conditions, further approvals and licences. In particular the proposed development meets the requirements for tidal flushing.
Property Values	12  4	<ul style="list-style-type: none"> <li>The development will result in the devaluation of property in the area, due to the impacts of the development on existing properties within the area.</li> <li>The development will result in higher land values within the locality which is not desirable. The higher land values will produce higher rates, making the rural activities in the area uneconomical. This will in turn eliminate a source of food in a location close to the City. Additionally, the higher land values will unfairly squeeze a lot of ordinary people out of this area.</li> </ul>	<ul style="list-style-type: none"> <li>There is no evidence provided to support the claim that the proposed development would result in property values falling. Indeed the opposite could be the case with people attracted to the opportunity of living in proximity of a marina and the facilities available.</li> </ul>
Section 94 Contributions	1	<ul style="list-style-type: none"> <li>The provisions of Section 94 of the EP&amp;A Act are applicable to the development. The imposition of community facilities requires careful assessment. The need for these facilities based on the increased residential density requires forthwith implementation. The scale of the development should ensure that community facilities are provided by the developer as the development proceeds on a staging basis. A monetary contribution is not considered to be the most efficient and timely manner of providing such</li> </ul>	<ul style="list-style-type: none"> <li>As previously stated the impact of the proposed development on existing services in percentage terms is small and in its own right does not require specific works. Accordingly the most efficient manner in which to cater for increased demands is through the existing section 94 contributions process. This will be further addressed as part of future development / project applications.</li> </ul>



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		facilities.	
Size of the development	129	<ul style="list-style-type: none"> <li>The development is a massive overdevelopment of the site. The size, scale, and density of the accommodation components are completely inappropriate for this part of the lake. Additionally, the marina is too large, extending approximately half way across the bay entrance, which is not acceptable.</li> </ul>	<ul style="list-style-type: none"> <li>The scale of the proposed development has been reduced in response to community concern. This includes a reduction in overall height of buildings and a significantly reduced marina size.</li> </ul>
Staging	12	<ul style="list-style-type: none"> <li>The marina should be constructed in stages, with each stage subject to a separate application, based upon best practice at the time. No justification for the 308 berth marina has been made, and staging the development would enable a better outcome to be achieved.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed marina has been reduced in size and will be constructed in stages.</li> </ul>
Sustainability	7	<ul style="list-style-type: none"> <li>The development has not considered environmental sustainability. It does not consider the impacts of increased resource use associated with the development. We are in a period of global warming, with diminishing supplies of fossil fuels, yet the application proposes to build an environment which cannot exist without the use of these fuels.</li> </ul>	<ul style="list-style-type: none"> <li>All development requires the use of resources. To suggest that development should stop altogether is not in itself a sustainable response. A balanced and sustainable response is to minimise environmental footprint and select appropriate materials. JPG are committed to best practice and will be consistent with the principles of ESD. This will be detailed further as part of future development / project applications.</li> </ul>
Timing	6	<ul style="list-style-type: none"> <li>The developer has indicated that the development will take up to fifteen to twenty years to be fully completed. Extending the construction period over this timeframe, is not satisfactory, as it will destroy the peace and quiet enjoyed by the residents in the area.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development will see a construction period of this magnitude. Construction will occur in stages over a period of time. Construction management plans will be prepared to minimise impacts.</li> </ul>
Use of and restricting	115	<ul style="list-style-type: none"> <li>The development will result in the use of public</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development has been designed to</li> </ul>

Topic	Number of references in submissions	Details / Comment	JPG Response
the use of public land		<p>land and facilities being restricted for public use; it would be restricted to private use by the developer. For the land based component, this has been done via the design of the built environment, which whilst reserving a small area of public reserve still conveys a 'keep out' message to the public. Furthermore, the boat travel lift has been located such that when in use, the public reserve will not be able to be used.</p> <p>In relation to the water based component, a significant proportion of the Lake will be brought into private ownership with the marina; the marina is essentially a private boat parking lot located upon public land. Furthermore, the marina will reduce the size of this area of the Lake which can be safely used for water activities.</p>	<p>minimise impacts on what will become foreshore public reserve. The Concept Plan advises that works that council may wish to undertake in the acquired lands will not be impeded by the proposed development.</p> <p>Overall public access will be increased as a result of the proposed development, with the public being able to access through the site at multiple locations, which is currently not the case. The public will also be provided a physical access solution around the development edge and direct connection to the lake via the breakwater.</p> <p>The proposed travel lift does not adversely impact on public access along the foreshore. The access will be managed at this point in the interest of public safety. Access would only be prevented when the lift is in use.</p> <p>The proposed marina has been substantially reduced in size responding to the concerns raised about the extent of bay taken up by the proposal.</p>
Views	23	<ul style="list-style-type: none"> <li>The development, particularly the high rise development will result in views within the area being obstructed and destroyed.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development has reduced its height. The project has been the consideration of a detailed view analysis and altered to increase visual permeability through the site.</li> </ul>
Waste disposal	3	<ul style="list-style-type: none"> <li>The development must consider the treatment and disposal of sewerage and waste carefully given the site's proximity to the Lake and the density of the development.</li> </ul>	<ul style="list-style-type: none"> <li>Agree the consideration of waste disposal is important. The proposal will comply with the requirements of the Hunter Water Corporation with regard to sewer. A waste management plan will be</li> </ul>

Topic	Number of references in submissions	Details / Comment	JPG Response
			required as part of future development / project applications.
Water quality	51	<ul style="list-style-type: none"> <li>The development will have an adverse impact on the water quality and ecology of the bay. This includes the construction of the break water which will restrict wave activity and natural currents within the Bay; inevitable changes to the ecology of the area will occur. When combining this change in ecology with the limited tidal exchange in the bay, it will result in the stagnation of the water, reducing the ability of the Lake to rid dead seagrass.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development will be designed to have minimal impact on water quality and will comfortably comply with relevant standards.</li> </ul>

### **Support**

Topic	Number of references in submissions	Details / Comment	
Additional facilities and services	8	<ul style="list-style-type: none"> <li>The proposal will provide additional facilities and services within the LGA, which is something the Lake currently lacks. This includes the convention centre, which would have beneficial impacts by bringing more tourism to the area and providing an area for conferences and meetings.</li> </ul>	<ul style="list-style-type: none"> <li>Agree</li> </ul>

Built Environment	3	<ul style="list-style-type: none"> <li>When comparing the bulk and scale of the proposed buildings to other existing developments along the lake foreshore, such as the electricity power stations, there is little competition. Given the existence of these developments, the accommodation buildings would not be incompatible with the present nature of the Lake's scenic quality.</li> </ul> <p>Furthermore, development of the multi level accommodation buildings will reduce urban sprawl within the City. This will enable the development to provide quality open space and recreational facilities. The density and scale of the proposal is appropriate for the site and the market it will cater for.</p>	<ul style="list-style-type: none"> <li>Agree, any concerns in relation the scale of the proposed development have been responded to with a reduction in overall building height.</li> </ul>
Economic impacts	6	<ul style="list-style-type: none"> <li>Development will have positive economic impacts for the local economy. This includes the creation of jobs both during the construction phase and during the developments ongoing use, and an increase in tourism through the promotion of Lake Macquarie.</li> </ul>	<ul style="list-style-type: none"> <li>Agree, the proposal will have a substantial positive economic impact.</li> </ul>
General Support	170	<ul style="list-style-type: none"> <li>Pro forma</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
Helipad	1	<ul style="list-style-type: none"> <li>The impacts of the helipad and its use will not have a significant impact on the amenity of the locality. We are subject to nearby helicopter landings, and have first hand knowledge that they are not intrusive at all. The location of the helipad away from the shore would not be a problem.</li> </ul>	<ul style="list-style-type: none"> <li>Whilst JPG agree that the helipad can operate within the bounds of relevant standards it has decided to remove the helipad from the proposed development in response to overall community concern.</li> </ul>

## Other

Topic	Number of references in submissions	Details / Comment	
Request for extension of exhibition	3	<ul style="list-style-type: none"> <li>Request for extension of exhibition period.</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>