

Emma Butcher
NSW Department of Planning and Environment

Dear Ms Butcher,

Thank you for the opportunity to provide comment on the State Significant Development SSD-27028161 Trinity Point Mixed Use Development.

After reviewing the EIS and attachments, I would like to raise a number of concerns in relation to the proposed planning proposal, including:

- Concern 1: Inconsistent with State and Local Government Strategic Planning
- Concern 2: Errors in calculation of trip rates within the Traffic Impact Assessment

I have elaborated on these concerns in the following pages of this submission (pages 1-8).

Thank you.

Concern 1: Inconsistent with State and Local Government Strategic Planning

The Strategic Plans currently guiding future development in the Morisset Park area are the *Hunter Regional Plan 2041* and the *Lake Macquarie City Local Strategic Planning Statement*. These Plans have been developed under an extensive process of community engagement and represent the adopted position of both local and state government in relation to the vision and planning priorities for the Hunter and Lake Macquarie area.

Planning Proposals, including the proposed State Significant Development SSD-27028161 Trinity Point Mixed Use Development, must align with directions set in these plans to ensure a coordinated approach to development and meet the plan's vision and objectives.

The *Hunter Regional Plan 2041* identifies a number of objectives and strategies that identify policy positions and directions to be implemented through local planning or planning proposals. Relevant objectives to the the proposed development include:

- Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities
- Objective 5: Plan for 'nimble neighbourhoods', diverse housing and sequenced development
- Objective 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities

A review of these objectives has identified that the proposed development, SSD-27028161, does not comply with the strategies or performance outcomes. This is explored further below.

Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities

Objective 3's performance outcomes state that planning proposals must demonstrate how the following performance outcomes will be achieved. The proposed development does not comply with performance outcomes 1, 2 and 5 as outlined in the table below (see Table 1).

The proposed development does not support a 15 minute neighborhood with mixed use and access to different attractions and everyday uses and services by public and active transport. Rather, it proposes to be an isolated development with services to support tourists and visitors that will primarily be accessed by private vehicle.

Additionally, Table 5 within the *Hunter Regional Plan 2041* outlines the different regional contexts to support a 15 minute neighbourhood. The proposed development's heights and densities is consistent with an urban core or general urban context. However, it is proposed to be located within a general suburban context (Morisset Park). This impacts the level of services and quality of life for the Morisset Park area.

Table 1: Compliance with Objective 3 Performance Outcomes

Performance outcome	Proposed SSD Compliance	Comment
1. Urban settlement patterns maximise the use of existing infrastructure and reduce travel demand, especially by car.	No	<p>The proposed development will result in increased private vehicle travel due to the land uses and density proposed and the lack of supporting public transport services in the area.</p> <p>The subject site does not currently have access to public transport. Public bus services providing connections to Morisset and Morisset Park are poorly serviced with hourly frequencies during weekdays, 2 hourly frequencies on Saturdays and 3 times a day on Sundays.</p> <p>The intent of this outcome is that medium to high density development (what the SSD proposes) be located in close proximity to strategic centres that are serviced by appropriate public transport connections to reduce private vehicle travel.</p> <p>Morisset Park has a low density settlement pattern and is located in a coastal peninsula, making it difficult for public transport services to be provided.</p>
2. Neighbourhoods maximise mobility independence and active and public transport opportunities.	No	As stated above, the proposed development will increase private vehicle trips due to its location away from the established strategic centre of Morisset.
3. Neighbourhoods provide local access to education, jobs, services, open space and community activities.	Yes	The proposed development will increase local access to jobs and open space.
4. Neighbourhoods encourage healthy lifestyles with opportunities to experience and engage in the cultural, entertainment, sport and recreation, and educational activities.	Yes	The proposed development will increase opportunities to experience and engage in various entertainment and recreational activities.
5. Neighbourhoods establish or reinforce local identity.	No	<p>The proposed development is not consistent with the local identity of Morisset Park.</p> <p>Morisset Park is a low density, residential suburb.</p> <p>The proposed development seeks to enable development of a much larger scale than the surrounding, established community.</p> <p>This was also discussed in the Social Impact Assessment.</p>
6. Public spaces are designed to invite	N/A	The design of the public spaces is not included in this SSD application.

community interactions and economic, social and cultural activity. They enable a sense of social inclusion, wellbeing, comfort and belonging.		
7. Places are designed to be greener to support the regeneration and connection to the natural environment.	N/A	The design of the proposed development is not the subject of this SSD.

Objective 5: Plan for ‘nimble neighbourhoods’, diverse housing and sequenced development

Objective 5 includes Strategy 5.2: Local strategic planning will consider amendments to planning and development controls that reflect the desired density targets for the urban core, general urban, inner suburban and general suburban contexts.

The proposed development is to be located within a low density, residential neighbourhood that reflects a general suburban context. The *Hunter Regional Plan 2041* specifies that 30 dwellings per hectare is desired for a general suburban context, unless within 800 metres of a strategic centre and public transport corridor.

The proposed development seeks a residential density of approximately 49 dwellings per hectare, in addition to areas for tourist accommodation, a function centre, restaurants as well as retail and business centres. This is significantly higher than that identified within the *Hunter Regional Plan 2041* and is inconsistent with Strategy 5.2.

In addition, it does not comply with performance outcomes 1 and 2 of this Objective. In relation to performance outcome 1, the densities proposed do not support efficient use of existing infrastructure and services as the area has not been developed to accommodate the densities proposed and therefore does not have public transport or services such as childcare to support the population increase.

Performance outcome 2 relates to the proposed development having the appropriate access to employment, goods, services and infrastructure. Limited public transport services are available and as the proposed development is to be located away from the strategic centre of Morisset, there is limited access to employment, goods, services and infrastructure due to its isolated location. This is further discussed in commentary on compliance with Objective 8 below.

Objective 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities

The proposed development is inconsistent with Strategy 8.1. This is outlined further in Table 2 below.

Likewise, the proposed development is inconsistent with Strategy 8.2 as it will provide new commercial activity away from an existing centre and main street and it is not part of a proposed new community or supports a 15 minute neighbourhood.

The proposed development is also inconsistent with Strategy 8.6. Strategy 8.6 requires that planning proposals to facilitate tourism activities be compatible with the characteristics of the site and existing and likely future land uses in the vicinity of the site. The proposed development is an isolated tourism development, adjoining low density residential areas. The density proposed is inconsistent with the surrounding densities.

In addition, the proposed development does not comply with the performance outcomes 1 and 6 of Objective 8. The proposed development will reduce the function and viability of the strategic centre of Morisset and the proposed tourism development is of a type and scale that does not complement the surrounding land uses of low density, residential dwellings.

Table 2: Compliance with Strategy 8.1 of *Hunter Regional Plan 2041*

Strategy 8.1 point	Proposed SSD Compliance	Comment
Encouraging resilient, accessible and inclusive hubs with a range of uses including town centres uses, night-time activities and civic, community, social and residential uses	No	The proposed development will result in a new hub within Morisset Park, away from the strategic centre of Morisset. This will reduce the viability and success of Morisset as a strategic centre by attracting people away from the centre as a result of the proposed development.
Focusing commercial and retail activity in existing commercial centres	No	The proposed development will result in a new retail and commercial centre away from existing centres within Morisset and Bonnells Bay.
Identifying locations for mixed use and/or housing-led intensification in and around centres and main streets to strengthen and support existing uses while enhancing local character and heritage assets	No	The proposed development will not be located within an existing centre or along a main street. It will not support the existing uses within Morisset and enhance its local character and heritage assets.
Planning for last mile freight, accessibility, and attractive active and public transport access from adjoining neighbourhoods both within and to centres and main streets	N/A	The design of the proposed development is not the subject of this SSD.
Activating centres and main streets through active street frontages, restaurant/cafe seating, digital connectivity, outdoor entertainment, community gardens, place-making initiatives and events	No	The proposed development will not activate a centre or main street due to it being located away from a centre or main street.
Ensuring centres and main streets are the primary locations for	No	The proposed development will provide commercial activity away from the strategic centre of Morisset and main street.

commercial activity and contributors to the local as well as district-wide economy and that new areas complement the function of existing centres and main streets		
Managing parking to encourage active streets and public spaces and reinforce compact centres	No	The proposed development will be accessed primarily through private vehicles.
Providing well-designed built and natural shade for comfort and protection against overexposure to UV radiation	N/A	The design of the proposed development is not the subject of this SSD.
Enabling a diverse range of tourism accommodation and attractions in centres and particularly main streets	No	The proposed development includes tourism accommodation that will not be located in a centre or a main street.

The proposed development also conflicts with the planning priorities identified in the *Lake Macquarie City Local Strategic Planning Statement*. In particular:

- Planning priority 1: A city of vibrant centres - where people live, work, visit and play
- Planning priority 2: A city to call home - where diverse housing options cater to everyone's needs
- Planning priority 4: A city of close connections - where people, goods and services move efficiently

These are explored further below.

In addition, the *Lake Macquarie City Local Strategic Planning Statement* identifies key areas of change that will be the focus for change and growth in Lake Macquarie. The South West Growth Area is identified as a key area of change. In relation to Trinity Point, the focus within the key area of change is "a significant tourism asset, supporting a growing visitor economy including conference facilities, restaurants and a marina." Residential accommodation is not considered a focus for Trinity Point within the *Lake Macquarie City Local Strategic Planning Statement*.

Planning priority 1: A city of vibrant centres - where people live, work, visit and play

The proposed development seeks to provide increased residential and commercial development outside the key strategic centre of Morisset. This does not align with the planning priority 1 principles of:

- Support growth, investment and activity in economic centres that provide high quality development and local amenity.
- Encourage well designed higher density development supported by appropriate infrastructure in economic centres.
- Work with industry in delivering a mix of uses in economic centres such as housing, jobs, shopping services, community facilities, public spaces, and transport options.

The proposed development will encourage economic activity away from the existing strategic centre of Morisset, impacting its viability and growth into the future.

Planning priority 2: A city to call home - where diverse housing options cater to everyone's needs

The proposed development seeks to provide medium to high density residential accommodation away from the strategic centre of Morisset and its associated infrastructure such as transport, retail and commercial opportunities and recreational spaces. This does not align with the principles of this planning priority, including:

- Work with industry to unlock more housing close to jobs, services, public transport, and social and recreational spaces, within and around centres to meet residents' day-to-day needs.
- Work with industry to deliver future housing growth through infill development in and around centres and train stations and new housing in Growth Areas.
- Ensure future residential housing is located with access to jobs, shopping, services, community facilities, and public spaces by a range of transport modes and maintains important local conservation areas.

The proposed development will have limited access to public and active transport and will be located away from jobs, services and social spaces.

Planning priority 4: A city of close connections - where people, goods and services move efficiently

A focus of this planning priority is the co-location of housing, jobs and services in order to support new and existing infrastructure. The proposed development will locate housing and employment away from the existing strategic centre of Morisset and its associated infrastructure, placing greater reliance on private vehicles and reducing the viability of the public transport network.

Concern 2: Errors in calculation of trip rates within the Traffic Impact Assessment

The Traffic Impact Assessment has calculated trip rates inconsistently or not at all. In calculating the trip rates to be allocated to the proposed development, the report has used a combination of rates from the *RTA Guide to Traffic Generating Developments* (2002) and *TfNSW Technical Direction TDT 2013/ 04a*, selecting the rate that produces the lowest number of trip rates for the development. A consistent approach has not been applied. Where possible, the most up to date trip rates specified within *TfNSW Technical Direction TDT 2013/ 04a* should be used (as outlined in *TfNSW Technical Direction TDT 2013/ 04a*).

Table 3 below shows this inconsistency as well as what rates should be used to calculate traffic generation.

In addition, some trip rates have not been included in the calculations. These are shown below in Table 3 in the Comment column. They include the retail, business centre and day-spa components of the proposed development. These have significant implications for travel demand and trip generation.

As a result, the Traffic Impact Assessment has underestimated significantly the impact on traffic the proposed development will have. It should be revised before any approval is granted to determine the impact of the proposed development on local traffic.

Table 3: Peak hour trip rates for land uses

Land use	User	2002 RTA Guide to Traffic Generating Developments trip rate	2013/04a TfNSW Technical Direction trip rate	Trip rate selected in Traffic Impact Assessment (Table 4.1)	Comment
Hotel	Guests	0.4 trips per unit	N/A	0.4 trips per unit in PM peak	Did not apply 0.4 trips per unit in AM peak.
Hotel	Staff	N/A	N/A	1 trip per 2 staff	Not known how the Traffic Impact Assessment trip rate has been calculated, likely underestimated.
Hotel Manager Office	Staff	2 per 100m2 GFA	AM - 1.6 per 100m2 GFA PM - 1.2 per 100m2 GFA	1 trip per 2 staff	Using the 2013/04a Direction and 40m2 office space, the AM peak should generate 0.64 trips and PM peak should generate 0.48 trips.
Gym*	Staff	TBC	N/A	1 trip per staff	N/A.
Day-spa	Guests	TBC	N/A	Not included	Not included in Traffic Impact Assessment

Day-spa	Staff	TBC	N/A	1 trip per staff	N/A.
Hair salon*	Staff	TBC	TBC	1 trip per staff	N/A.
Pool*	Staff	TBC	N/A	1 trip per staff	N/A.
Business centre	Guests	N/A	AM - 0.70 per 100m2 GFA PM - 0.78 per 100m2 GFA	Not included	Not included in Traffic Impact Assessment.
Business centre	Staff	TBC	TBC	1 trip per staff	N/A.
Retail	Guests	N/A	Thursday peak hour - 12.3 per 100m2 GLFA Friday peak hour - 12.5 per 100m2 of GLFA Saturday peak hour - 16.3 per 100m2 GLFA	Not included	Not included in Traffic Impact Assessment.
Retail	Staff	N/A	N/A	1 trip per staff	N/A.
Restaurant	Guests	5 per 100m2 GFA	N/A	5 trips per 100m2 GFA in PM peak	Did not apply guest trip rate in AM peak.
Restaurant	Staff	TBC	N/A	1 trip per staff	Only applied staff trip rate in AM peak.
Conference Centre	Guests	TBC	TBC	1 trip per 2.5 patrons	Not known how the Traffic Impact Assessment trip rate has been calculated, likely underestimated.
Conference Centre	Staff	TBC	TBC	Not included	Not included in Traffic Impact Assessment.
Residential	2 bedroom	0.4 trips per unit	AM - 0.71 per dwelling PM - 0.78 per dwelling	0.4 trips per unit	Revised rates from the 2013/04a Direction should be used.
Residential	3 bedroom	0.5 trips per unit	AM - 0.71 per dwelling PM - 0.78 per dwelling	0.5 trips per unit	Revised rates from the 2013/04a Direction should be used.
Residential	4 bedroom	0.65 trips per unit.	AM - 0.71 per dwelling PM - 0.78 per dwelling	0.65 trips per unit.	Revised rates from the 2013/04a Direction should be used.

*Land uses accessible exclusively to hotel guests