

This submission is an objection to the location chosen for the proposed development of the Hunter Indoor Sports Centre - **Wallarah and Blackley Ovals, New Lambton**. It includes:

1. OBJECTION TO THE PROPOSED LOCATION
2. IMPACTS OF THE DEVELOPMENT ON ME PERSONALLY
3. COMMENTS ON INDIVIDUAL EIS REPORTS **(including flawed and incomplete data, inaccurate conclusions and inconsistencies of information within reports)**.

1. OBJECTION TO THE PROPOSED LOCATION

The proposed location:

1. is known flood prone land with two natural floodways and natural flood storage areas in the eastern and southern sections of the development site;
2. is on a major arterial road (Turton Road);
3. is in a long established residential area with housing to the north, south and west of the site;
4. has a shared northern boundary with a high school and a block of 20 units;
5. is directly opposite a 30,000 capacity stadium, McDonald Jones Stadium;
6. allows for only a single entry / exit to the site from a major arterial road;
7. is currently 3.3 ha of green, open public space;
8. is currently used as sports fields and community recreation by thousands of people, including soccer and cricket clubs, 1200 Lambton High School students and local residents.

2. IMPACTS OF THE DEVELOPMENT ON ME PERSONALLY

I am a local resident and have lived in Duke Street New Lambton, one block away (130 metres) from the proposed site for 31 years. I have also worked, driven, walked and socialised in the area for 31 years. The points I make in this submission are valid points taken from lived experiences. My main concerns are:

2.1 Increased risk of flooding

- The proposed site - entirely grass covered - is flood prone land. It has two natural floodways in the south east corner and eastern edge of the site and flood storage areas in the eastern sections. The 3.3 ha of grass allows for absorption of rainfall and maintenance of the floodplain's ecology. The HISC car park is to be built over the floodway and flood storage areas and all rainfall onto the site's impervious surfaces (except roof runoff) will become surface runoff and flow into the adjacent stormwater drain, the Ker-rai Creek.
- During the 2007 Pasha Bulker storm in June 2007, my home was flooded and my car was written off (photo of my driveway on the night is attached). A man died near my home after being washed into the stormwater drain and several elderly neighbours died in the following months because the trauma of having their homes flooded exacerbated existing medical conditions.
- It wasn't just the trauma of being in the floodwater on that night. It was the cleaning up, having no power or telecommunication, dealing with insurance companies, finding honest tradesmen to rebuild, living on bare floor boards with no furniture or working

appliances, the mountains of ruined household contents that had to go into landfill, the ongoing stress for those affected.

- The proposed HISC immediately borders an open stormwater drain, the Ker-rai Creek, to the south of the development. I am extremely concerned that the development will increase the risk of local homes and businesses being flooded again.
- There have been a number of times when the Ker-rai Creek section of the drains has topped its banks since 2007 (photos attached) including severe flash flooding in the area in 2015 and 2020.
- Why should local residents have to live in fear of being flooded again and be penalised by insurance companies with excessive premiums for flood cover or not being eligible for flood cover at all?
- **It is completely unconscionable that the proponent and supporters of the HISC chose this location knowing the high risk of flooding in the area. Perhaps if they or family members had ever been caught in floodwaters they would understand the local community's anger and strong opposition to this development.**

I have made further comments in the section Appendix CC : Flood Risk Impact Assessment below.

2.2 Traffic and parking congestion

McDonald Jones Stadium (MJS), a 30,000 capacity stadium, is a few hundred metres from my home. It hosts approximately 30-40 major events annually and off site parking spreads to the multiple narrow streets in the area. Consequently:

- On average my street is parked out once a week for up to 6 hours at a time.
- It is difficult, sometimes impossible, to get out of my driveway in such a narrow street with cars parked on both sides.
- There is nowhere for my visitors, carers or delivery drivers to park.
- Patrons often park over residential driveways (photo attached of my driveway) and so close to corners it becomes unsafe to pull out from an intersection.
- Access to homes is difficult for emergency services because of traffic and parking blockages.

This is all manageable as it happens on average once a week. If the HISC development goes ahead this scenario will be played out 7 nights a week until 11pm with an expected 22,000 visitors per week.

Many of the reports state that offsite parking will be mitigated by providing a carpark exclusively for HISC patrons. However I believe basketball patrons will choose to park in the residential streets in the following situations:

- if the car park is to be user pay.
- to avoid traffic congestion on Turton Road. For example one of the main access routes to the HISC is to drive eastwards along Monash Road, queue to turn left into Turton Road, queue at the pedestrian lights across Turton Road and then queue at the HISC entrance.
- during periods of heavy rain when patrons will be advised by HISC not to use the car park.
- when there is a large event on at MJS, Young Road and the right hand turn from Turton Road into Monash Road are closed off for a number of hours before the event. This will make access to the HISC car park very difficult and force patrons to compete for parking spots around the local streets.

- When the MJS car park is rezoned into shops and promenade as part of the Broadmeadow Place Strategy.

2.3 Loss of green space.

- This development will destroy approximately 3.3 ha of open green space, freely available for all the community, and be converted into concreted 3.3 ha of a private user pay facility. It will be accessible only to basketball and the other sports players and members who pay registration and game fees, and to spectators who have to pay to watch the games.
- Wallarah and Blackley Ovals have been dedicated sport fields since at least 1974. On 28/6/35, Blackley Oval (land portions 2379 and 2380) was legally reserved for public recreation (Blackley and Wallarah Ovals, Lachlan Wetherall, 10/4/24).
- With housing density to increase in the area as part of the Broadmeadow Place Strategy and the shrinking of backyards in homes, this green space will be needed more than ever.
- In the 31 years I have lived in Duke Street, there are not many days that I don't walk through or around these ovals. Newcastle Council's argument that the ovals are under-utilised is flawed. Daily I see students from Lambton High School doing PE or other activities on the ovals, kids training or playing competition soccer, kids and adults playing competition cricket, local residents kicking the ball around, people walking their dogs and people just sitting on the grass enjoying the fresh air and the open space. How can you take all of that away for the benefit of one indoor sport and a minority of the community?

2.4 Noise

HISC will operate from 6 am to 11 pm seven nights a week. Irrespective of whether patrons park in the on-site car park or in the surrounding streets, there will be significant and unacceptable levels of noise late into the night for residents. For example:

- patrons walking back to their cars talking and bouncing their balls as they go,
- car doors closing,
- cars starting up and driving off through residential streets,
- dogs barking at the disturbances outside late at night.

Local residents have a right to enjoy a quiet environment in an area in which they chose to live.

3. COMMENTS ON INDIVIDUAL EIS REPORTS

My comments include cases of data that is missing, incomplete, inaccurate or inconsistent, and the consequent incorrect assumptions and conclusions . This has led me to have a lack of confidence in the information provided for public exhibition.

MULTIPLE APPENDICES

What is the area of the site?

The area of the site is stated to be 7.83 ha in at least 6 of the EIS reports :

- EIS (5 times)
- Appendix F (Introduction, p.5),
- Appendix M (Section 3.3, p.12),
- Appendix O (section 2.3, p.6),
- Appendix QQ (Section B5, p. 8),
- Application_20240919223925 (which actually states that the area is 78,300 sq metres, page 2).

If the dimensions of this rectangular site are approximately 115 x 286 metres (EIS, p. 24), how can the area possibly be 7.83 ha? How can so many consultants get this basic data wrong?

I have read all the EIS appendices, and wherever the total area of the site is given, it is consistently 7.83 ha or 78,300 m². Is this an error or does NSW Department of Planning intend taking another 4.3 ha from adjacent areas?

Appendix CC - FLOOD RISK IMPACT ASSESSMENT

1. Is Torrent Consulting comfortable in it's conclusions that "the proposed development has no material impact on existing flood conditions across the range of flood events considered" when peoples' lives, homes, businesses and well-being are potentially at risk?
2. The assessment states in the Executive Summary (p. iii) and Conclusions (p. 52) that it has been prepared to support the proposed development. One has to ask the question has any unfavourable data been excluded from the report?
3. The modelling conducted appears to be concentrated on the effects of the development on onsite flooding but I believe inadequately assesses the impact on offsite flooding. As a result the mitigation measures planned will only minimise the impacts of flooding onsite.
4. It is concerning that the report makes no mention of the 2007 Pasha Bulker storm and the severe flooding in the area. I think the consultants underestimate the level of anxiety residents have about a recurrence of the 2007 flood. It was a frightening thing to go through where people died, pets died, homes and businesses were ruined, and residents' mental and physical health were severely affected. I thought I was going to drown when the floodwater started rising in my house. Several of my elderly neighbours died in the following months because the trauma exacerbated existing medical conditions.

It wasn't just the trauma of being in the floodwater on that night. It was the cleaning up, having no power or telecommunication, losing your car, dealing with insurance companies,

finding honest tradesmen to rebuild, living on bare floor boards with no furniture or working appliances, and much more.

5. Consultation with local residents?

- Many local residents have lived here for decades and know the patterns of runoff and drain overflow during periods of heavy rainfall. Did Torrent Consulting speak to any local residents to gather historical information? Did they come to visually assess the drain during heavy rainfall periods?
- The flood report uses TUFLOW modelling software. TUFLOW published a document “Flood Modeling: How Accurate is Your Model?” in 2016 in which it states:

“In addition to magnitude, event selection should also consider data availability, events of historic significance and event recency. **Community recollection of these events is typically greatest. If a flood model can reproduce known flood behavior it builds community “trust” in the model’s performance.** Furthermore, calibration to recent events demonstrates that the model adequately represents the current catchment conditions.” (p.1).

6. Floodways and Flood Storage Areas

- The two natural floodways and the flood storage areas on the site will be built over by the car park. How can that not affect flooding and run-off patterns? The report mentions that flood storage areas were to be retained but they are not being retained in their natural state.
- The NSW Department of Planning and Environment states in its report “Flood Risk Management Measures (2022), section 4.4.1 (p. 74):

“Development of land may have detrimental impacts on flood behaviour risks to the existing and future community. It may alter flood behaviour by diverting or altering flowpaths due to changes to topography within the floodplain. Filling, reshaping or placing infrastructure can alter flowpaths or result in a loss of flood storage. Land clearing and increasing impervious areas in the catchment may increase flow off the land, which may have downstream impacts that need to be considered and managed.”

7. Section 6.2.2. Flood Storage Areas

The report does not appear to state how the existing and post-development flood storage volumes within the floodway and flood storage areas were assessed/calculated. How were these measured?

8. Flood Refuge in Stage 1A

The flood report states in Section 8, Project Staging:

“The first-floor level at the completion of the Stage 1A development is limited to an unutilised area to facilitate subsequent Stage 1B extension. As a Flood Refuge it can accommodate up to around 600 people but will need to be provisioned accordingly (refer Section 7.5).”

I have read the individual reports and cannot find any reference to first floor level space in Stage 1A - even in Appendix TT, Staging Plan. All the reports state that the mezzanine level will not be built during Stage 1B. What flood refuge will be provided until stage 1B has been completed?

9. Omission of on site detention of stormwater (OSD)

There are a number of inconsistencies across individual reports about detention of stormwater and flood storage:

- The Flood Report states that OSD has been omitted from the design because it had questionable potential benefit (section 5.3.1).
- Since Newcastle Basketball announced their development to the public in March 2024 they have assured local residents that the flood risk will be mitigated by building flood storage as part of their car park.
- In the EIS there are a number of statements relating to flood storage being required on-site, e.g. "The site is flood affected requiring on site flood storage ..." along the Turton Road frontage (Justification of the Project, p. 21) and section 3.2.2.1 (p. 36).
- Appendix TT, Operational and Construction Staging Plan, section 4.0, Mitigation Measures, p.13 it states that one of the mitigation measures to be implemented will be to: "Install retention and detention basins to control the flow and quality of stormwater." to "...minimise adverse impacts on the environment and surrounding community."
- The City of Newcastle was even concerned about the proposed lack of OSD of stormwater at the pre-DA meeting (section 5.3.1).
- It appears the only storage of water on the development will be firewater tanks on the northern boundary which I believe remain full most of the time, and some rainwater tanks (up to 5 at the full development stage) to collect roof run-off on the western boundary.
- **Why will there be no mitigation measures to prevent the stormwater drain overflowing from increased run-off from the car park, inner roads and pedestrian promenade, outdoor courts and gym, and uncovered concreted surfaces?**

10. Impact of climate change - happening now - on the risk of flooding

I don't think the flood report adequately takes into account the effects of climate change - predicted changes that we are seeing **now**, and changes predicted for the future. The predicted increase in intensity and frequency of rainfall will alter the patterns of flooding and change flood zones, making the models used in this report redundant.

- The intensity of heavy rainfall events in Australia is increasing as the climate warms. In urban environments large areas of impervious ground cover (e.g. concrete) leads to increased flash flooding during heavy downpours. (CSIRO State of the Climate 29/10/24).
- Section 7.1.2 of the flood report states that flooding at the site will be affected by East Coast Lows. These occur in this area on average 3 - 10 times a year. Five east coast lows hit the coastal areas of Newcastle in June 2007.
- Ocean temperatures have been increasing off the coast of SE Australia over the past 100 years. Higher ocean temperatures contribute to the formation of East Coast Lows. If this trend continues, as the Bureau of Meteorology predicts, more East Coast Lows will form, bringing more frequent and more intense rainfall to the area.
- Warmer ocean temperatures will also contribute to the formation of more tropical cyclones which will move south as they dissipate, again contributing to higher rainfall in this area.
- It will not take much depth of floodwater to ruin surrounding homes nor indeed the HISC indoor facility. The Insurance Council of Australia report "Climate Change Impact Series - Flooding and Future Risks", 2022, states that "... once flood water reaches over the floor height, most properties require a complete strip out of wall linings, replacement of cabinetry and floor linings including tiles"

11. The Newcastle Local Environmental Plan (2012) referenced in Section 2.2 states that “development consent must not be granted unless the consent authority is satisfied that the development(e) will not adversely affect the environment “.

How can the destruction of 3.3 ha of open grassed surface capable of absorbing rainfall and maintaining the ecology of the floodplain environment not adversely affect the environment?

Point (e) above is not completely addressed in Section 6.1, last paragraph, p.38. It addresses “natural water courses” but not the environment.

12. Runoff and flooding during construction

How will flooding and runoff during construction stages be managed during e.g. an estimated 12 months to build Stage 1A? Clearing the site will lead to increased run-off as well as an accumulation of waste and sediment in the stormwater drain.

13. Planting as a mitigation measure

The area to be planted along the eastern and southern boundaries (Figure 5.1, p. 22) will only aid with run-off mitigation if the soil is not compacted and the plantings are adequately maintained

14. How can the development be approved when the report acknowledges the following constraints?

- The car park is a flood hazard with the only mitigation measure being the placement of bollards around the car park to stop vehicles being washed into the drain.
- HISC management will be advised to cancel events during severe weather warnings.
- The barriers of Turton Road and the Hockey Centre will divert floodwaters back on to the HISC:

“At the 1% AEP (2050) eventflood flows are concentrated along and immediately adjacent to the Lambton Ker-rai Creek channel. When the capacity of the channel is exceeded, the physical obstruction of Turton Road and the Newcastle International Hockey Centre directs excess floodwaters overland thorough the Site, before flowing north (and downhill) along Turton Road to the drainage alignment running east along the southern side of Griffiths Road.” (section 4, Design Flood Conditions, p.12)

- It is all well and good to say that flooding from upstream stormwater channels will have the most impact on localised flooding from the stormwater drain running alongside the site, but Appendix UU, Flood Emergency Response Strategy, Section 2.1.2, page 8, states that

“Flood risk at the Site is principally from the capacity of the Lambton Ker-rai Creek stormwater channel being exceeded. **Flood waters are typically relatively-well contained upstream of Wallarah Road but floodplain inundation becomes more extensive at the Site and further downstream. When the capacity of Lambton Ker-rai Creek is exceeded at Turton Road, flood waters inundate the floodplain at the Site and the residential area to the south of Monash Road.** The obstruction presented by Turton Road forces excess flows northwards through the Site towards the Turton Road – Griffiths Road intersection.”

APPENDIX P : TRAFFIC IMPACT ASSESSMENT

Out of date data.

Section 2.4.2 Daily Traffic Flows, states that a study of daily traffic flows on Turton Rd north of the site was done using **TfNSW data from 2010**. The study concluded that the daily flow of 35,500 vehicles was consistent with the traffic flows of 2024, **14 years later**. This does not give an accurate indication of current traffic flows.

Inaccurate data

Table 4.1 Estimated site traffic generation, gives the estimated number of vehicles arriving and departing during the peak of 4-6 pm on weekdays. The numbers are divided almost equally into eight x 15 minutes periods of time and is not an accurate reflection of the actual numbers of arrivals and departures. Currently across the 6 courts at the Newcastle Basketball Stadium from 4 pm to 10:30 pm all courts start and finish a game at approximately the same time. There is a concentration of vehicles departing and arriving in small windows of time rather than spread evenly across several hours. If people arrive too early or too late for a scheduled game, the car park will be full. Patrons will have to park in residential streets.

Traffic congestion on Turton Road

- The HISC site is located approximately halfway along a 930 metre stretch of Turton Road between Griffith Road and Lambton Road. In that 930m stretch there are 3 sets of traffic signal lights, 1 set of pedestrian signal lights and a single entry/exit into the HISC. The pedestrian lights and Turton/Young Road traffic lights are about 165 m apart.
- An additional 300-500 cars / hour (depending which HISC events are being held) will create more congestion in this already busy section of Turton Rd and force patrons to park in the local surrounding streets which cannot cope with this extra demand. Residential streets close to the site such as Gloucester Ave, Duke St, Hitchcock Ave and Henderson St. become single lane only once cars are parked on both sides of the street.
- The Preliminary Construction Traffic Plan (Appendix R, section 1.8) states that one of the site constraints is that Turton Road already “carries high traffic volumes (in order of 29,800 two way).

APPENDIX RR : SIDRA INTERSECTION MODELLING

FLAWED DATA USED FOR MODELLING AND CONCLUSIONS

The report concludes that “.,, for most intersections, the impact upon additional development traffic would be negligible for which no particular upgrades would be required.” However, some of the data used for modelling is missing, flawed and some is calculated by subjective assessment.

1. The intersection counts survey collected data across three time windows. Weekend data modelling was based on data collected Saturday 6/4/24 (section 3.2, Traffic Surveys). Newcastle recorded 77.7 mm of rainfall that day (photo of BOM rainfall data attached). The amount of traffic would be much lower during heavy rainfall and represents an inaccurate representation of traffic flow.

2. In Section 3.5 Calibration and Validation there are multiple references to inadequate data collection because of e.g. quality of videos and the limitations of camera set up and coverage. Some data was "... estimated based on logical judgement ..." (1st paragraph).
3. Intersection of Turton Road and Young Road (Section 4.1)
 - No data could be collected for this intersection which is described as one of the two main access routes to the site for cars travelling from the north, and possibly east and west, as they travel south along Turton Road and turn right at Young Road. This doesn't allow for accurate assessment of this normally busy intersection.
 - The report also fails to take into account the right hand turn lane from Turton Road into Young Road is 19 metres long at its widest point and will only hold 5-6 cars/ SUV's. If there are no plans to lengthen that right turn lane, any more than 5-6 vehicles waiting to turn right will have to wait in the adjacent lane blocking traffic back to Griffiths Road and potentially be at a standstill during peak times.
4. Similarly the report does not take into account that the right hand turn lane into Monash Road is 16 metres long at its widest point and can hold only 4-5 vehicles. Those waiting to turn right will have to wait in the adjacent lane blocking traffic right back to Griffiths Road.
5. Closure of Young Road and Monash Road

During big events at McDonald Jones Stadium Young Road and the right turn lane from Turton Road into Monash Road will be closed for several hours before the event.

APPENDIX S : TRAFFIC EVENT MANAGEMENT PLAN

1. Signalised pedestrian crossing on Turton Road at front of site.

Has the volume of pedestrian use on this crossing being assessed? I cannot find any data on current use in the report. It already is a busy crossing used by pedestrians and cyclists and the crossing is the link between the eastern and western sections of the cycleway.

There are frequent references to the use of the McDonald Jones Stadium (MJS) car park for parking:

- The HISC will make shared use of the 920 car parking spaces at MJS for overflow parking (p. 1, last para)
- Patrons will be directed to park at the MJS through message boards on main roads and through ticket information. (Section 4.6, p. 12)
- A pedestrian drop-off and pick-up zone will be provided within the MJS car park (Section 4.8, p.13)

Traffic on Turton Road is already frequently held up at this pedestrian crossing. Additional use by patrons of the HISC who have parked at MJS during events will cause major hold-ups in traffic especially between the peak hours of 4-6 pm on weekdays.

2. Parking at McDonald Jones Stadium.

- MJS currently hosts sport and other events 60-70 days annually and it's car park will not be available to HISC on those days. (Appendix OO: Operational Management Plan, section 2.7.1, p. 8). Scheduling of events at HISC will be very difficult if it cannot use the MJS car park for 20% of the year.
- The MJS car park will become pedestrian promenade and shops as part of the Broadmeadow Place strategy to become shops and pedestrian promenade, removing the option for overflow parking for HISC.

3. Parking along Monash Road

You are offering 140 car parking spaces along the northern (drain) side of Monash Road. There is no footpath on this side of Monash Rd, only a shared pedestrian/ cycleway on the other side of the drain accessible from Monash Road by 2 foot bridges. After living here for 31 years I can assure you that when Monash Road is parked out by patrons attending the MJS they walk along the road to get to the footbridge at the eastern end. This situation is a serious accident or fatality waiting to happen. (photo attached).

4. How will HISC prevent the general public from using its on-site carpark? If they plan to install a boom gate with entry only by a membership card, queues will form on Turton when people forget their card, can't work the machine, aren't a member etc.

APPENDIX OO : OPERATIONAL MANAGEMENT PLAN

Inconsistent information

Section 5.6 states. "External lights will be on from dusk to dawn at a brightness of 30% increasing to 100% if movement is detected." but

Section 7.1 states "External lights are to be switched off following the completion of daily operations."

APPENDIX NN : EXTERNAL LIGHTING IMPACT ASSESSMENT

External lighting will be on ALL night on at least 30% brightness, but if the sensors pick up movement three lights will come on at 100% in the direction of the cat, fox, person etc until it moves on. The whole southern boundary is immediately adjacent to a shared path/cycleway. Will the lights on this side of the site come on at 100% brightness when a cyclist travels past between dawn and dusk?

This is an unacceptable disturbance for residents in Monash Rd, Gloucester Ave, Marina Ave, Hitchcock St. and Henderson St. closest to the cycleway.

APPENDIX U : ACOUSTIC ASSESSMENT

The impact of construction and operational noise will be a significant burden on the local residents, particularly those who live on Monash Road and in the block of 20 residential units along the northern edge of the site. This will include noise from:

- construction for at least 2.5 years;
- cars coming and going in the car park and in local streets;
- car doors shutting from 6am - 11pm;

- patrons walking back to their cars late at night, talking and bouncing basketballs:
- noise from within the facility e.g. squeaky gym shoes on courts, whistles, sirens, yelling between players:
- people gathering on the outdoor courts, outdoor gym, and outdoor meeting place in the south western corner of the site.

M



1:38									
Newcastle, New South Wales									
April 2024 Daily Weather Observations									
Most observations from Nobbys Head, but cloud from University.									
Source: bom.gov.au									
Source of data									
Temperature, humidity, wind and rainfall observations									
Newcastle Nobbys Signal Station AWS (station 08105)									
observations are from Newcastle University (station 0)									
You should read the important information in these									
Other formats									
To print this page, get the PDF version (one page, 41									
To use this page in a spreadsheet, get the plain text									
(x).									
Other times and other places									
The last 14 months of Daily Weather Observations for									
Not Secure - bom.gov.au									
Statistics for April 2024									
Mean 18.3 (3.1)									
Lowest 10.5 (18.8)									
Highest 25.3 (27.0)									
Total 188.4									
Source: bom.gov.au									

