



Your ref: PAE-76946959
Our ref: DOC24/844357

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Department of Planning, Housing and Infrastructure

By email: navdeep.singhshergill@planning.nsw.gov.au

Dear Navdeep

Hunter Indoor Sports Centre (SSD-65595459) – Environmental Impact Statement

Thank you for your Major Projects Portal request dated 15 October 2024 seeking advice from the Biodiversity, Conservation and Science (BCS) Group of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Environmental Impact Statement (EIS) for Hunter Indoor Sports Centre (SSD-65595459).

We have reviewed the exhibited EIS against the Secretary's Environmental Assessment Requirements (SEARs) provided by the Department of Planning, Housing and Infrastructure to the proponent on Jan 2024.

A summary of our findings and recommendations is provided in **Attachment 1**.

If you have any further questions about this issue, please contact our Hunter Central Coast Planning Team at huntercentralcoast@environment.nsw.gov.au.

Yours Sincerely

Joe Thompson
**Director Hunter Central Coast
Biodiversity, Conservation and Science**

22 November 2024

Enclosure – Attachment 1

Attachment 1 - BCS Assessment Summary for Hunter Indoor Sports Centre Environmental Impact Statement (SSD-65595459)

In preparing this advice BCS has reviewed the following documents:

- Environmental Impact Statement – Hunter Indoor Sports Centre, URBIS Aug 2024
- Appendix T Biodiversity Development Assessment Report, EJE Aug 2024
- Appendix E Architectural Plans, EJE Aug 2024
- Appendix CC Flood Impact and Risk Assessment, Torrent Consulting May 2024
- Appendix UU Flood Emergency Response Strategy July 2024

Key Assessment Issues

1.	<i>The BDAR does not reference any temporary / ancillary facilities throughout construction</i>	The Biodiversity Development Assessment Report (BDAR) provides no reference to the use of temporary or ancillary facilities during construction, either in the introduction to the document or in the maps provided. It is therefore difficult to ascertain if any temporary structures will be used, if these will be within the construction footprint of the site, and if they are likely to affect the biodiversity of the site. Recommended action: <i>Provide mapping of any temporary / ancillary facilities that will be used during construction, the location of these structures, and details of likely impacts on the biodiversity of the site.</i>
	<i>Extent and Timing</i>	Pre-determination
2.	<i>The details of field reconnaissance within the BDAR are unclear</i>	The field reconnaissance described within the BDAR does not provide specific information on details such as the time of day that reconnaissance was completed. Additional details regarding time of day would help to support the data in Table 4 – Incidental Fauna Observations and assessment of any species likely to be affected by construction. This is particularly relevant, as the BDAR references microbat species, which would be more likely to be observed at night. Recommended action: <i>When pre-clearing surveys are undertaken, as referenced in Table 9 – Summary of Proposed Mitigation and Management Measures for Residual Impacts, details regarding the time of day that surveys are completed should be documented and included in reporting.</i>
	<i>Extent and Timing</i>	Pre-determination
3.	<i>The FIRA has not provided a clear description of how flows in existing floodways will be diverted around the stadium.</i>	The Flood Impact Assessment Report, prepared by Torrent Consulting May 2024 (FIRA) - Fig 4.2 identifies two overland flow paths on the site: a major path running northwest and a minor path originating at the intersection of Marina Ave and Kar-Rai Creek. The minor flow path will be removed as it lies within the stadium footprint. However, the FIRA has not provided a clear explanation of how water from this flow path will be diverted.

		Recommended action: <i>Provide mapping or describe the proposed diversion strategy for the minor overland flow path.</i>
	<i>Extent and Timing</i>	Pre-determination

4.	<i>Further clarification of the proposed planting along Kar-rai Creek is required</i>	The Environmental Impact Statement (EIS) contains conflicting information regarding the proposed planting along Kar-rai Creek. While the Architectural Plans indicate that landscaping will provide a screen for privacy and noise reduction, the FIRA states that “the proposed groundcover planting has omitted stiff grasses, being limited to softer grasses that will flatten when submerged by convective flood waters.” Recommended action: <i>Clarify what type of planting is proposed along Kar-rai Creek addressing conflicting information.</i>
	<i>Extent and Timing</i>	Pre-determination

5.	<i>The risk of cars becoming mobile and blocking drains has not been assessed</i>	The proposed car park is situated within an identified floodway, in close proximity to Kar-rai Creek. This location poses a significant risk of vehicles being swept into the creek or other drainage channels during flood events. Such occurrences can lead to severe blockages of culverts, causing substantial upstream flooding and potential hazards to life and property. The Newcastle City-wide Floodplain Risk Management Study and Plan (N-FRMSP) highlights the critical nature of this issue. The report cites numerous instances of debris, including cars, blocking drainage infrastructure during past flood events. For example, in the lower reaches of Cottage Creek, Newcastle West, two shipping containers obstructed culverts, exacerbating flood impacts. To mitigate this risk, the N-FRMSP recommends implementing measures such as installing bollards around flood-prone car parks or along channel edges to prevent vehicles from entering waterways. Newcastle City-wide Floodplain Risk Management Study and Plan: Figure 3-2 Car in channel at Federal Park, Wallsend
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		 <i>Newcastle City-wide Floodplain Risk Management Study and Plan: Figure 3-2 Car in channel at Federal Park, Wallsend</i> Recommended action: <i>Evaluate the risk and potential impact to property and life upstream of the stadium from vehicle-related blockages of channels and culverts.</i>
	<i>Extent and Timing</i>	Pre-determination

6.	<i>The FERP has not considered the risk of individuals becoming trapped in their vehicles during extreme flood events</i>	The FIRA identifies that in extreme flood events, flood depths in the proposed carpark will exceed 2m and have a hazard classification of H4. Such flood conditions would pose an extreme risk to life of anyone seeking refuge in their vehicles. Individuals may arrive at the stadium during the onset of a severe storm and opt to wait in their cars until the rain subsides. As rainfall intensifies, poor visibility and noise levels could hinder their awareness of the rapidly deteriorating conditions. Consequently, they may remain oblivious to the impending peril until their vehicles begin to float, at which point they would be trapped due to the hydrostatic forces acting on the car doors. The N-FRMSP highlights the risk of people becoming trapped in cars and states “There were many reports of people in life threatening situations in the June 2007 floods – people trapped in cars or just managing to escape before the car was washed into a storm water channel, people clinging to power poles and many more.” The N-FRMSP also warns that “In a PMF event, the floodwaters would rise so fast that roads would quickly become channels, conveying
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		torrents of water at depths that would sweep cars and occupants away. Drivers and passengers would literally have to make split second decisions to abandon vehicles and flee to safe refuges before vehicles would become 'death traps'. Cars can become buoyant when flooded by as little as 10 – 20cm, especially under fast flowing waters. In Newcastle, it is considered that many people would tragically perish on roads during a PMF flood well before the first buildings collapse under the weight of floodwaters.” Recommended action: <i>Assess the risk of people becoming trapped in their cars during a major flood event.</i>
	<i>Extent and Timing</i>	Pre-determination