HUNTER INDOOR SPORTS CENTRE

Environmental Impact Statement SSD-65595459

Prepared for

BASKETBALL ASSOCIATION OF NEWCASTLE

22 August 2024

URBIS

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Peter Strudwick
Associate Director	Rosie Sutcliffe
Consultant	Isabella Tonks
Project Code	P0048505
Report Number	Draft V01 Test of Adequacy
	V02 Final for Lodgement

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CONTENTS

FIGURES

PICTURES

TABLES

MAPS

SIGNED DECLARATION

Project details		
Project name	Hunter Indoor Sports Centre	
Application number	SSD-65595459	
Address of the land in respect of which the development application is made	2 Monash Road and 24 Wallarah Road, New Lambton 2305 Lot 2380 DP755247, Lot 2379 DP755247, Lot 2378 DP755247 and Lot 2377 DP755247 The site also includes a currently untitled strip of land to the south of the lots described above that is occupied by the amenities block.	
Applicant details		
Applicant name	Basketball Associate of Newcastle Limited	
Applicant address	22 Young Road Broadmeadow NSW 2305	
Details of people by whom this EIS was prepared		
Names and professional qualifications	Peter Strudwick (Director) Bachelor of Planning, University of New South Wales	Rosie Sutcliffe (Associate Director) Bachelor of Planning, University of New South Wales
Address	Level 8, Angel Place, 123 Pitt Street, Sydney NSW 2000	
Declaration		

The undersigned declares that this EIS:

- has been prepared in accordance with Schedule 2 of the *Environmental Planning and Assessment Regulation 2021*;
- contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;
- does not contain information that is false or misleading;
- contains the information required under the *Registered Environmental Assessment Practitioner Guidelines*;
- addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;
- identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;
- has been prepared having regard to the Department's *State Significant Development Guidelines - Preparing an Environmental Impact Statement*;
- contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development;

▪ contains a consolidated description of the project in a single chapter of the EIS; ▪ contains an accurate summary of the findings of any community engagement; and ▪ contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.		
Signatures		
Alaine Roff, Director (RPIA) REAP # 50177	Peter Strudwick, Director	Rosie Sutcliffe, Associate Director
Date 22 August 2024		

GLOSSARY AND ABBREVIATIONS

Reference	Description
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACM	Asbestos Containing Material
AEP	Annual Exceedance Probability
AHD	Australia Height Datum
AHIMS	Aboriginal Heritage Information Management System
AIA	Arboricultural Impact Assessment
ANEF	Australian Noise Exposure Forecast
AQIA	Air Quality Impact Assessment
ARI	Average Recurrence Interval
ASS	Acid Sulphate Soils
BAM	Biodiversity Assessment Method
BANL	Basketball Association of Newcastle Limited
BC Act	*Biodiversity Conservation Act 2016*
BC Reg	*Biodiversity Conservation Regulation 2017*
BDAR	Biodiversity Development Assessment Report
CBD	Central Business District
CEEC	Critically Endangered Ecological Community
CDA	Concept Development Application
CEMP	Construction Environmental Management Plan
CMP	Construction Management Plan
CN	City of Newcastle
COPC	Contaminants of Potential Concern
CTMP	Construction Traffic Environmental Plan
CLM Act	Crown Lands Management Act 2016
DCP	Development Control Plan
DP	Deposited Plan

Reference	Description
DPHI	New South Wales Department of Planning, Housing and Infrastructure
DSI	Detailed Site Investigation
EDC	Estimated Development Cost
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
EPA Regulation	*Environmental Planning and Assessment Regulation 2021*
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EIS	Environmental Impact Statement
EPA	New South Wales Environment Protection Authority
EPI	Environmental Planning Instrument
ESCP	Erosion and Sediment Control Plan
ESD	Ecologically Sustainable Development
GANSW	Government Architect New South Wales
GFA	Gross Floor Area
GTP	Green Travel Plan
HIPAP	Hazardous Industry Planning Advisory Paper
HIS	Heritage Impact Statement
HISC	Hunter Indoor Sports Centre
LALC	Local Aboriginal Land Council
LAeq	A frequency-weighted Equivalent Continuous Sound Level
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
mbGL	Metres below ground level
MNES	Matters of National Environmental Significance
MUSIC	Model for Urban Stormwater Improvement Conceptualisation
NML	Noise Management Level
NRAR	Natural Resource Access Regulator

Reference	Description
NSW	New South Wales
R&H SEPP	*State Environmental Planning Policy (Resilience and Hazards) 2021*
PAD	Potential Archaeological Deposit
PBP	Planning for Bushfire Protection
PCT	Plant Community Type
PMF	Probable Maximum Flood
POM	Plan of Management
PSI	Preliminary Site Investigation
Planning Systems SEPP	*State Environmental Planning Policy (Planning Systems) 2021*
SAII	Serious and Irreversible Impacts
SARs	Commonwealth Supplementary Assessment Requirements
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEIA	Social and Economic Impact Assessment
SIDRA	Signalised & Unsignalised Intersection Design and Research Aid
Site	Lot 2380 DP755247, Lot 2379 DP755247, Lot 2378 DP755247 and Lot 2377 DP755247 The site also includes a currently untitled strip of land to the south occupied by the amenities block.
SDRP	State Design Review Panel
SSD	State Significant Development
SSDA	State Significant Development Application
T&I SEPP	*State Environmental Planning Policy (Transport and Infrastructure) 2021*
TfNSW	Transport for New South Wales
TIA	Traffic Impact Assessment
VIA	Visual Impact Assessment
VIS	Vegetation Integrity Score
WCM	Water Cycle Management

Reference	Description
WMP	Waste Management Plan
WSUD	Water Sensitive Urban Design

EXECUTIVE SUMMARY

This Environmental Impact Statement (**EIS**) has been prepared on behalf of Basketball Association of Newcastle (BANL, the applicant). It supports a State Significant Development Application SSD-65595459 (**SSDA**) for the construction of the Hunter Indoor Sports Centre (**HISC**) at 2 Monash Road and 24 Wallarah Road, New Lambton in the City of Newcastle Local Government Area (**LGA**).

This EIS has been prepared in response to Secretary's Environmental Assessment Requirements (**SEARs**) issued on 22 January 2024. This EIS contains an assessment of the proposal against the relevant considerations under section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). That *State Environmental Planning Policy (Planning Systems) 2021* Schedule 1, clause 13 identifies that development for the purposes of a recreation facility (major) that has a capital investment value of more than $30 million is State Significant Development (**SSD**).

The intended outcomes of the project are to:

- Replace an ageing facility with a high-quality indoor sports centre, to accommodate basketball and other indoor sports training, local competitions as well as host major regional events.
- To increase the supply of indoor courts to address the shortage of court availability in the Lower Hunter region.
- To deliver a building with design excellence integrating Connecting with Country design principles, and a high standard of architectural, urban and landscape design and sustainability measures to reduce energy and water consumption.
- Provide a state of the art facility that will meet contemporary sporting standards and support a diversity of sporting opportunities as well as learning spaces.
- Encourage participation in sports for Indigenous people, women and girls, people with a disability and people of culturally diverse backgrounds.
- To facilitate improved health outcomes, social and community inclusion and opportunities to learn a variety of sports.
- Provide economic benefits to the local community through construction and operational jobs, hosting events and acting as an attractor for increased visitation to the area.
- Act as an enabling and supporting project for Hunter Park and the Draft Broadmeadow Place Strategy.

An aerial photograph of the site is provided at **Figure 1** below.

Figure 1 Aerial Photograph

Source: Urbis

Feasible Alternatives

Section 192 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) requires an analysis of any feasible alternatives to the proposed development, including the consequences of not carrying out the development.

Several alternatives were considered by BANL in relation to this project. The key options are listed and discussed in the following table.

Table 1 Analysis of Feasible Alternatives

Option	Comments
Option 1 – Do Nothing	BANL is a leading basketball association that seeks to provide its community with the highest standards of recreational facilities. For the club to maintain this standard, BANL needs to upgrade its existing facilities commensurate with contemporary standards and practices. A “Do nothing” approach as per Option 1 would diminish the quality of training and opportunities provided to its current and future club members. Further, a “Do nothing” would ignore the significant shortfall in the quantity and quality of indoor courts in the region, as well as denying athlete development and high-performance opportunities. The provision of the HISC will reduce barriers to participation that are currently preventing people from participating in sport and physical activity. Do nothing would also prevent the redevelopment of Hunter Park which is identified to occur as part of the first stage of the Draft Broadmeadow Place Strategy.

Option	Comments
Option 2 – Alternative Site	BANL has previously considered other sites for this project with well over a dozen sites assessed to varying degrees since 2019. In 2022 a Regional Development Application (RDA) was lodged for a basketball stadium on Hillsborough Road, Charlestown in the Lake Macquarie LGA; however, the application was ultimately not supported by the Hunter and Central Coast Regional Planning Panel (HCCPP). BANL is a not for profit entity and the delivery of the project is reliant on grant funding which does not allow for the purchase of property. Therefore, options for the project site are largely limited to state or local government properties. Prior to the commencement of this SSD process the City of Newcastle Council (CN) evaluated options within the local government area and determined that the current site could be made available for the project. This decision considered a review of the capacity of all sporting grounds and the availability of other fields to accommodate existing sporting users of the site. CN support through the provision of a site for the HISC is fundamental to the feasibility of the project. Alternative sites that would be subject to private leasing arrangements are not feasible alternatives.
Option 3 – Alternative Access Route to Site	An investigation of potential vehicular access routes was undertaken to inform the site layout. An alternate access route (one way in) could be provided from Womboin Road on the north-west of the site, with cars exiting onto Turton Road. This option is not preferred as it represents a more disruptive (to the surrounding residential area in terms of traffic movements, as well as to an existing bike path) and inefficient access route to the site. This road would also need to be built on adjacent property.
Option 4 – Site layout	An initial flooding assessment was undertaken to determine the buildable zone on the site. The courts are located to the western and north sides of the site, away from the area of greater flood affectation. Multiple configurations of the proposed car park were also considered. The optimum outcome is for the car park to be located close to the Turton Road frontage and southern boundary, in an L shape to enable it to also serve as flood storage for the site. The site layout provides the opportunity for the show court element of the complex to have a strong architectural impact on the streetscape, while also addressing site conditions. Pursuing Option 4 is the most desirable option to meet the immediate and long-term needs of BANL.

The Proposal

The proposed development is for an indoor sports stadium on the site and the SSDA seeks consent for:

- Demolition of existing amenities block and lighting infrastructure.
- Site remediation.

- Tree removal.
- Site layout including carpark and landscaping.
- A single storey plus mezzanine indoor sports centre with amenities, administration spaces and retail tenancy, mezzanine level function rooms, administration space and training areas. The centre will provide 12 sports courts including a show court with retractable grandstand seating for 2,500 people and high-performance training facilities (teaching space and gym).
- GFA of approximately 17,700m^2, comprising ground floor of approximately 15,300m^2 and first floor mezzanine of 2,400m^2 and maximum building height of RL 25.02 (15.82m).
- Civil works including construction of new vehicular access and egress point to Turton Road, and an internal roadway.
- Service infrastructure provision.
- Car park with 240 spaces.
- Site landscaping
- External active recreation area on the western side of the building including a half basketball court.
- Pedestrian paths.
- Building and site signage.
- Public domain works to part of the site frontage to Turton Road.

Consent is also sought for staged construction and operation of the HISC in the following stages:

Stage 1A

A single storey building with total GFA of approximately 10,218m^2 comprising:

- Ground floor: 6 x sports courts, amenities to support the functioning of the complex including bathrooms, change rooms, lobby and foyer, retail tenancy and café.
- Car park with 110 spaces, drop off spaces and bus parking.

Stage 1B

- Ground floor extension to the west to provide 2 x courts with a GFA of approximately 1,630m^2.
- Additional 75 Car parks, total 185 spaces at completion of Stage 1B.
- Mezzanine level: function rooms, administration space and training areas.

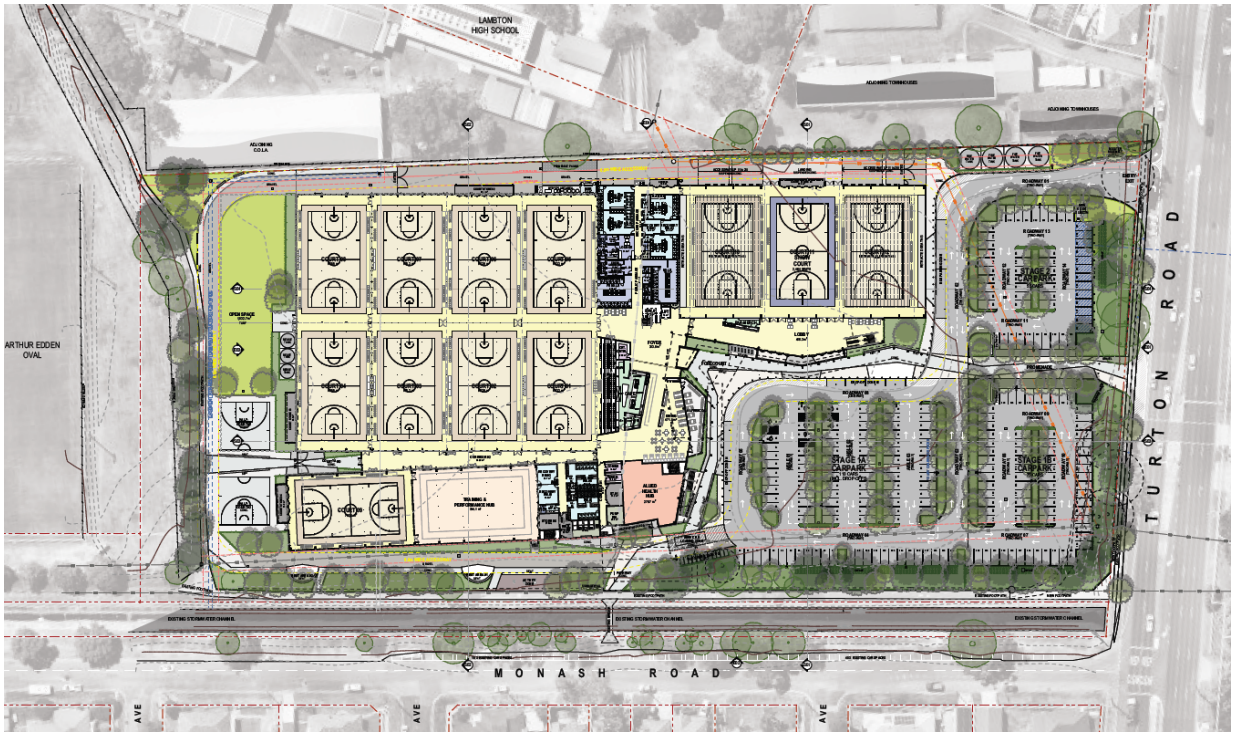
Stage 2

Extension to the northern and southern sides of the existing building with total additional GFA of approximately 7,180m2 comprising:

- Ground floor: 3 x courts including show court with retractable grandstand seating for 2,500 people over the 2 adjacent courts. Extension to the southern side of the building to provide 1 x court plus high-performance training area.
- Mezzanine level: extension of mezzanine to provide additional corporate spaces.
- Expansion of existing carpark to provide 240 spaces.

The proposal will be undertaken in accordance with the Architectural Plans prepared by EJE Architecture at **Appendix E**. The proposed ground floor plan and an architectural photomontage of the proposal is provided at **Figure 2** and **Figure 3**.

Figure 2 Ground Floor Plan



Source: EJE Architecture

Figure 3 Photomontage of the proposal

Source: EJE Architecture

Consultation

Community and stakeholder engagement has been undertaken by Urbis and the Project Team in the preparation of the SSDA. This includes direct engagement and consultation with:

- Transport for NSW

- NSW Office of Sport
- NSW Department of Education
- NSW Department of Planning Housing and Infrastructure
- Venues NSW
- NSW Police
- NSW Crown Lands
- Government Architect NSW (GANSW)
- NSW DPE – Biodiversity Conservation
- Fire Rescue NSW
- City of Newcastle Council
- The Awabakal Local Aboriginal Land Council (LALC)
- Lake Macquarie Council
- Basketball Association of Newcastle community
- Lambton High School (Parents & Citizens Committee)
- Adjoining landowners and occupants
- Service providers (Ausgrid, Hunter Water & Telstra)
- Key Sporting Bodies (Newcastle District Cricket Association, Newcastle Football Association & Lambton Jaffas Football Club)

The outcomes of the community and stakeholder engagement have been incorporated into the proposed development, detail plan changes or draft conditions of consent resulting from consultation are discussed in detail at **Section 5** of this EIS.

Overall, feedback on the proposed SSDA was positive and supportive of the objectives of the proposal. Feedback from GANSW have been adopted in the final design of the proposed building.

Justification of the Project

This EIS provides an assessment to support the proposed development with regard for relevant planning instruments and policies. The assessment identifies potential environmental impacts that could arise from the proposal, which have been addressed by appropriate mitigation. The proposed mitigation measures ensure that the proposed development will not result in any unacceptable environmental impact.

The proposed development satisfies the SEARs issued for the project. The SEARs for this SSDA have been referenced as relevant throughout this EIS, however further reference should be made to the appended SEARs response.

The key issues for all components of the project identified in the SEARs have been assessed in detail, with specialist reports underpinning the key findings and recommendations identified in the Assessment of Impacts in **Section 6**. It has been demonstrated that for each of the likely impacts identified in the assessment of the key issues, the impact will either be positive or can be appropriately mitigated.

The proposal represents a positive development outcome for the site and surrounding area for the following reasons:

- **The proposal is consistent with state and local strategic planning policies:**

  The proposal is consistent with the relevant goals and strategies contained in:

  – Hunter Regional Plan 2041

  – Greater Newcastle Metropolitan Plan 2036

  – Crown Lands Plan of Management 2023

  - Newcastle Local Strategic Planning Statement 2040
  - Draft Broadmeadow Place Strategy

- **The proposal satisfies the applicable local and state development controls:**

  The proposal is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments and other legislation, including:

  - *Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*
  - *NSW Biodiversity Act 2016 (BC Act)*
  - *Crown Land Management Act 2016*
  - *Environmental Planning and Assessment Act 1979 (EP&A Act)*
  - *Environmental Planning Assessment Regulation 2021 (the Regulations)*
  - *State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)*
  - *State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP)*
  - *State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)*
  - *Newcastle Local Environmental Plan 2012 (NLEP 2012)*

- **The design responds appropriately to the opportunities and constraints presented by the site:**
  - The site is flood affected requiring on site flood storage along the at the Turton Street frontage of the site. The design of the sports centre has been carefully considered to ensure it responds to this constraint.
  - The car park is located close to the Turton Road frontage and southern boundary, in an L shape to enable it to also serve as flood storage.
  - The site layout allows the show court, which is the largest building element to have a strong architectural impact on the streetscape and provide a beacon to the community.
  - The building is served by a generous exterior forecourt, circulation space and street facing café space to activate the entrance and welcome visitors and the community.
  - The proposal provides an open and engaging address to the existing shared pedestrian/cycle path and to Lambton High School with visual transparency providing connection between the internal activity and the public.

- **The proposal is highly suitable for the site:**
  - The proposed development is consistent with the objectives of the RE1 Public Recreation Zone.
  - The site is situated on the western edge of a significant existing sporting precinct Hunter Park which includes McDonald Jones Stadium and the International Hockey Centre. The proposed development will support the significant renewal of Hunter Park and the expansion of sporting and entertainment offerings envisaged under the Broadmeadow Place Strategy.
  - The site is well-serviced by a range of public transport options, including heavy rail at Broadmeadow and several bus routes. These public transport services provide a direct connection to the Newcastle CBD and surrounding suburbs. The site is also located on the route of an existing shared pedestrian cycle path that will encourage the use of active transport to reach the site.

- **The proposal is in the public interest:**
  - The proposal will increase the provision of indoor sports courts for use by members of the public and sporting competitions in the Greater Newcastle Region.
  - The proposal will be a significant asset that will enable increased participation in and the growth of the sport of basketball and other indoor sports.

- CN has noted that there is significant capacity to meet sporting needs into the future through its portfolio of fields. CN is to facilitate the relocation of the existing sporting clubs to enhanced alternative facilities (as negotiated and agreed between CN and the peak sporting bodies).
- The facility will provide a show court and stadium seating to host National Basketball League (BNL) games encouraging visitation to Newcastle with associated tourism and economic benefits.
- The proposal will support community and promote social inclusion for all participants and spectators including Indigenous people, women and girls, people with a disability and people of culturally diverse backgrounds.
- The new state-of-the-art indoor sports courts and other sport training facilities will encourage physical activity and support public health outcomes.
- The proposal has been designed to make a positive contribution to the surrounding streetscape, having regard to the existing characteristics of the area.
- The proposal includes energy efficiency initiatives to deliver sustainable outcomes.
- The proposal will also create temporary job opportunities in manufacturing, construction and construction management, and ongoing operational job opportunities in teaching and administration.

In view of the above, it is considered that this SSD Application has significant merit and should be approved subject to the implementation of the mitigation measures described in this report and supporting documents.

1. INTRODUCTION

This section of the report identifies the applicant for the project and describes the site and proposed development. It outlines the site history and feasible alternatives explored in the development of the proposed concept, including key strategies to avoid or minimise potential impacts.

1.1. APPLICANT DETAILS

The applicant details for the proposed development are listed in Table 2 below.

Table 2 Applicant Details

Descriptor	Proponent Details
Full Name(s)	Basketball Association of Newcastle Limited (BANL)
Postal Address	22 Young Road, Broadmeadow NSW 2305
ABN	81 003 432 871
Nominated Contact	Simon Haire 0428 600 657 infrastructureprojects@bnsw.com.au

1.2. PROJECT DESCRIPTION

This EIS is submitted to the Department of Planning, Housing and Infrastructure (**DPHI**) on behalf of the Basketball Association of Newcastle Limited (BANL) and in support of an application for SSD-65595459 at 2 Monash Road and 24 Wallarah Road, New Lambton in the City of Newcastle (**CN**) Local Government Area (**LGA**).

The SSDA seeks consent for:

- Demolition of existing amenities block and flood lighting infrastructure.
- Site remediation.
- Tree removal.
- Site layout including carpark and landscaping.
- A single storey plus mezzanine indoor sports centre with amenities, administration spaces and retail tenancy, mezzanine level function rooms, administration space and training areas. The centre will provide 12 sports courts including a show court with retractable grandstand seating for 2,500 people and high-performance training facilities (teaching space and gym).
- GFA of approximately 17,700m^2, comprising ground floor of approximately 15,300m^2 and first floor mezzanine of 2,400m^2 and maximum building height of RL 25.02 (15.82m).
- Civil works including construction of new vehicular access and egress point to Turton Road and an internal roadway.
- Service infrastructure provision.
- Car park with 240 spaces.
- Site landscaping.
- External active recreation area on the western side of the building including a half basketball court.
- Pedestrian paths.

- Building and site signage.
- Public domain works to part of the site frontage to Turton Road.

Consent is also sought for staged construction and operation of the HISC in the following stages:

Stage 1A

A single storey building with total GFA of approximately 10,218m^2 comprising:

- Ground floor: 6 x sports courts, amenities to support the functioning of the complex including bathrooms, change rooms, lobby and foyer, retail tenancy and café.
- Car park with 110 spaces, drop off spaces and bus parking.

Stage 1B

- Ground floor extension to the west to provide 2 x courts with a GFA of approximately 1,630m^2.
- Additional 75 Car parks, total 185 spaces at completion of Stage 1B.
- Mezzanine level: function rooms, administration space and training areas.

Stage 2

Extension to the northern and southern sides of the existing building with total additional GFA of approximately 7,180m2 comprising:

- Ground floor: 3 x courts including show court with retractable grandstand seating for 2,500 people over the 2 adjacent courts. Extension to the southern side of the building to provide 1 x court plus high-performance training area.
- Mezzanine level: extension of mezzanine to provide additional corporate spaces.
- Expansion of existing carpark to provide 240 spaces.

A description of the proposed works is provided in **Section 3** of this report and is shown on the architectural plans prepared by EJE included at **Appendix E.**

The site information relevant to the project is provided in the following table. A detailed description of the key features of the site and locality is provided in **Section 2.3** of this report.

Table 3 Site Details

Descriptor	**Site Details**
Street Address	2 Monash Road and 24 Wallarah Road, New Lambton
Legal Description	Lot 2380 DP755247 Lot 2379 DP755247 Lot 2378 DP755247 Lot 2377 DP755247. Amenities block land (currently untitled)
Site Area	The site has an area of 7.83ha.

The site is known as Blackley Oval and Wallarah Oval and is currently used as playing fields. It is turfed with relatively flat topography. Several mature trees are located on the southern and eastern boundaries. The site includes a strip of land occupied by an amenities block.

This strip of land extends to the west to meet Wallarah Road. Crown Lands has advised that this land is a closed Crown Road and has commenced the first titling process which will provide this land with an

identifying Lot and DP. It is understood that this process will be completed during the assessment of this SSDA. When this occurs, the applicant will amend the description of this proposed SSDA to formally include the additional lot and DP.

An aerial of the site and surrounding context is included at **Figure 4**.

Figure 4 Aerial Map of the Site

Source: Urbis

The key objectives for the proposed development and the way in which these have been achieved are summarised in **Table 2**.

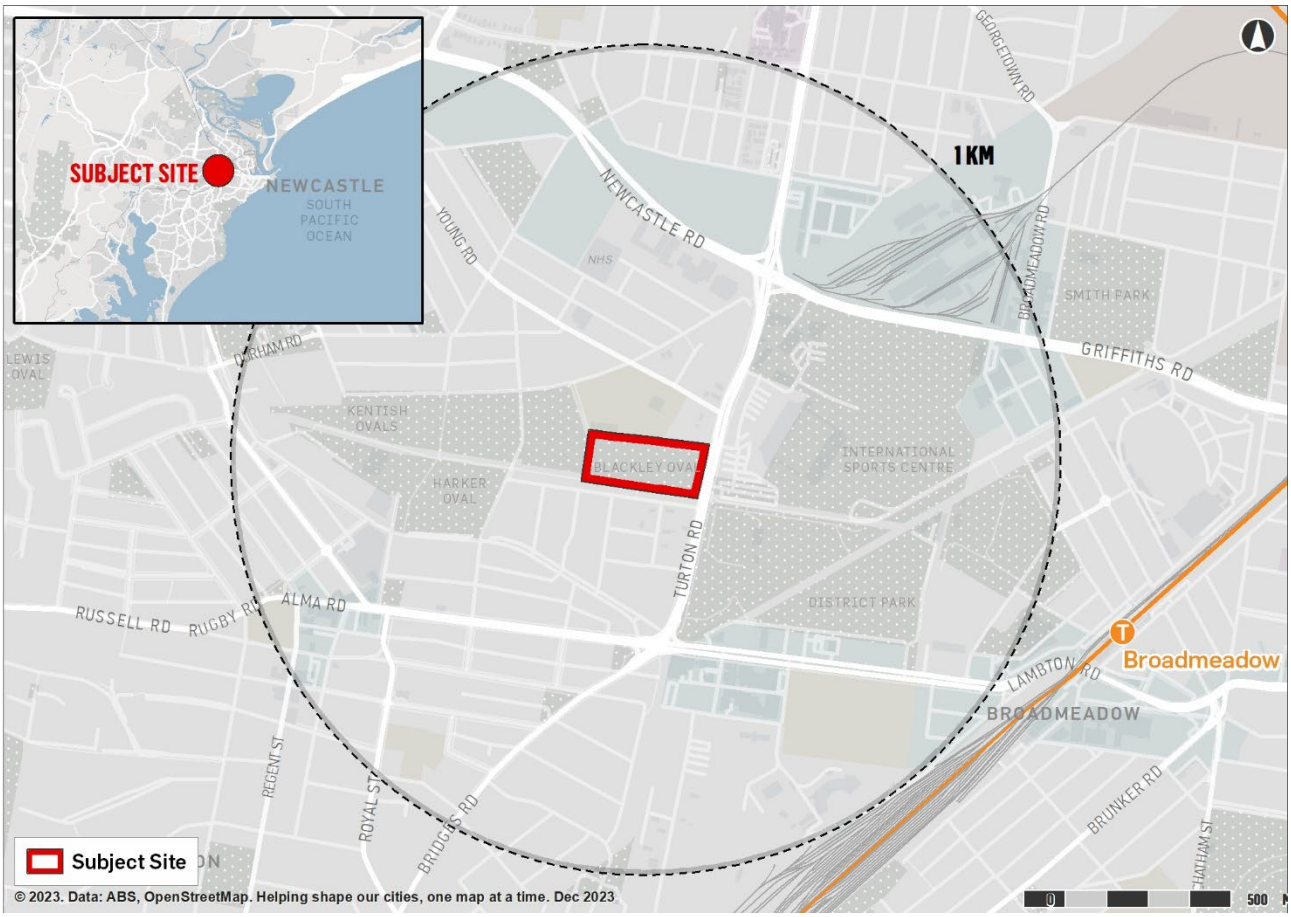
Table 4 Project Objectives

Project Objective	Proposed Development
Provide a diversity of sporting opportunities, learning spaces and associated state of the art facilities that will meet contemporary sporting standards and population demand.	BANL's new indoor sports centre will accommodate a single storey plus mezzanine basketball complex configured as: ▪ 12 sports courts including a show court with retractable grandstand seating for 2,500 people and ▪ High-performance training facilities (teaching space and gym). ▪ Administration spaces and retail tenancy;
To facilitate improved health outcomes, economic opportunity, social and community inclusion. In particular encouraging participation in sports for Indigenous players, women and girls, people with a disability and people of culturally diverse backgrounds.	
To increase the supply of indoor courts given there	

Project Objective	Proposed Development
is currently shortage of court availability in the region.	▪ Mezzanine level function rooms ▪ Administration space and training areas Overall, the proposal will provide a modern, state of the art training and competition facility to service the growing demand and needs of the community.
Providing social and economic benefits to the local community through job creation during construction and opportunities to learn a variety of sports.	
To enable a high-quality indoor sports centre facility beyond what BANL can currently provide, enabling a facility which can accommodate training as well as hold major regional events.	

A map of the site in its regional setting is provided as **Map 1**.

Map 1 Regional Context



Source: Urbis

1.3. PROJECT BACKGROUND

The existing Newcastle Basketball Stadium at Broadmeadow has reached capacity and is in a dilapidated state. A larger purpose-built facility is required to meet the needs of the growing sport. The existing stadium is also located on land owned by Venues NSW and designated as the Hunter Sports and Entertainment Precinct (Hunter Park). Venues NSW has plans for significant infrastructure investment and renewal in the area. The closure and removal of the existing basketball stadium will help to facilitate these plans.

A Regional development application (RDA) was previously lodged for the project on Hillsborough Road, Charlestown in the Lake Macquarie LGA; however, the application was ultimately not supported by the Hunter and Central Coast Regional Planning Panel (HCCPP). BANL subsequently engaged with CN regarding the siting of a new basketball facility within the Newcastle LGA. Newcastle is the geographical centre of Newcastle Basketball's operational boundary providing all members reasonable access to the facility. CN agreed to make the land available to support development and construction of an indoor basketball facility, and identified the site at Wallarah and Blackley Ovals, directly opposite McDonald Jones Stadium and the proposed Hunter Park, as a suitable site.

On 22nd March 2023, the Basketball Association of Newcastle Limited, CN and the NSW Government announced that the new basketball stadium would be built at Wallarah Oval.

2. STRATEGIC CONTEXT

This section of the EIS describes the way in which the proposal addresses the strategic planning policies relevant to the site. It identifies the key strategic issues relevant to the assessment and evaluation of the project, each of which are addressed in further detail in **Section 2.1** of this EIS.

2.1. PROJECT JUSTIFICATION

The proposed development is aligned with the State, district and local strategic plans and policies applying to the site as outlined below.

2.1.1. Hunter Regional Plan 2041

The Hunter Regional Plan 2041 sets the strategic land use framework for continued economic transformation in one of Australia's most diverse and liveable regions. The plan builds on the previous Hunter Regional Plan 2036, responding to an era of rapid change to promote sustainable growth, connected communities, resilience and a region that all residents have a stake in. The plan sets out nine objectives of which the following are directly relevant to the project:

- *Objective 3 – Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant local communities.*
- *Objective 4 – An inter-connected and globally focused Hunter without car dependent communities*
- *Objective 6 – Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking catchments.*
- *Objective 7 – Reach net zero and increase resilience and sustainable infrastructure.*
- *Objective 8 – Plan for businesses and services at the heart of healthy prosperous and innovative communities*

The proposal is consistent with the delivery of these objectives as listed below:

- It will deliver a sporting facility in the well-connected, central location of Broadmeadow, supporting goals for the 15-minute neighbourhoods.
- It supports active lifestyles and facilitates the social and cultural needs of the community.
- The proposal will address environmental conditions including flooding to provide sustainable and resilient infrastructure, ensuring it will positively contribute to wider sustainability goals.
- High quality landscaping opportunities have been incorporated into the proposal to ensure it supports landscaping aspirations.
- The HIS will be a prominent sporting venue promoting local visitation as well as tourism to Newcastle associated with attending sporting events at the HISC. The facility will provide local employment and support a prosperous local economy and community.

2.1.2. Greater Newcastle Metropolitan Plan 2036

The Greater Newcastle Metropolitan Plan 2036 sets out strategies and actions that will drive sustainable growth across Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens communities, which together make up Greater Newcastle. The Plan also helps to achieve the vision set in the Hunter Regional Plan 2041 – for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

The proposal aligns with the outcomes within the plan as follows:

- It will deliver a significant sporting and recreational facility to support the active lifestyle of Novocastrians.
- It will provide the opportunity to further promote Newcastle and the region by attracting sporting events to Newcastle and generating tourism.
- The architecturally designed complex will positively contribute to the urban fabric of the city and the wider sustainability goals of the region by implementing sustainable infrastructure and practices.

2.1.3. Newcastle Local Strategic Planning Statement 2040

The Newcastle Local Strategic Planning Statement (LSPS) is CN's plan to guide land use planning over the next 20 years. The LSPS implements priorities from the Community Strategic Plan, Newcastle 2030, and brings together land use planning actions in other CN adopted strategies. The LSPS also gives effect to the State Government strategic directions for the Hunter region, outlined in the Hunter Regional Plan 2041 and the Greater Newcastle Metropolitan Plan 2036. The proposal aligns with the following LSPS planning priorities:

- Planning Priority 6: Reduce carbon emissions and resources consumption – The proposal includes best practice waste minimisation and recycling practices and will implement energy and resource efficiencies.
- Planning Priority 7: Plan for climate change and build resilience – The proposal will investigate and address flooding risk including addressing climate change scenarios.
- Planning Priority 8: Plan for growth and change in Catalyst Areas, Strategic Centres and Urban Renewal Corridors – The proposal will support growth in the Broadmeadow Strategic Centre by recreational opportunities and public activation.
- Planning Priority 16: Grow out tourism and night-time economies – The proposal will promote and support the growth of major sporting events within Newcastle and the broader Region, contributing to the cultural vibrancy of the city.

2.1.4. Draft Hunter Regional Transport Plan 2041

The (draft) Hunter Regional Transport Plan 2041 sets out a 20-year transport vision for the Hunter, coordinating the key infrastructure, services and policy interventions to achieve the vision at a regional level. Objectives of the plan relevant to the site and project include:

- An integrated network that embraces the 15-minute neighbourhood planning principle. The site for the HISC is located in proximity to public transport and active transport links as well as local services. The proposal will support and improve local connectivity to and within centres and optimise movement for people walking and cycling within centres and precincts in Newcastle.
- A more sustainable region: The project will also support the objective to transition to lower emission technologies to improve health and amenity by providing electric vehicle (EV) charging points in the carpark.

2.1.5. City of Newcastle Strategic Sports Plan

The Strategic Sports Plan 2020 (the Plan) provides strategic guidance and facility direction for 13 outdoor sports to 2031, by which time the population of the CN LGA is projected to be 188,000. The study was undertaken in the context of broader planning for the city and region already completed by the CN and government agencies, including the Draft Hunter Sports & Entertainment Precinct in the Broadmeadow Catalyst Area being developed by Venues NSW.

The objective of the Plan is to address future demand, and inform the ongoing supply, maintenance and upgrade of sporting infrastructure with consideration to current and future needs of the community. The Plan does not address indoor sports facilities. However, of relevance to the project is that the Plan identifies the need to review ongoing use of the site (Blackley Oval and Wallarah Oval No.1-2) for cricket, due to it being non-compliant with Cricket Australia standards.

2.1.6. Hunter Regional Sport and Active Recreation Plan 2018-2023

The Hunter Regional Sport and Active Recreation Plan 2018 -2023 sets out the vision, outcomes and strategies which will ensure the Hunter region provides increased sport and active recreation opportunities to enhance lives and support healthier, more active communities. The Plan identifies six key outcomes and related strategies. The following are of particular relevance to the project:

- Outcome 2 - Improved access
  - Strategy 2.6 –Support sport and active recreation clubs to attract new participants
- Outcome 4 - Fit for purpose facilities

- Strategy 4.3 – Establish a collaborative approach to facilities
- Avoiding duplication of facilities across local councils and possible relocation of existing facilities to more “appropriate” locations
- Strategy 4.5 – Explore development of new facilities that are multipurpose (e.g. indoor/outdoor, linkages, shared pathways, fitness trails, open space areas, etc.) and based on community consultation and future population needs.

The HISC will support the outcomes of the strategy to provide fit for purpose sporting facilities. The HISC will be a multi-purpose indoor sports centre that will encourage increased participation in basketball as well as provide opportunities for other sports (including futsal, netball, volleyball, badminton, pickleball and indoor hockey) to share use of the facility.

2.1.7. Draft Broadmeadow Place Strategy

The CN and DPHI have jointly prepared the Draft Broadmeadow Place Strategy (Draft Place Strategy), which outlines a 30-year vision for the area. The Draft Place Strategy will help guide future land use and infrastructure investment in the area, specifically in regard to housing, employment opportunities, public spaces and facilities. The Draft Place Strategy provides a framework to enable up to 15,000 jobs and 20,000 homes for around 40,000 people, supported by a network of enhanced open space and social infrastructure. It provides a blueprint for future rezonings and also identifies four sites where a State led rezoning process will change planning controls to enable the delivery of much needed housing and supporting development.

2.1.7.1. Hunter Park

In 2017 Venues NSW released a discussion document and undertook community consultation about the long-term future of the Broadmeadow sporting precinct – incorporating the McDonald Jones Stadium, Hockey field, Newcastle Entertainment Centre and Newcastle showgrounds. This identified opportunities for open space, a hotel, consolidation of sport facilities, multi-purpose area and other complementary sporting and leisure facilities.

The Draft Place Strategy identifies that Hunter Park will be transformed into a world class, contemporary sporting and entertainment precinct, and become an attraction for both national and international visitors. This sub-precinct will be rezoned in a Stated led process and the redevelopment progressed as part of the first stage of delivering the outcomes of the Place Strategy. It will be an economic driver for the region, with stadium and entertainment spaces catering for more than 30,000 people. Additions to the precinct will include a relocated multipurpose indoor arena (replacing the existing Entertainment Centre) and new regional aquatic and leisure centre.

Hunter Park will become the backyard and playground for the new community surrounding the precinct, with the provision of new and upgraded community facilities, and high quality open and public spaces provided throughout. Hunter Park will deliver 13,000sqm of commercial space and more than 2,600 new homes, including social and affordable housing.

The site is located to the west and just outside the boundary of the land covered by the Draft Place Strategy. Under the Draft Place Strategy, the Arthur Edden Oval adjacent (to the west) and the McDonald Jones stadium car park opposite to the site, are proposed as ‘flood detention/storage’. The flood management strategy developed for the site does not impact the opportunity for those areas to be used for flood detention storage, and therefore the proposed development is considered consistent with these outcomes.

The existing basketball stadium is located within Hunter Park and its removal will allow for mixed-use developments to catalyse a future town centre at Broadmeadow Station and realise the vision for redevelopment of the precinct. The project will also contribute to the strategic positioning of the area as a sports and entertainment precinct by providing an additional sporting facility to support existing and future residents.

2.1.8. Better Placed

In August 2017, the Government Architect for NSW (‘GANSW’) released ‘Better Placed’ which seeks to establish priorities and objectives that shape design to create well-designed built environments. It presents a collection of priorities and objectives that aspire to shape design that addresses key challenges and directions and creates good design outcomes for NSW.

Item 3 of the SEARs requires the Better Placed 'objectives for good design' to be addressed by this SSDA. These objectives have been addressed at **Section 6.1.2** of this EIS. The response provided by this EIS should be reviewed in conjunction with the Design Report, which has been provided at **Appendix B**.

2.2. RELEVANT PLANS

2.2.1. Crown Land Plan of Management 2023 – City of Newcastle

The site is Crown Land under the care and control of Council and therefore subject to the provisions of the Crown *Land Management Act 2016* (CLM Act 2016). CN has prepared a Crown Land Plan of Management 2023 (POM) in accordance with the requirements of the CLM Act 2016.

The POM is a generic plan that covers all Crown Land where CN is the appointed Crown Land Manager (CLM). The CLM Act 2016 sets out that where Council is the appointed CLM, they are authorised to classify and manage dedicated or reserved land as if it were public land within the meaning of the *Local Government Act 1993* (LG Act).

In accordance with the requirements, the land covered by the POM is categorised as Park, Sportsground, General Community Use and Natural Area. The POM specifically categorises Blackley Oval and Wallarah Oval as 'Sportsground.'

The *Local Government (General) Regulation 2021* guideline (103) states that community land should be categorised as Sportsground if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

The LG Act contains the following core objectives for management of community land categorised as Sportsground:

> *a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and*
>
> *b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.*

The proposed development is consistent with the above core objectives as it will provide an indoor sporting facility that will promote, encourage and provide for the recreational use of the land. The proposed development has been designed with consideration given to factors including light spill, noise and traffic generation to mitigate adverse impacts on nearby residences.

The POM identifies that CN may construct or approve construction by others of a variety of facilities on this land. The purpose of any facilities provided, shall be to support activities and uses that are consistent with the reserve purpose and the core objectives for this land category.

On land classified as Sportsground the following relevant development types are permitted:

- Development for the purposes of conducting and facilitating organised sport (both professional and amateur).
- Leisure and aquatic facilities and indoor sports centres.
- Pathways, shared paths, trails, boardwalks, bridges, steps & handrails, viewing platforms, lookouts.
- Car parking, loading areas and access roads (associated with the use of the site).
- Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts.

The proposed development for the HISC is consistent with the development types permitted on Sportsgrounds. The proposed development is therefore aligned with the land use designation and consistent with the intended use for the site set out in the POM.

2.3. KEY FEATURES OF SITE AND SURROUNDS

The site is 7.83ha and located at 2 Monash Road and 24 Wallarah Road, New Lambton, within the CN LGA as shown in **Figure 5** below. Photographs of the current site conditions are provided in **Figure 6.**

Figure 5 Site Context

Source: Urbis

The key features of the site which have the potential to impact or be impacted by the proposed development are summarised in **Table 5** below**.**

Table 5 Key Features of Site and Locality

Descriptor	**Site Details**
Land Configuration	The site has a total area of 7.83 ha with an approximate frontage along Turton Road of 115 metres (m) and to Monash Road of 286m. The site is generally rectangular in shape. The site comprises four adjoining lots as well as a strip of land directly to the south of these lots that contains the existing amenities block. This strip of land is a closed Crown Road and is currently untitled. Crown Lands has commenced the first titling process which will provide this land with an identifying Lot and DP. It is understood that this process will be completed during the assessment of this SSDA. When this occurs, the applicant will amend the description of this proposed SSDA to formally include the additional lot and DP.
Land Ownership	The entirety of the site (included the southern strip) is Crown Land under the care and control of the CN.

Descriptor	Site Details
Existing Development	The site is known as Blackley Oval and Wallarah Oval and is currently used as playing fields. It is turfed with relatively flat topography. Several mature trees are located on the southern and eastern boundaries. The strip of land on the southern side of the site is currently occupied by an amenities block. The southern edge of the site incorporates an existing shared pedestrian path/cycleway.
Local Context	The surrounding locality is described below: **North**: Lambton High School, residential dwellings. **East**: Turton Road and sporting and recreational land uses including McDonald Jones Stadium, Newcastle International Hockey Centre and Newcastle Harness Racing Club. **South**: Lambton Ker-rai Creek stormwater canal, residential dwellings on Monash Road. **West**: Public recreational spaces; Arthur Edden Oval, New Lambton Skate Park, Ford Oval, Kentish Oval and Harker Oval. Photographs of the surrounding land uses are provided at **Figure 6.**
Regional Context	The site is located in New Lambton, approximately 6km west of Newcastle CBD, within the CN LGA.
Infrastructure	The eastern side of the site adjoins Turton Road which is classified main road under the care and control of Transport for New South Wales (TfNSW).
Site Access	The site adjoins Turton Road to the east but has no direct vehicular access. Monash Road runs to the south of the site (beyond the stormwater canal) and connects to Turton Road. Parking spaces available for existing site users is located on Monash Road. These spaces are not dedicated parking spaces for the oval and are used by residents as well as visitors to McDonald Jones Stadium. Pedestrian access is available via Monash Road (via a bridge over the stormwater canal), Turton Road and through the adjoining sports fields. The site includes two existing connected pedestrian paths. One runs north to south close to the western edge of the site and leads north-west to connect with Womboin Road. The other is the shared pedestrian path/ cycleway on the southern edge of the site adjacent to the stormwater canal. The shared pedestrian path / cycleway leads west to Lambton and to the east to Broadmeadow, connecting into other cycling routes, Hamilton and the Newcastle CBD.
Public Transport	Broadmeadow train station is located approximately 1km to the east. Broadmeadow station is a major stop on the Newcastle / Hunter train line with express services to Gosford and to Sydney. Pedestrian access from the site to the station is available via a shared pedestrian path/ cycleway that runs south of the International Hockey Centre.

Descriptor	Site Details
	Public bus routes run along Turton Road and Lambton Road (400m south) providing access to Newcastle CBD, John Hunter Hospital, the University of Newcastle and west to Cardiff and Glendale in the Lake Macquarie LGA.
Easements and Covenants	An easement for a stormwater canal runs north to south within the site This is situated under the footprint of the proposed development. The stormwater drainage canal and easement will be relocated further west as part of the proposal.
Services	The site is situated within an established residential area and has access to essential utility infrastructure, including potable water, sewer, electricity and gas. Refer **Section 6.20** of this EIS.
Acid Sulphate Soils	The site is located within a Class 4 ASS zone. Works more than 2 metres below the natural ground surface and works by which the water table is likely to be lowered more than 2 metres below the natural ground surface require development consent. Refer **Section 6.15** of this EIS.
Contamination	The Detailed Site Investigation prepared by Kleinfelder (**Appendix U**) identified areas of potential contamination at the site related to fill derived from historical coal mining activities and associated infrastructure (railway lines and coal fuelled locomotives).The Remediation Action Plan prepared by Kleinfelder (**Appendix W)** provides a sequence of remediation works to be completed on the site. Kleinfelder concludes that subject to the implementation of the RAP and validation reporting confirming compliance with the RAP, the site can be made suitable for development. Refer to **Section 6.9** of this EIS.
Stormwater and Flooding	The site is mapped as flood prone land. A stormwater channel adjoins the southern boundary of the site. An existing 1% Annual Exceedance Probability (AEP) floodway runs along the southern boundary and the south-eastern corner of the site. The flood affectation of the site is a key consideration that has guided the proposed site layout. Refer to **Section 6.12** of this EIS.
Bushfire Prone Land	The site is not bushfire prone.
Flora and Fauna	The site consists of playing fields and planted vegetation. SLR Environmental has prepared a BDAR (refer to **Appendix T**). Existing vegetation includes a mix of planted native vegetation (i.e. native to New South Wales) and planted non-native vegetation (i.e. exotic or non-native to New South Wales). Groundcover vegetation within the subject land includes large swards of exotic mown grasses over the sporting field, with no notable native species. Marginal to negligible foraging habitat for a narrow selection of mobile threatened fauna, in the form of scattered planted trees, occurs across the subject land. The BDAR concludes that the site contains negligible biodiversity values.
Aboriginal Heritage	Land across the site has been the subject of significant ground disturbance and has been assessed to have ‘low’ potential for items of

Descriptor	Site Details
	archaeological heritage. Refer to **Section 6.10** of this EIS.
European Heritage	The site is not identified as an item of heritage and no heritage items are in the immediate vicinity of the site.

Figure 6 Site Photographs

Picture 1 Looking east across the site toward the existing amenities block.

Source: APP

Picture 2 Looking east across the site toward McDonald Jones Stadium.

Source: APP

Picture 3 Existing Stormwater canal directly south of the site. Also visible is the shared pedestrian path/cycle way that is within the boundary of the site.

Source: Terras

Picture 4 Existing amenities block located on the southern side of Wallarah Oval and adjacent to the shared pedestrian path /cycleway.

Source: APP

2.4. DEVELOPMENT HISTORY

A search of CN's DA Tracker and the NSW Major Projects website found no relevant development applications have been proposed for the site.

2.5. CUMULATIVE IMPACTS WITH FUTURE PROJECTS

The following approved and likely future developments which may be relevant in the cumulative impact assessment of the proposal are summarised **Table 6**.

Table 6 Approved and Likely Future Developments

DA Reference	Address	Development Description	Current Status
DA2022/00642	294 Turton Road New Lambton	Recreation facility (major) - use for five (5) annual non-sporting events	Approved under Delegation
MA2023/00135	294 Turton Road New Lambton	Sec 4.55(2) modification to DA2022/00642 - recreation facility (major) - use for five (5) annual non-sporting events - increase to fifteen (15) events annually	Additional information only

The potential cumulative impacts of the project are addressed in this EIS in accordance with the DPIE *Assessing Cumulative Impacts* guidelines. It is noted that the identified projects relate to approval for major events at McDonald Jones Stadium. The cumulative impacts arising from the operation of the HISC and major events at McDonald Jones Stadium will be managed operationally and in consultation between BANL and Venues NSW as detailed as **Section 3.2.4** of this EIS.

2.6. FEASIBLE ALTERNATIVES

Section 192 of the *Environmental Planning and Assessment Regulation 2021* requires an analysis of any feasible alternatives to the proposed development, including the consequences of not carrying out the development.

Several alternatives which were considered in relation to this project. The key options are listed and discussed in the following table.

Table 7 Project Alternatives

Option	Comments
Option 1 – Do Nothing	BANL is a leading basketball association that seeks to provide its community with the highest standards of recreational facilities. For the association to maintain this standard, BANL needs to upgrade its existing facilities commensurate with contemporary standards and practices. A "Do nothing" approach as per Option 1 would diminish the quality of training and opportunities provided to its current and future association members. Further, a "Do nothing" would ignore the significant shortfall in the quantity and quality of indoor courts in the region, as well as denying athlete development and high-performance opportunities. The provision of the HISC will reduce barriers to participation that are currently preventing

Option	Comments
	people from participating in sport and physical activity. “Do nothing” would also prevent the redevelopment of Hunter Park which is identified to occur as part of the first stage of the Draft Broadmeadow Place Strategy. The Newcastle Basketball catchment area (LGAs of Newcastle, Lake Macquarie and Port Stephens) require more than 20 additional courts to meet demand to 2041. Neither Lake Macquarie nor Port Stephens have adequate indoor sports facilities with most players choosing to play in Newcastle. The catchment area’s participation rate in basketball is around half that of other benchmark LGAs, and short of the potential 8,000 to 9,000 members if adequate facilities were available.
Option 2 – Alternative Site	BANL has previously considered other sites for this project with well over a dozen sites assessed to varying degrees since 2019. In 2022 a Regional Development Application (RDA) was lodged for a basketball stadium on Hillsborough Road, Charlestown in the Lake Macquarie LGA; however, the application was ultimately not supported by the Hunter and Central Coast Regional Planning Panel (HCCPP). BANL is a not for profit entity and the delivery of the project is reliant on grant funding which does not allow for the purchase of property. Therefore, options for the project site are largely limited to state or local government properties. Prior to the commencement of this SSD process the City of Newcastle Council (CN) evaluated options within the local government area and determined that the current site could be made available for the project. This decision considered a review of the capacity of all sporting grounds and the availability of other fields to accommodate existing sporting users of the site. CN support through the provision of a site for the HISC is fundamental to the feasibility of the project. Alternative sites that would be subject to private leasing arrangements are not feasible alternatives.
Option 3 – Alternative Access Route to Site	An investigation of potential vehicular access routes was undertaken to inform the site layout. An alternate access route (one way in) could be provided from Womboin Road on the north-west of the site, with cars exiting onto Turton Road. This option is not preferred as it represents a more disruptive arrangement (to the surrounding residential area in terms of traffic movements, as well as to an existing bike path) and an inefficient access route to the site. This road would also need to be built on adjacent property.
Option 4 – Site layout	An investigation on flooding affectation on the site was undertaken to determine the buildable zone. The courts are located to the western and north sides of the site, away from the area of greater flood affectation. Multiple configurations of the proposed car park were also considered. The optimum outcome is for the car park to be located close to the Turton Road frontage and southern boundary, in an L shape to enable it to also serve as flood storage for the site. The site layout provides the

Option	Comments
	opportunity for the show court element of the complex to have a strong architectural impact on the streetscape, while also addressing site conditions. Pursuing Option 3 therefore represents the most desirable option to meet the immediate and long-term needs of BANL.

3. PROJECT DESCRIPTION

The following sections of the EIS summarise the key numeric components of the proposed development and describe the demolition, site preparation, construction and operational phases in further detail.

3.1. PROJECT OVERVIEW

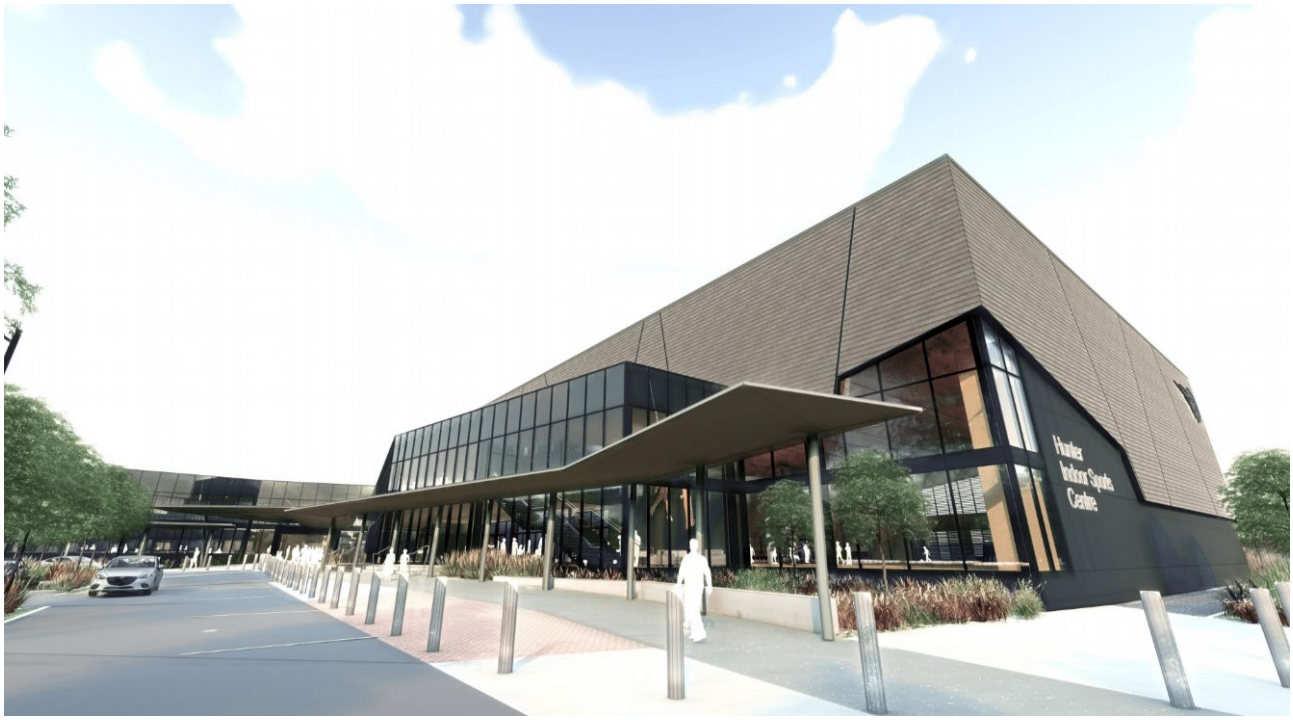
The key components of the proposed development are listed **Table 8**. A copy of the architectural plans are attached as **Appendix E.**

Table 8 Project Details

Descriptor	Project Details
Site Area	The site has a total area of 7.83ha.
Site Description	Lot 2380 DP755247, Lot 2379 DP755247, Lot 2378 DP755247 and Lot 2377 DP755247 The site also includes a currently untitled strip of land to the south of the lots described above that is occupied by the amenities block.
Project Description	This SSDA seeks approval for: ▪ Demolition of existing amenities block and flood lighting infrastructure. ▪ Site remediation. ▪ Tree removal ▪ Site layout including carpark and landscaping. ▪ A single storey plus mezzanine indoor sports centre with amenities, administration spaces and retail tenancy, mezzanine level function rooms, administration space and training areas. The centre will provide 12 sports courts including a show court with retractable grandstand seating for 2,500 people and high-performance training facilities (teaching space and gym). ▪ GFA of approximately 17,700m2, comprising ground floor of approximately 15,300m2 and first floor mezzanine of 2,400m2 and maximum building height of RL 25.02 (15.82m). ▪ Civil works including construction of new vehicular access and egress point to Turton Road and an internal roadway. ▪ Service infrastructure provision. ▪ Car park with 240 spaces. ▪ Site landscaping. ▪ External active recreation area on the western side of the building including a half basketball court. ▪ Pedestrian paths. ▪ Building and site signage.

Descriptor	Project Details
	▪ Public domain works to part of the site frontage to Turton Road.
GFA	GFA of approximately 17,700m^2, comprising ground floor of approximately 15,300m^2 and first floor mezzanine of 2,400m^2.
Maximum Height	RL 25.02 or 15.82m
Access	The proposal includes the creation of vehicular entry from Turton Road. This will be a left in/left out driveway. Pedestrian access is via a separate pathway on Turton Road. Works are required to relocate the existing shared cycleway/ pedestrian path in the south-eastern corner of the site. This portion of the pedestrian pathway will be rebuilt outside the site boundary.
Parking Spaces	▪ 240 car parking spaces (including 8 accessible spaces). ▪ 9 x drop off spaces ▪ 2 x bus parking bays ▪ A service, loading and bus parking zone is located in the south-western portion of the car park.
Hours of Operation	The proposal will operate 7 days a week from 6.00am - 11.00pm. It is important to note that these hours of operation are inclusive of the time it takes to set-up (for) and pack-up (after) activities.
Estimated Development Cost	Above $30 million (excluding GST)

Figure 7 Image of the Proposal from the Forecourt



Source: EJE Architecture

3.1.1. Construction Staging

Staged construction is provided in response to staged funding arrangements. The proposal has therefore been designed so that the project can be delivered as an initial block of six courts with subsequent additions to be delivered over three construction stages, The applicant will therefore be seeking consent conditions that allow for the staged issue of construction certificates to enable the flexible delivery and operation of the project as described below and illustrated in the excerpt from the Civil plans at **Figure 8.**

Stage 1A

A single storey building with total GFA of approximately 10,218m^2 comprising:

- Ground floor: 6 x sports courts, amenities to support the functioning of the complex including bathrooms, change rooms, lobby and foyer, retail tenancy and café.
- Car park with 110 spaces including drop off spaces and bus parking.

Stage 1B

- Ground floor extension to the west to provide 2 x courts with a GFA of approximately 1,630m^2.
- Additional 75 Car parks, total 185 spaces at completion of Stage 1B.
- Mezzanine level: function rooms, administration space and training areas.

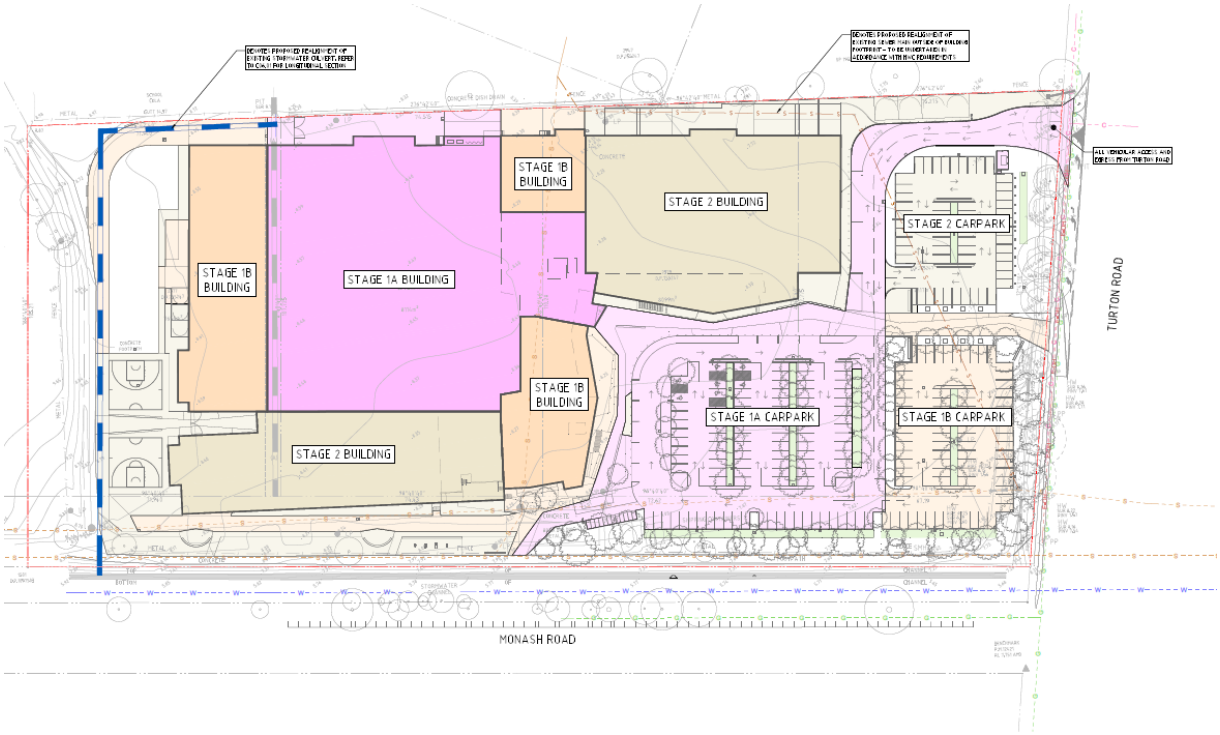
Stage 2

Extension to the northern and southern sides of the existing building with total additional GFA of approximately 7,180m2 comprising:

- Ground floor: 3 x courts including show court with retractable grandstand seating for 2,500 people over the 2 adjacent courts. Extension to the southern side of the building to provide 1 x court plus high-performance training area.
- Mezzanine level: extension of mezzanine to provide additional corporate spaces.
- Expansion of existing carpark to provide 240 spaces.

The estimated start date for construction of the first stage is April 2025.

Figure 8 Staging Plan



Source: Northrop

Construction will be managed in accordance with the preliminary Construction Management Plan at **Appendix QQ**. The development is proposed to be carried out in following sequence:

- Site establishment including temporary construction access point from Turton Road.
- Remediation.
- Civil works including access to Turton Road.
- Structural works.
- Building envelope and internal works.
- External works.
- Commissioning.

During construction of subsequent stages the HISC site (Stage 1A and 1B) will remain operational. Mitigation measures will be implemented to ensure the site is operated safely whilst construction is undertaken. These measures are listed below:

- Internal hoarding installed to separate the operating facility and the new facilities.
- Site fencing set up around construction areas.
- Contractor traffic control for site deliveries
- Wayfinding and temporary signage
- Limiting construction hours to 5pm to ensure minimal impact to HISC visitors.

For further details refer to the construction and operational staging plan at **Appendix TT.**

3.2. DETAILED DESCRIPTION

3.2.1. Project Area

The site for this SSDA is shown at **Figure 8** below. It has an approximate area of approximately 7.83ha.

The site comprises:

- Lot 2380 DP755247
- Lot 2379 DP755247
- Lot 2378 DP755247
- Lot 2377 DP755247
- A currently untitled strip of land to the south of the lots described above that is occupied by the amenities block.

The project includes minor works outside the site boundary in the public domain on Turton Road. These consist of the reconstruction of the shared pedestrian/cycleway that needs to be relocated due to the construction of the carpark.

Figure 9 Project Area

Source: Urbis

3.2.1.1. Demolition and Earthworks

The demolition of existing buildings and ancillary structures are required to prepare the site for construction. A temporary construction site access point will be established to facilitate these works.

The topsoil will be stripped and compacted to subgrade, the area will then be covered with a needle punched geotextile to prevent the intermixing of subgrade and base materials. Excavations below subgrade level shall be backfilled with suitable soils compatible with the surrounding natural soil profile. Cut and fill will be required, as per the Civil Engineering Drawings prepared by Northrop (**Appendix L**). Approximately 4514.78m^3 of cut is required and 8859.70m^3 of fill, resulting in a balance of 4354m^3.

3.2.1.2. Remediation

The Detailed Site Investigation (**DSI**) prepared by Kleinfelder (**Appendix U**) and Addendum DSI (**Appendix V)** identified areas of potential contamination risk at the site. The Remediation Action Plan (**RAP**) prepared by Kleinfelder Partners (App**endix W**) provides a sequence of remediation works to be completed prior to the construction of the development.

Following site establishment and during earthworks the site will be remediated in accordance with the recommendations of the RAP which will consist of capping and containment. For further information, refer **Section 6.9.**

3.2.2. Physical Layout and Design

3.2.2.1. Site Layout

The proposed layout of the site has been developed in response to the environmental constraints of the site and to integrate the proposal within its surrounding context.

A preliminary flooding investigation was undertaken to determine the buildable zone. This resulted in the courts being designed to be located to the western and northern sides of the site, away from the area of greatest flood affectation. The car park is located close to the Turton Road frontage and southern boundary, in an L shape to enable it to also serve as flood storage for the site.

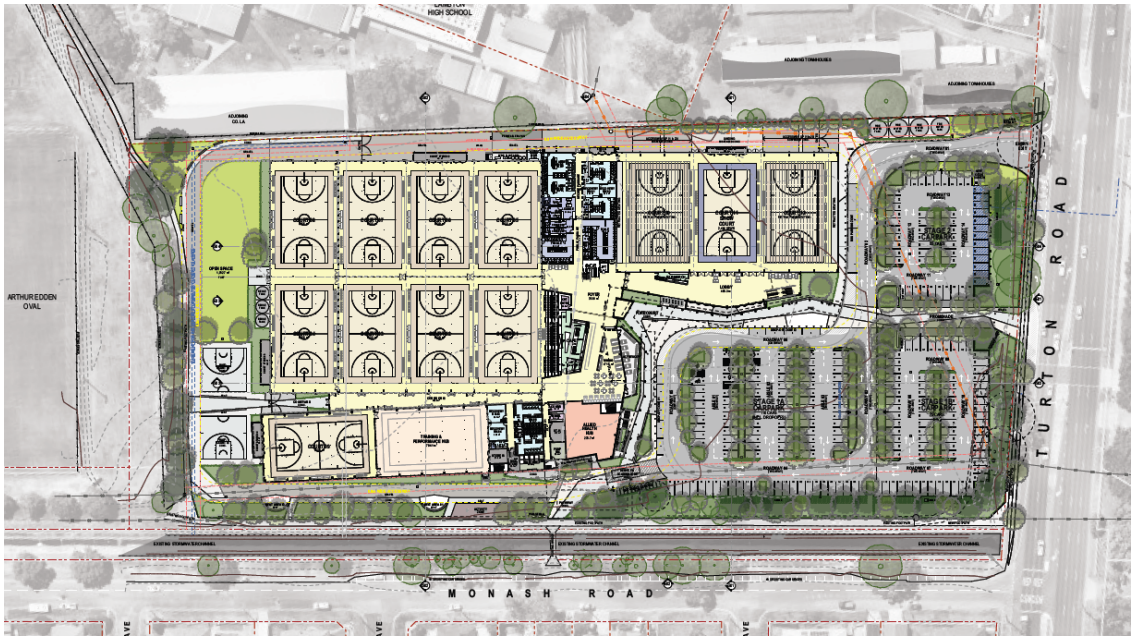
The site layout also provides the opportunity for the show court element of the complex to have a strong architectural impact on the streetscape, while also addressing the site's environmental conditions.

3.2.2.2. Design

The built form and massing of the proposal responds to the prominence and importance of the building as a significant indoor sports facility within an existing sporting precinct. The site layout and building design has considered both the existing site conditions and the functional requirements of the use. The proposed design includes (refer **Figure 10** and **Figure 11**):

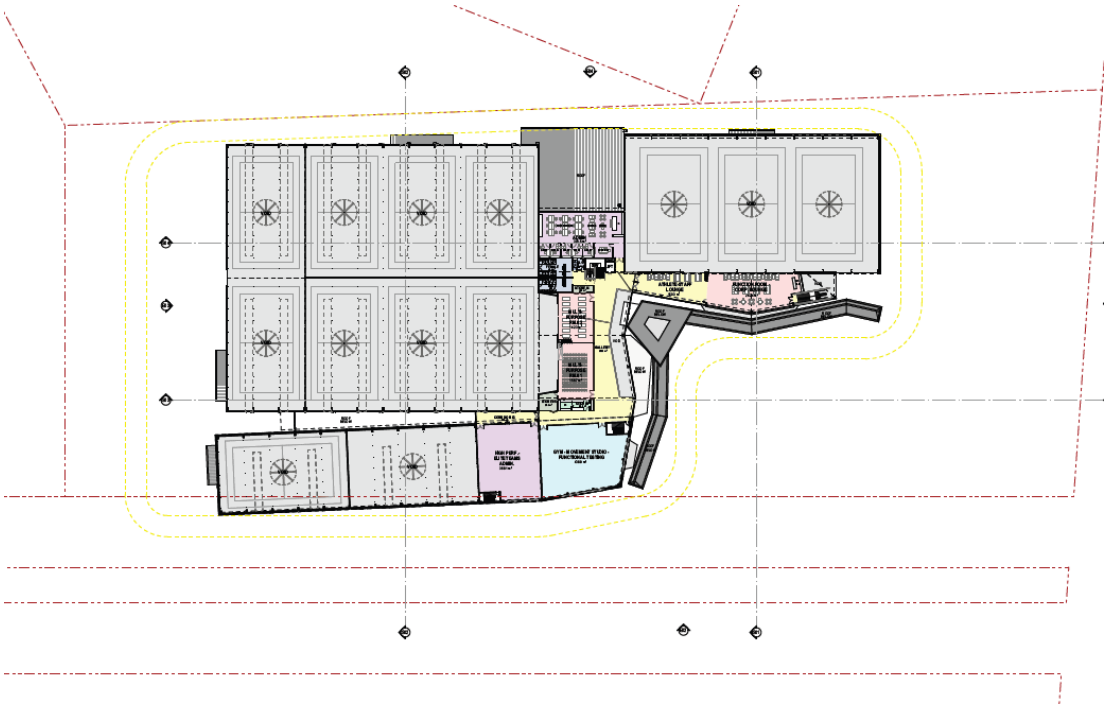
- A single storey plus mezzanine basketball complex with a maximum building height of RL 25.02 (15.82m)
  - Ground floor (west)
    - Eight (8) courts with amenities, training and performance areas.
    - Allied health hub.
  - Ground floor (east)
    - Café, foyer and lobby
    - Three (3) courts including show court with retractable grandstand seating.
  - Ground floor (south)
    - High-performance training facilities (teaching space and gym).
    - Administration spaces and retail tenancy.
  - Mezzanine level
    - Function rooms, high performance gym, administration, offices.
- New vehicular access and egress point to Turton Road and an internal roadway.
- L shaped car park with 240 spaces to the north-eastern and southern side of the site.
- Site landscaping and pedestrian paths within the car park and surrounding the built form.
- External activation areas on the western side of the building including a half basketball court to engage with the public and adjoining open space.

Figure 10 Proposed Ground Floor Site Plan



Source: EJE Architecture

Figure 11 Proposed Mezzanine Floor Site Plan



Source: EJE Architecture

Figure 12 Photomontages

Picture 5 Approach View

Source: EJE Architecture

Picture 6 Aerial View

Source: EJE Architecture

3.2.2.3. Design Considerations

Connecting with Country has been a fundamental design consideration underpinning the design response for the project. As identified during consultation with First Nations knowledge holders, six design principles were synthesized, and these design principles have been considered during the project's development.

The design principles are:

- Acknowledge Awaba / Awabakal Country.
- Acknowledge the Awaba / Awabakal people.
- Acknowledge other First Nations peoples.
- Heal the living landscape.
- Create gathering spaces.

Key items of cultural significance were identified, which have been considered in the design approach:

- Low-land areas and flats similar to the site, were areas where hunting and gathering occurred. As a result, they were areas of movement, from the high-level ridge- lines, down to the flats, and along the watercourses;
- The areas were areas of interaction between different mobs; to meet, gather, perform story-telling and knowledge-sharing.

The design team has aimed to incorporate the notion of movement and gathering into the design objectives and the proposed design and express these through the landscape geometry and plantings, and gathering spaces and seating.

Refer to the Connecting with Country Report at **Appendix PP** for further details.

3.2.2.4. Facade

The architectural expression of the building and facades takes inspiration from rocky outcrops and escarpments. .The upper level is stone coloured metal cladding articulated with random clefts and window placements to reference erosion caused by rain. The lower level is clad in a dark coloured lightweight sheet that is inset slightly from the cladding above to further reinforce the concept of the eroded nature of escarpments and cliffs. Dark coloured glazing framing and louvre inserts further enhance the overall design concepts. The overall concept for the facades of the facility is a lightweight insulated portal framed structure.

3.2.2.5. Materials and Finishes

The building's external materiality consists of high-quality and durable materials. It is comprised of a mix of lightweight cladding systems reflecting both the internal program and the façade design concept, and high-performance glass curtain walling to the double height foyer and lobby spaces.

Additional glazing within the court areas, Allied Health and High-Performance areas punctures the façade picking up on the concept of fissures and erosion. The glazing is predominantly high-performance insulated glass units (IGUs) with ‘clear’ tint and low E coatings. The upper lightweight cladding elements will have a matte finish in warm colours to represent the local sandstone and rocky outcrops. The lower basecourse is darker in colour strongly grounding the building and providing a counterpoint to the upper area. Refer colour palette shown in **Figure 13**.

The internal materiality is intended to reflect the design concepts within the external built form and landscape whilst being warm and inviting for people to meet and gather. Materials and finishes within the courts will be durable and practical and reflective of the multi-sport environment.

Figure 13 Proposed Materiality

Source: EJE Architecture

3.2.3. Landscape and Public Domain

The proposed landscape design outcome is detailed throughout the Landscape Plans and Landscape Design Report (**Appendix I**) that have been submitted in support of this SSDA.

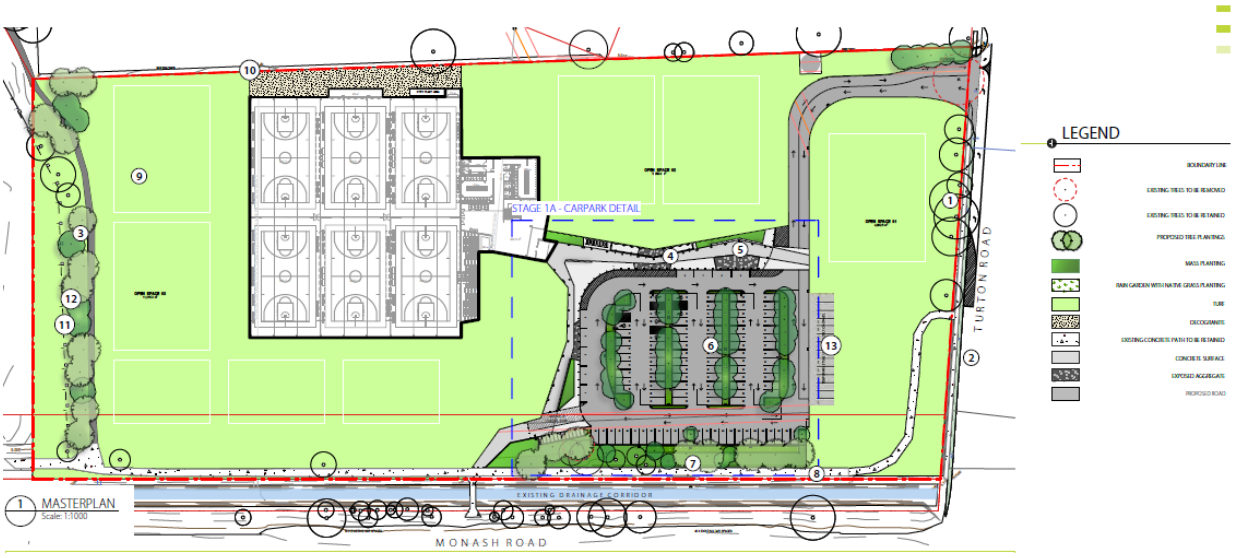
The overall landscape vision for the site is to celebrate the history from its previous existence as a wetland, to its proposed use as an indoor sports centre for all the Newcastle community. The landscape design has carefully considered and refined specific initiatives that encourage meaningful connection and celebration of place.

The landscaping strategy will provide enhanced greening and amenity to the site at every stage of project delivery. The landscape plans provide for retention of areas of open space for recreation as the building and carpark are progressively developed. The landscaping strategy will be completed in three (3) stages to aligned with the staged construction of the development. Safe pedestrian access to and through the site will be provided at all stages of the development as illustrated in the circulation plans prepared by Terras Landscape Architecture, refer **Appendix I**.

Stage 1A – Car Park

- Stage 1A will focus on planting endemic vegetation to provide screening to residences on Monash Road and to the north. This planting will create a vegetated edge to the drainage channel.
- Canopy planting is also proposed within the carpark to provide visual buffer, habitat and reduce the heat island effect. Sightlines will be retained beneath canopy planting with low grasses and shrubs.
- A 2.3m wide detention swale is proposed in the centre of the carpark to provide passive irrigation with planting of endemic grasses and canopy trees above.
- The existing pedestrian pathway in south-east corner of the site will be re-routed way from the footprint of the carpark. The new footpath will be partially located outside of the site within the public domain on Turton Road.
- Open space will be temporarily retained for school recreation and public use on the eastern side of the site (near Turton Road) southern side (near the stormwater canal) and to the west.

Figure 14 Proposed Landscaping Stage 1A

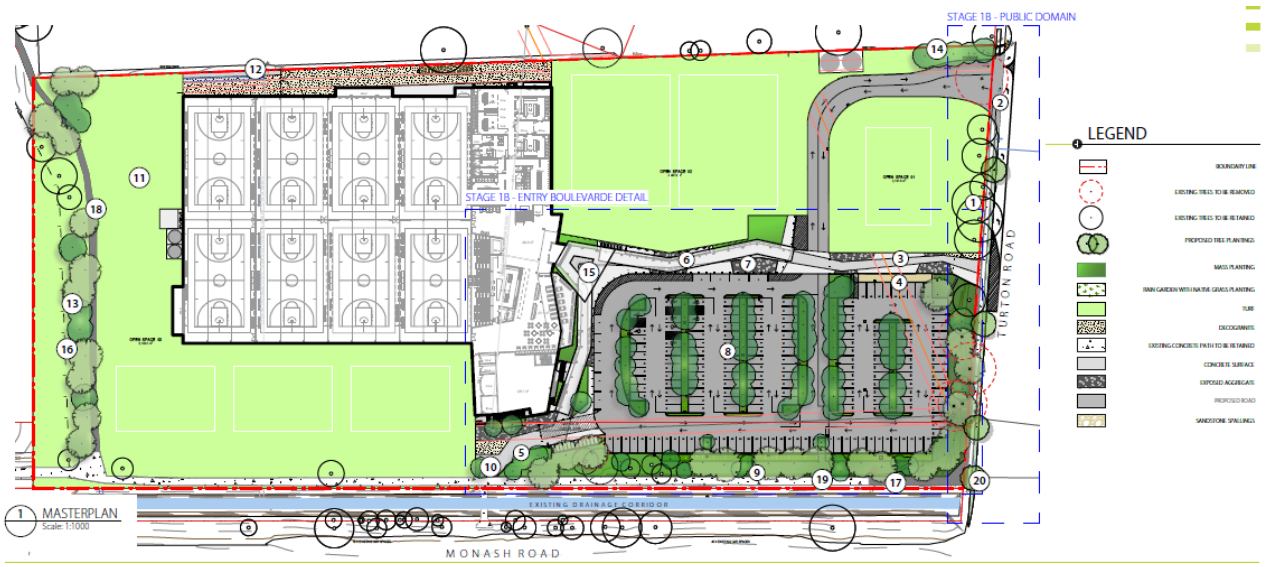


Source: Terras Landscape Architects

Stage 1B – Entry Boulevarde

- Paved brick will feature as an opportunity for donation brick to First Nations development. Blade in-situ concrete walls will be utilised as informal seating with skateboard deterrents.
- Continuation of formal pedestrian entry from Monash Road pedestrian bridge with solar-illuminated bricks to guide entry.
- Endemic and native vegetated mass planting beds.
- Deco-granite portion to path is proposed to enable the retention of existing trees.
- Retention of areas of open turf for continued school and public use.

Figure 15 Proposed Landscaping Stage 1B

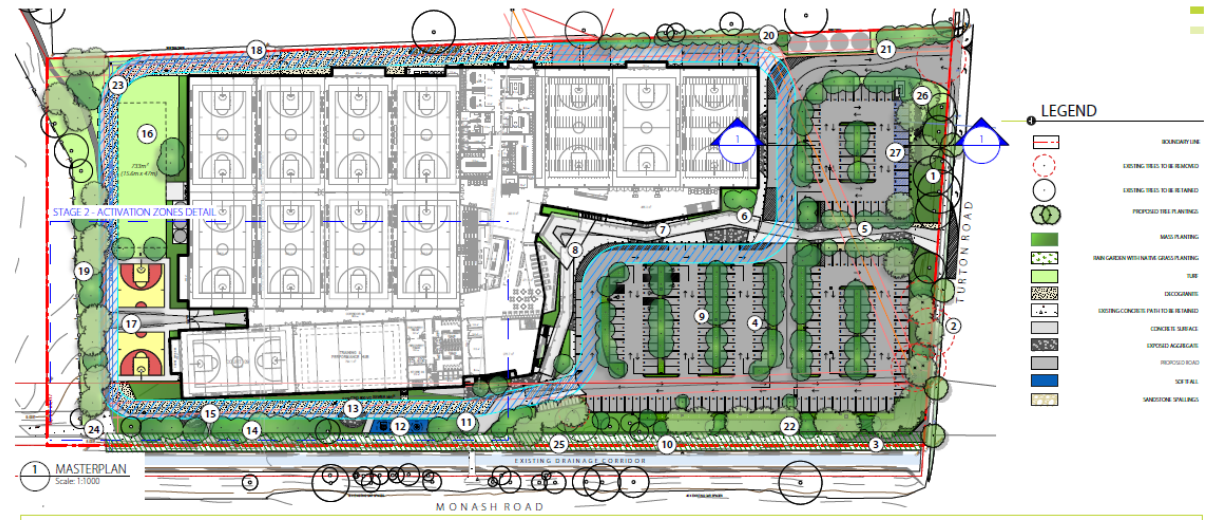


Source: Terras Landscape Architects

Stage 2 – Activation Zones

- Existing trees to be retained and protected along Turton Road boundary to provide screening and retain canopy coverage.
- Existing trees to be removed where works affect TPZ (as per Arborist Report) and proposed trees as supplementary planting.
- Endemic planting among seating area.
- Endemic mass planting of grasses, groundcovers and shrubs to 1m high to reinforce riparian corridor, with trees above to provide screening of development from neighbouring residences to the south. Views beneath trees (1.8m high canopy clearance) to maintain visibility for CPTED purposes.
- Delivery of outdoor half court to activate the western side of the building and formalised pedestrian pathway.

Figure 16 Proposed Landscaping Stage 2

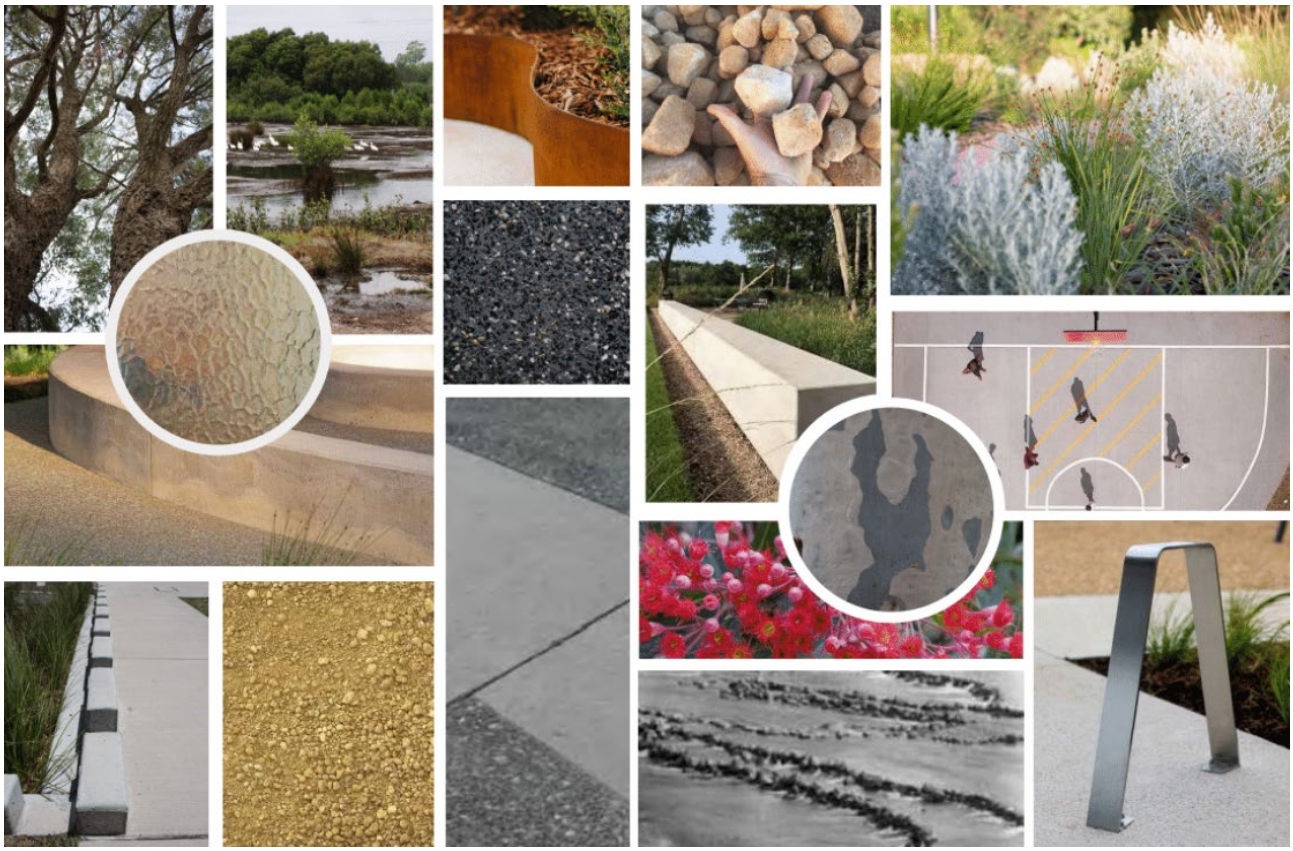


Source: Terras Landscape Architects

Figure 17 View looking North East from Monash Road showing external activation zones

Source: Terras Landscape Architects

Figure 18 Landscape palette



Source: Terras Landscape Architects

3.2.3.1. Stormwater Management

The proposed stormwater management system includes several components to ensure that stormwater runoff is appropriately treated and safely conveyed to a legal point of discharge. The proposed stormwater system includes:

- Rainwater tanks will be provided to capture the stormwater runoff from Stage 1A roof and Stage 2 roof (this water will be reused onsite).
- Overflow from the rainwater tanks will be connected to the nearest stormwater pit.
- 2 x raingardens will be provided within the car park to manage the stormwater quality. The raingarden will be 120m^2 with a filter depth of 0.5m and extended detention of 0.2m.
- Stormwater discharge within the car park will be to the existing stormwater channel on Monash Road.

Additional detail of the stormwater management system is outlined in the Civil Engineering Drawings at **Appendix L**.

3.2.3.2. Vehicle Access and Parking

Vehicle Access

Direct access to Turton Road is proposed as part of the project to allow for a left in and left out only, similar to the arrangements in place for the International Hockey Centre on the opposite side of Turton Road.

The proposed driveway has been located on the northern edge of the site taking into consideration the pedestrian crossing and cycling activity to the south and the layout of the adjacent roadway. The inclusion of a deceleration lane will require the removal of parking on the north side of the signalised pedestrian crossing.

Parking

The carpark will provide 240 spaces, including 8 accessible spaces and 9 are drop off spaces. There are also 12 motorbike parking spaces as well as racks for bicycle parking.

There will be two (2) dedicated bus parking spaces on site. Buses attending the site will be able to drop off patrons and remain on site. During peak events when demand for parking is greater and the bus parking spaces are already occupied buses will exit to layover off-site at either Young Road or Griffiths Road.

3.2.4. Operation

The proposal will serve basketball players from Lake Macquarie, Newcastle and Port Stephens LGAs as well as accommodate other sporting uses including futsal, netball, volleyball, badminton, pickleball and indoor hockey.

An Operational Management Plan (OMP) for the ongoing use of the facility has been prepared by The APP Group (enclosed at **Appendix OO**) outlining the proposed operational methodology and possible impacts. Key elements of the operation management plan are detailed below.

3.2.4.1. Use of the Facility

The proposed development will operate as follows:

- The proposal will used as a sports training and competition venue for BANL and other indoor sports in the same manner the existing Broadmeadow basketball stadium is used.
- The HISC will serve basketball players from Lake Macquarie, Newcastle, and Port Stephens LGAs and beyond as well as accommodate other sporting uses including futsal, netball, volleyball, badminton, pickleball and indoor hockey.
- Access will be allowed for community groups and local sporting clubs at times to be agreed with BANL.

A breakdown of the visitation and event usage anticipated in the first construction stage and the completed proposal is provided in **Table 9** below.

Table 9 Visitor Number – Complete Proposal and Construction Stage 1A

Visitor number	Construction Stage 1A	Complete proposal
Regular training, local competitions	▪ Weekly – 18,000 ▪ Annually – 1,174,000 million	▪ Weekly – 26,995 ▪ Annually – 1, 403,000 million
Events	▪ 4 x State Cup / Junior League events per year with 2,000 players and spectators attending over a two-day period. ▪ 20 x school gala days with 300 players and spectators attending. ▪ Annually – 35,000 event related visits.	It is anticipated that the HISC will hold approximately 16 events per year with up to 2,500 spectators, comprised of: ▪ National Basketball League (NBL) games per year with 1,600 spectators. ▪ Pre-season NBL games, super netball or exhibition matches with 2,000 spectators. ▪ Sporting events (volleyball, netball, indoor hockey, futsal) per year with 1,000 spectators. ▪ State Cup and school gala days as per Stage 1A. Annually – 55,500 event related visits.

3.2.4.2. Hours of Operation

The proposed operating hours are:

- 6:00am – 11:00pm 7 days

It is important to note that these hours of operation are inclusive of the time it takes to set-up (for) and pack-up (after) activities.

The peak use of the facility will be during the following times:

- Monday - Friday: 4:30pm – 9.30pm
- Saturday – Sunday: 10.00am to 5.00pm

Large mass participation events (e.g. school gala events) will be restricted to 8.00am to 6.00pm. Large spectator events will generally take place over weekend periods from Friday evening to Sunday evening.

3.2.4.3. Staffing Details

Staffing will comprise the following:

- When the facility is in use, a BANL staff member will be on duty as required to address any concerns the players, spectators or other visitors or staff have.
- Cleaners will be hired (private contractors) as required to maintain internal areas of the facility.
- BANL will be responsible for managing all operational aspects of training and competitions held at the venue including processing hire / bookings.
- When required for larger competitions / events, additional staffing (contractors) will be engaged who will be responsible for food and beverage service in the required function rooms.

- Other contractual service providers will be engaged by the relevant users of the facility including for ongoing maintenance services, security services and waste management.

3.2.4.4. Events Management

SECA Solutions has prepared a Traffic Event Management Plan (**Appendix S**). This plan address management of traffic and parking arrangements for events attracting up to 2,500 people which are likely to occur 16 times per year.

The plan has been developed following consultation with Venues NSW to determine opportunities for the use of the McDonald Jones stadium carpark for the HISC. Venues NSW supported this approach, subject to events at the two facilities not occurring at the same time. The principles of events management for the HISC are:

- The schedule for events at the HISC will be determined following review of the schedule for McDonald Jones Stadium to ensure they do not coincide with main events at McDonald Jones Stadium.
- During peak events off-site spill over parking will be available in the McDonald Jones Stadium parking on the opposite side of Turton Road.
- There will be two dedicated bus parking spaces on site. If buses are not remaining on site players and staff will alight from buses at the drop off space. Buses will return for pick up.

3.2.5. Operational Stages

Staged construction and operation of the HISC is proposed in response to staged funding arrangements. The proposal has therefore been designed so that the project can be operated over three stages as described below.

Stage 1A

Operation of:

- A single storey building with total GFA of approximately 10,218m^2 comprising:
  - Ground floor: 6 x sports courts, amenities to support the functioning of the complex including bathrooms, change rooms, lobby and foyer, retail tenancy and café.
- Car park with 110 spaces including drop off spaces and bus parking.

During Stage 1A the green space at the eastern and southern sides of the site will continue to be available for recreational use.

Stage 1B

Operation of:

- 8 courts
- Supporting amenities
- Cafe
- Function rooms, administration spaces and training areas
- Car park with 185 spaces including drop-off spaces.

Stage 2

Operation of:

- 12 courts for basketball and other sports
- Supporting amenities
- Show court with 2400 retractable grandstand seating.
- High-performance training area

- Cafe
- Function rooms, administration spaces and training areas
- Car park with 240 spaces.

4. STATUTORY CONTEXT

This section of the report provides an overview of the key statutory requirements relevant to the site and the project, including:

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**)
- *NSW Biodiversity Act 2016* (**BC Act**)
- *Environmental Planning and Assessment Act 1979* (**EP&A Act**)
- *Environmental Planning Assessment Regulation 2021* (**the Regulations**)
- *State Environmental Planning Policy (Planning Systems) 2021* (**Planning Systems SEPP**)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (**R&H SEPP**)
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (**T&I SEPP**)
- *Newcastle Local Environmental Plan 2012* (**NLEP 2012**)

Consideration is also required to be given to the following matters:

- *Newcastle Development Control Plan 2023 (**NDCP**)*

It identifies the key statutory matters which are addressed in detail within the EIS, including the power to grant consent, permissibility, other approvals, pre-conditions and mandatory considerations.

4.1. STATUTORY REQUIREMENTS

Table 10 categorises and summarises the relevant requirements in accordance with the DPE *State Significant Development Guidelines*. A detailed statutory compliance table for the project is provided at **Appendix B.**

Table 10 Identification of Statutory Requirements for the Project

Statutory Relevance	Action
Power to grant approval	In accordance with Schedule 1 of the Planning Systems SEPP, development that has an estimated development cost (EDC) of more than $30 million for the purpose of Recreation facilities (major) is classified as SSD. ***13 Cultural, recreation and tourist facilities*** *(1) Development that has an estimated development cost of more than $30 million for any of the following purposes—* *(a) film production, the television industry or digital or recorded media,* *(b) convention centres and exhibition centres,* *(c) entertainment facilities,* *(d) information and education facilities, including museums and art galleries,* *(e) recreation facilities (major),* *(f) zoos, including animal enclosures, administration and maintenance buildings, and associated facilities.*

Statutory Relevance	Action
	(2) Development for other tourist related purposes (but not including any commercial premises, residential accommodation and serviced apartments whether separate or ancillary to the tourist related component) that— *(a) has an estimated development cost of more than $100 million, or* *(b) has an estimated development cost of more than $10 million and is located in an environmentally sensitive area of State significance or a sensitive coastal location.* The proposed works have an estimated EDC greater than $30 million and accordingly, the proposed development is SSD for the purposes of the Planning Systems SEPP.
Permissibility	The site is zoned RE1 Public Recreation and *recreation facilities (major)* are permissible with consent within the zone.
Other approvals	
Section 4.42 of the EP&A Act	Under Section 4.42 of the EP&A Act, certain authorisations cannot be refused if they are necessary for carrying out an SSD. Approval(s) under the following Acts that could be required include: ▪ The Fisheries Management Act 1994 ▪ Mine Subsidence Compensation Act 1961 ▪ Mining Act 1992 ▪ Petroleum (Onshore) Act 1991 ▪ Protection of the Environment Operations Act 1997 ▪ Roads Act 1993 ▪ Pipelines Act 1967 Approval under the Roads Act 1993 is required to support the new access point to Turton Road.
EPBC Act	If the proposed development will or is likely to impact a matter of national environmental significance (**MNES**), then referral to the federal Department of the Environment is required. This process is necessary to determine whether a proposed activity is a 'controlled action' that requires approval under the EPBC Act. Currently, bilateral agreements allow the federal Minister for the Environment and Water to rely on the NSW environmental assessment process when accessing a 'controlled action' under the EPBC Act. There is no MNES that is relevant to the scope of this SSDA.
Approvals not required for state	Under Section 4.41 of the EP&A Act, certain authorisations are not required for

Statutory Relevance	Action
significant development	SSD. Approvals that are not required include those under the following acts: *Fisheries Management Act 1994* *Heritage Act 1977* *National Parks and Wildlife Act 1974* *Rural Fires Act 1997* *Water Management Act 2000*

4.2. PRE-CONDITIONS

Table 11 outlines the pre-conditions to exercising the power to grant approval which are relevant to the project and the section where these matters are addressed within the EIS.

Table 11 Pre-Conditions

Statutory Reference	Pre-condition	Relevance	Section in EIS
EP&A Regulations 2021	Part 8 Infrastructure and environmental impact assessment An environmental impact statement must be prepared in accordance with the SEARs issued for the project, and contain the relevant information identified in section 190 and 192 of the EP&A Regulations.	This EIS has been prepared in accordance with Part 8 of the EP&A Regulations. This EIS addresses the SEARs issued by the Secretary as part section 175 of the EP&A Regulations and contains the detailed information identified in section 190 and 192 of the EP&A Regulations. Specifically, this includes a statement prepared by a Registered Environmental Assessment Practitioner. The development is consistent with the principles of environmentally sustainable development (ESD) as per section 193 of the EP&A Regulations as discussed in **Section 7.1.7.** This application will be placed on public exhibition on the NSW	**Signed Declaration** Each item of the SEARs has been addressed at **Section 6** of this EIS. Further reference should also be made to the SEARs response table that has been provided at **Appendix A.**

Statutory Reference	Pre-condition	Relevance	Section in EIS
		Major Projects Portal.	
State Environmental Planning Policy (Resilience and Hazards) 2021 – Section 4.6	A consent authority must be satisfied that the land is suitable in its contaminated state - or will be suitable, after remediation - for the purpose for which the development is proposed to be carried out.	Potential sources of contamination exist at the site but a remediation strategy has been identified to enable the site to be made suitable for the proposed development. A Detailed Site Investigation (DSI) has been submitted in support of this SSDA. This report is provided at **Appendix U.** Further reference should be made to **Section 6.9** of this EIS.	Statutory Compliance Table at **Appendix B.**
State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)	Section 3.6 A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	Signage plans are provided within the architectural plan set at **Appendix E**. The development is consistent with the requirements set out in section 3.1(1)(a) of the Industry and Employment SEPP and satisfies Schedule 5.	Architectural Plans provided at **Appendix E** and statutory compliance table at **Appendix B.**

4.3. MANDATORY CONSIDERATIONS

Table 9 outlines the relevant mandatory considerations to exercising the power to grant approval and the section where these matters are addressed within the EIS.

Table 12 Mandatory Consideration

Statutory Reference	Mandatory Consideration	Section in EIS
Consideration under the EP&A Act and Regulation		
Section 1.3	Relevant objects of the EP&A Act	Statutory Compliance Table at **Appendix B.**
Section 4.15	Relevant environmental planning instruments	Statutory Compliance Table at **Appendix B.**

Statutory Reference	Mandatory Consideration	Section in EIS
	State Environmental Planning Policy (Resilience and Hazards) 2021	Statutory Compliance Table at **Appendix B.**
	State Environmental Planning Policy (Sustainable Buildings) 2022	Statutory Compliance Table at **Appendix B.**
	State Environmental Planning Policy (Transport and Infrastructure) 2021	Statutory Compliance Table at **Appendix B**
	State Environmental Planning Policy (Biodiversity and Conservation) 2021	Statutory Compliance Table at **Appendix B**
	Newcastle Local Environmental Plan 2012	Statutory Compliance Table at **Appendix B**
	Relevant draft environmental planning instruments	**N/A**
	Relevant planning agreement or draft planning agreement	**N/A**
	Newcastle Development Control Plan 2023	Statutory Compliance Table at **Appendix B**
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	**Section 6**
	The suitability of the site for the development	**Section 7**
	The public interest	**Section 7**
Mandatory relevant considerations under EPIs		
R&H SEPP	Departmental guidelines: ▪ Applying SEPP 33 (identify relevant requirements) ▪ HIPAP No.3 – Risk Assessment (identify relevant requirements) ▪ HIPAP No.12 – Hazards – related Conditions of Consent	Statutory Compliance Table at **Appendix B.**
	Section 4.6 *(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning*	Statutory Compliance Table at **Appendix B.** Detailed Site Investigation at **Appendix U.**

Statutory Reference	Mandatory Consideration	Section in EIS
	guidelines.	
State Environmental Planning Policy (Sustainable Buildings) 2022	The Sustainable Buildings SEPP encourages the design and construction of more sustainable buildings across NSW to meet emissions reduction targets. Consent authorities are required to consider the ways a development addresses the general provisions of the SEPP, which require measures to minimise waste, reduce reliance on fossil fuels, generate and store renewable electricity and minimise water. The proposal addresses the general provisions of the Sustainable Buildings SEPP and the additional provisions applicable to the development. An Embodied Emissions Materials Form has been prepared.	Statutory Compliance Table at **Appendix B.**
State Environmental Planning Policy (Transport and Infrastructure) 2021	In accordance with Schedule 3 of the Transport and Infrastructure SEPP, the proposed development is likely to be considered traffic-generating development and the works also involve a new connection to a classified road.	Statutory Compliance Table at **Appendix B.**
Newcastle LEP 2012	Objectives and land uses for RE1 Public Recreation Zone ▪ Part 4 – Principal development standards ▪ Part 5 – Miscellaneous provisions ▪ Part 6 – Additional local provisions – generally	Statutory Compliance Table at **Appendix B.**
Considerations under other legislation		
Biodiversity Conservation Act 2016 – section 7.14 and 35	Under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act), State Significant Development (SSD) applications are “to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values”. A BDAR has been prepared by SLR Environmental.	BDAR at **Appendix T.**
Development Control Plans		
Newcastle DCP 2023	Clause 2.10 of the Planning Systems SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposal against the Newcastle DCP 2023 for this SSDA. Notwithstanding this, consideration has been given to the	**Appendix B**

Statutory Reference	Mandatory Consideration	Section in EIS
	following provisions: ▪ Part B: Site Controls ▪ Part C: General Development Controls ▪ Part D: Development Controls by Land use	

4.4. PUBLIC BENEFITS AND DEVELOPMENT CONTRIBUTIONS

The relevant Contributions Plan is the CN *Section 7.12 Contribution Plan 2021-2036.* Contributions under this plan are levied as a percentage based on the cost of the development and would equate to 1% of the cost of the development.

Contributions levied through the plan will be used to fund (in part or in full) the transport and social infrastructure set out in the Schedule of Works at Appendix B of the Plan. Appendix B includes reference to *'community facilities embellishment*', and *'Open Space and recreational facilities embellishment'*. The map of infrastructure locations in Appendix C identifies Wallarah Oval as the site of a '*Proposed Community Facility*'.

Section 1.6 of the Plan identifies the following type of facilities that are exempt from payment of contributions:

2. No contribution in respect of development applications (or modifications thereto) made by or on behalf of the Council for infrastructure including, but not limited to, libraries, community facilities, child care facilities, recreational areas or facilities, waste resource facilities, car parks or the like;

BANL has engaged with the CN concerning the payment of development contributions. CN advised that under the terms of the Contributions Plan, the project is not identified as a type of development that is eligible for an exemption or reduction in the payment of contributions, but that DPHI as consent authority does have this discretion. Specifically, we note that under Section 7.17 of the EP & A Act, the Minister for Planning and Homes has the ability to waive or reduce contributions established under a Contribution Plan. This application therefore requests the Minister to provide an exemption to the payment of contributions, and for the reasons set out below a full exemption from the payment of contributions is considered appropriate:

Public Benefits of the Proposed Development

The HISC is a significant recreational facility that will benefit the LGA and the broader region. The proposal addresses a recognised shortfall of indoor sporting venues within the LGA and Lower Hunter. By delivering the HISC, BANL will support Council's objectives for delivery of recreational facilities and also reduce pressure on Council resources and other facilities.

The underlying purpose of the Contributions Plan is to raise funds from private, commercially-driven developments to assist in funding the cost of public facilities and infrastructure that are burdened by those developments. BANL is a not-for-profit organisation and imposing a levy on the HISC would divert the available grant funding away from the core business of delivering the facility.

Community amenities provided on site

The proposal is located at Wallarah Oval, where a site for a '*Proposed Community Facility*' is identified in the relevant Contributions Plan. The HISC is the type of facility for which funding is being gathered under the Contributions Plan. Although operated by BANL (rather than CN) and not defined as a community facility in planning terms, the proposal will deliver an equivalent level of amenity and benefit to the Community.

As part of the HISC, BANL will provide courts to facilitate community sports and public participation in recreational activities. This will include providing safe indoor spaces to run programs for all sectors of the community including older persons and people with disabilities. The facility will serve users beyond the immediate basketball membership base, providing significant amenity and benefit to the local area and broader LGA.

In addition, as part of the external landscape, the proposal includes an all weather half basketball court that will be publicly accessible and available for all to use.

Considering the specific purpose for which the site is identified in CN's Contributions Plan, the significant public benefits the proposed development provides, and the not-for-profit status of BANL, a full exemption from the payment of contributions is considered appropriate.

5. COMMUNITY ENAGAGEMENT

The following sections of the report describe the engagement activities that have been undertaken during the preparation of the EIS and the community engagement which will be carried out if the project is approved.

5.1. ENGAGEMENT CARRIED OUT

Community and stakeholder engagement has been undertaken by the Project Team in the preparation of the SSDA. This included direct engagement and consultation with:

- NSW Department of Planning, Housing and Infrastructure
- NSW Office of Sport
- NSW Department of Education (Lambton High School)
- Transport for NSW
- Fire Rescue NSW
- NSW Police
- Venues NSW
- NSW Crown Lands
- New South Wales Aboriginal Land Council
- DPE – Biodiversity Conservation Division
- Local, State and Federal members of Parliament
- CN– Planning & Environment and Creative & Community Services
- Lake Macquarie City Council
- Local Indigenous Community – Awabakal Local Aboriginal Land Council
- Basketball NSW
- Volleyball NSW
- Netball NSW
- Hunter Volleyball
- Hunter Pickleball
- Newcastle Basketball Association (members and associates)
- Lambton High School (parents and citizens committee)
- Service providers e.g. Ausgrid, Hunter Water & Telstra
- Key Sporting Bodies – Newcastle District Cricket Association, Newcastle Football Association, Lambton Jaffas Football Club.

The following actions were taken to inform the community regarding the project and seek feedback regarding the proposal:

- **Consultation promotion:**
  - A notification for a presentation to the Lambton High School's community was included within the weekly school notices. This notice was distributed to approximately 1,100 students (and their families).
  - A local resident's notification / project flyer with an invitation to drop-in events as well as information on how to access further information from the BANL website was prepared and distributed via letterbox drop to approximately 240 households surrounding the site.

  - A notice was placed through a media story in the Newcastle Herald including information on the drop-in sessions.

- **Webpage information:** A dedicated web page on the BANL homepage was established with an overview of the proposal, along with a link to presentation papers. The web page included project information and a contact mechanism so people could provide comments, feedback, raise questions or find out more information.
- **Written submissions:**
  - A dedicated email was established for the project for any submissions.
  - Written submissions were received through the drop-in sessions.
- **Drop-in sessions were held at the Newcastle Basketball Centre:**
  - 9.00am – 11.00am, Saturday 16th March
  - 5:30pm - 7:30pm, Monday 18th March.
- **Targeted presentations:**
  - CN
  - BANL members
  - Lambton High School: school community including Parent's and Citizen's Committee(P&C)
- **Sporting Associations liaison:** Newcastle City Council directly engaged with the key sporting associations as the field allocator (Wallarah and Blakeley Ovals) and identification of alternative use sporting sites and facilities.
- **Updates:** Periodic updates of the status of the planning phase of the project were made to State and Commonwealth members.

This engagement was consistent with the community participation objectives in the *Undertaking Engagement Guidelines for State Significant Projects* and complied with the community engagement requirements in the SEARs.

Further reference should be made to Engagement Outcomes Report (**Appendix FF**), which provides a detailed overview of matters raised by community stakeholders, including how these matters have been addressed by the proposed development. This document should be reviewed in conjunction with the content of this EIS. In accordance with the Regulations, the EIS will be placed on formal public exhibition once DPHI has reviewed the EIS and deemed it 'adequate' for this purpose. Following this exhibition period, the applicant will respond to any matters raised by notified parties.

5.2. COMMUNITY VIEWS

A detailed community engagement table is provided as **Appendix E**. The key issues raised by the community and key stakeholders are summarised in the table below.

Table 13 Community Feedback

Key Issue	Applicant Response
Indoor Sporting Facility: Demand, Access, Standard & Regional Capacity	
Significant community and stakeholder support to address the latent and future demand for indoor sporting facilities within the area. There is a strong acknowledgement of the indoor sporting court deficit within the Newcastle, Lake Macquarie and Port Stephens LGAs. Significant community and stakeholder support to	The proposed development will address the significant short fall in the quantity and quality of indoor courts in the region and provides athlete development and high-performance opportunities. This will reduce barriers to participation that are currently preventing people from participating in sport and physical activity.

Key Issue	Applicant Response
provide further opportunities to facilitate increased participation in basketball and other sports particularly for people with a disability, culturally diverse communities as well as women and girls.	The Newcastle Basketball catchment area (LGAs of Newcastle, Lake Macquarie and Port Stephens) require more than 20 additional courts to meet demand to 2041. Neither Lake Macquarie nor Port Stephens have adequate indoor sports facilities with most players choosing to play in Newcastle. The catchment area's participation rate in basketball is around half that of other benchmark LGAs, and short of the potential 8,000 to 9,000 members if adequate facilities were available.
Significant community and stakeholder support to provide additional opportunity and access to multi-sport courts for other sport partners inclusive but not limited to netball, hockey, futsal, volleyball, badminton and pickle ball.	Other indoor sports including volleyball, futsal, netball, indoor hockey, pickleball and badminton continue to grow in popularity but participation in the Lower Hunter stagnates due to a lack of opportunities due to a lack of venues. The HISC will provide larger multipurpose spaces for a range on sport and recreation activities that match the diversity of a local community.
Significant community and stakeholder support for improved user experience and address functional and quality issues of the current facilities within the Hunter region. Significant community and stakeholder support for the opportunity to establish high profile indoor sporting spectator facilities to support a range of sports including basketball, netball and volleyball.	The HISC will be a fit-for-purpose multipurpose building catering for basketball and other sports. The building replaces the existing outdated basketball stadium that has reached the end of its useful life and provides superior amenity for participants and spectators.
Significant community and stakeholder support for the proposed Hunter Indoor Sporting Centre to enable major regional events and representative games to be held in the region.	At completion, the HISC will be the largest indoor sports facility in NSW and capable of hosting regional, state and national events in a range of sports.
Development Should be at an Alternative Location	
A high level of support was presented by all parties of the need (and support) for a regionally significant indoor sporting centre. Individuals who did not support the proposal had a view of, *right development, wrong location*. Preference for the proposed development at an alternative location.	CN put forward the site for use by BANL due to identified low utilisation, the limited supporting facilities (eg limited floodlighting and amenities) and availability of equivalent facilities elsewhere within the LGA. The use of the site for the HISC aligns with the adjacent sporting precinct and demand for indoor sports courts within the LGA. CN has engaged with the key sporting associations over the past 12 months in relation to opportunities for these organisations to relocate to alternative (and improved) sporting venues. Consultation has been undertaken with:

Key Issue	Applicant Response
	▪ Newcastle District Cricket Association ▪ Newcastle Football Association ▪ Lambton Jaffas Football Club The peak sporting bodies support the proposed HISC and the relocation of existing users to alternative (and improved) sporting venues.
Flooding and Stormwater Impacts	
Flooding and stormwater were raised by local residents as a critical matter for consideration, with specific reference to the existing capacity of the stormwater channels and increased water generated by the development (hard surface carpark as opposed to the current grassed area). The public authorities (CN and Hunter Water) have identified the need for specialist studies and the general impacts, and the mitigation options are anticipated to be reflective of the concerns of the residents.	A flooding assessment has been undertaken to support the proposed development (refer (**Appendix Z**) and **Section 6.14.** The design level for the building is above the flood planning level and the flooding assessment has demonstrated that the proposal complies with relevant statutory provisions relating to flooding.
Traffic and Carparking Impacts	
Traffic and carparking was raised by local residents as a critical matter for consideration with specific reference to the vehicular access to the site, the impact of increased vehicular traffic generated by the development, carparking capacity and cumulative impact of existing major events in the area (e.g. game days for the Newcastle Knights and Jets; as well as concerts). The public authorities (Newcastle City Council and Transport for NSW) have identified the need for specialist studies and the general impacts, and the mitigation options are anticipated to be reflective of the concerns of the local residents.	A Traffic and Transport Impact Assessment has been prepared in accordance with the Austroads Guide to Traffic Management Part 12, the complementary TfNSW Supplement and RTA Guide to Traffic Generating Development. The assessment has found that the traffic, carparking and access impacts of the proposed development are acceptable (refer **Appendix P** and **Section 6.8).** Additionally, a Traffic Event Management Plan (**Appendix S**) has been prepared that addresses potential cumulative impacts of major events occurring within the precinct.
Loss of Playing Fields / Open Space	
Consideration and mitigation options of the impact of the proposed development reducing the open space (Blackley Oval and Wallarah Oval). Specific consideration is required for the impact and options on the current formal users (primarily local sporting clubs and Lambton High School) as well as the informal access by the community.	CN has engaged with the key sporting associations and the peak sporting bodies support the proposed HISC and the relocation of existing users to alternative (and improved) sporting venues. The proposed staging means that there will be continued access to open space for Lambton High School and the community on part of the site while the building is being delivered. BANL is also

Key Issue	Applicant Response
	committed to providing future access to the HISC by Lambton High School.
Construction Impacts	
Consideration and mitigation options of the impact of the proposed development construction phase with specific reference to the noise and heavy vehicle movements on local residents.	This EIS includes an assessment of the potential impacts of construction on the amenity of the surrounding area (including the public domain and within the site) with respect to noise and vibration, air quality, dust and particle emissions, water quality, storm water runoff, soil pollution and construction waste, having regard to relevant standards and guidelines, and identify required measures to mitigate potential impacts to acceptable levels. A preliminary Construction Management Plan has been prepared (**Appendix JJ**)

5.3. ENGAGEMENT TO BE CARRIED OUT

BANL will continue the open dialogue that has been established with residents, agencies, relevant local groups and other stakeholders as the planning process continues. Upon approval, BANL will continue to engage with the key residents, agencies, relevant local groups and other stakeholders to keep them informed of the progress throughout the life of the project.

6. ASSESSMENT OF IMPACTS

This section describes the way in which the key issues identified in the SEARs have been assessed. It provides a comprehensive description of the specialist technical studies undertaken regarding the potential impacts of the proposed development and recommended mitigation, minimisation and management measures to avoid unacceptable impacts. Further detailed information is appended to the EIS, including:

- SEARs compliance table identifying where the SEARs have been addressed in the EIS (**Appendix A**).
- Statutory compliance table identifying where the relevant statutory requirements have been addressed (**Appendix B**).
- Community engagement table identifying where the issues raised by the community during engagement have been addressed (**Appendix D**).
- Proposed mitigation measures for the project which are additional to the measures built into the physical layout and design of the project (**Appendix C**).

The detailed technical reports and plans prepared by specialists and appended to the EIS are individually referenced within the following sections.

6.1. DESIGN QUALITY

A Design Report has been prepared by EJE and is attached at **Appendix F**. The Design Report articulates the design qualities of the proposed development describes the response to the site and site context and the design principles that have guided the development of the proposed development.

6.1.1. Potential Impacts

Item 3 of the SEARs requires the *Better Placed* 'objectives for good design' to be addressed by this SSDA. The project's consistency with the *Better Placed* objectives are outlined below and in the Architectural Design Report at **Appendix F.**

- **Better Fit:** The building utilises materials that are robust, with colours and fenestrations to reference the Hunter's natural geology, and respond to varying contextual scales, with warm natural hues alongside richly planted landscape areas, creating a welcoming environment aligning itself with wellness design principles.
- **Better Performance:** The design implements energy minimisation strategies, through natural lighting and ventilation to playing courts, whilst placing smaller gathering spaces such as the café and associated seating spaces along the building perimeter adjacent natural light and ventilation.

  The site is flood affected at the Turton Road frontage of the site, however, design levels for the site have been planned to minimise the street front setback along the northern portion of the site furthest from the flood source.
- **Better for Community:** The project team will continue to consult with local Indigenous community members with the objective to embed Indigenous stories, cultural, and geographical narratives within the detailed design response of the building, landscape, materiality and wayfinding.
- **Better for People:** Relationships with the local community will be fostered through this project, to promote inclusiveness and engagement of local stories and culture to maximise welcoming spaces for Indigenous players, officials, spectators and locals alike.
- **Better Working:** The proposal has been designed around the user experience. The design provides clear circulation zones that have a relationship to the outside environment, with external breakout and meeting areas forming a key part of the overall design concept. Multi purposes rooms have been incorporated with direct viewing into the playing halls allowing a quite safe breakout zone for the user as well as culturally safe spaces for people of indigenous background.
- **Better Value:** The proposal will deliver a multi-purpose indoor sports facility and will be a valuable asset to the local Newcastle Community as well as the broader Hunter and NSW regional communities. The design enables a staged construction methodology with each stage being designed to provide the highest cost benefit to the end user.

- **Better Look and Feel:** There is a strong design focus on the activation of street frontages, providing a welcoming and attractive facility. The building form will complement the existing sporting facilities within the precinct, through a public-facing interface of internal and external spaces - all designed to encourage community use.

6.1.2. SDRP Meeting

Item 2 of the SEARs requires the EIS to demonstrate that the development has been reviewed by the State Design Review Panel (SDRP) consistent with the NSW SDRP: Guidelines for Project Teams. The project team has had one meeting with the SDRP facilitated by GANSW on 21 February 2024. At this meeting EJE presented the HISC design proposal including addressing Connecting with Country (CwC) considerations requirements.to ensure that the project meets the criteria for Design Excellence and aligns to key planning principles.

The SDRP's feedback and detailed responses are provided within the Architectural Design Report (at **Appendix F**) and a summary is provided in **Table 14** below. The proposal has incorporated the SDRP's recommendations into the final design of the HISC. The feedback was largely positive, and the SDRP acknowledged that due to project timeframes, further feedback and input from the SDRP would occur after the lodgement of the EIS.

Table 14 SDRP Feedback

SDRP Feedback	Response
Connecting with Country: Acknowledging Basketball New South Wales' commitment to Connecting with Country and the support from their Aboriginal Advisory Group, there is further opportunity for a place-based narrative which can provide a framework to inform the architectural and landscape response to the project.	
Demonstrate how Country is implemented and expressed in the master planning, built form and landscape. For example, by integrating the narrative around movement and gathering into the design response.	The overall proposal has been developed to reinforce and integrate the concept of movement within the built form and landscape, refer **Appendix F.**
Extend Connecting with Country beyond interpretations and into tangible examples of how Country is cared for and protected.	WSUD principles and endemic plant species have been incorporated within the proposal.
Investigate opportunities to enable naturalisation of the creek along the southern boundary, aligning with the water story and supporting regeneration, revegetation, and healing Country.	The proposal has been redesigned to accommodate any future re-naturalisation of Ker-rai Creek. A landscape zone along this frontage consisting of mainly soft landscaping will allow for future of the cycleway and softening of the former creek edge.
Refer to the Connecting with Country Framework and case studies on the GANSW website for more information and guidance.	Noted. Refer Connecting to Country Response within the Landscape Design Report (**Appendix I**).
Site Strategy and Landscape: The site's strategic location within the Hunter Sports and Entertainment Precinct and Broadmeadow, noted as a Regionally Significant Growth area, offers considerable potential to illustrate best practice for a modern sporting facility and responsibility to deliver significant landscape and public domain improvements.	
Review the pedestrian and vehicular circulation, access, egress, site permeability and equitable access. Address the following: Provide efficient and legible circulation focused on how people get to the site from the surrounding	All the pedestrian links within the site have been enhanced and developed to provide a clear link to the existing pedestrian network within the local context.

SDRP Feedback	Response
streets, the school to the north and the train station to the west	
Improve site entry points and circulation	Refer above.
Provide heat protection for people moving from the car park into the building	Shade canopy trees and an overhead canopy roof along the forecourt provide shade whilst additional seating and rest areas have been incorporated within the landscape design.
Reduce hardstand car parking and replace it with permeable surfaces	Carparking hardstand areas have been reduced wherever possible. Additional circulation aisle along the southern frontage has been removed and replaced with additional landscaping.
Reduce and rationalise the quantum of vehicle circulation space.	Additional circulation aisle along southern boundary has been removed whilst not reducing carpark function or queuing ability.
Prioritise pedestrians over vehicles	Wherever possible pedestrian pathways and forecourt have been developed and enhanced to prioritise pedestrian movement across the site.
Develop a clear wayfinding strategy for the project	Pavement patterns, overhead walkway roofs and hierarchy of forms provide a clear delineation and coupled with signage provide for a clear wayfinding. strategy both from a pedestrian and vehicular access point of view.
Careful consideration should be given to how the building interfaces with the adjacent sites and broader context. Provide detailed drawings including cross sections, to demonstrate: An active and high-quality ground plane between the built form, existing footpath, Lambton Ker-rai Creek, and Monash Road to the south	The building and landscape interface along Ker-Rai Creek has been developed to provide a high-quality interface incorporating gathering spaces, activity zones and high-level soft planting. The building façade has been punctuated with windows to provide greater connectivity to the internal workings of the facility.
Improved connections between Lambton High School and the surrounding residential area	The interface between Lambton High and the proposal has also been enhanced to encourage links between the two facilities. The building corner has been articulated and opened to Lambton High and the COLA providing a high level of interaction. Proposed gates to secure the northern setback have been located beyond the existing gate from Lambton High School allowing continued school use of the remnant greenspace along the western frontage of the site.
Clear and safe pedestrian entry point/s across from Monash Road	The existing pedestrian link to Monash Road has been enhanced and prioritized through redesign of pavement surfaces and relocation and screening of service zones.
Additional crossing point/s from Monash Road to the site	No additional crossing points are considered at this point due to levels and flooding issues. The current link provides an effective link at approximately the

SDRP Feedback	Response
	halfway point of this frontage.
Site and building entry points should be clearly identifiable and welcoming. Relocate the waste bins away from the pedestrian entry point across the culvert to enhance CPTED measures	An internal bin store has been included within the building. Service entry and ramp have been redesigned to be part of the façade and to be separated from the pedestrian entry point from Monash Road.
Consider a more sensitive integration and location of the substation near Turton Road.	The substation has been located further into the site and screened by effective soft landscape planting. Refer landscape plan for detail.
Develop the proposed landscape principles and demonstrate how they are achieved through a detailed landscape design strategy that: Targets 40% tree canopy cover across the site	Total site shade area proposed is 16.5% of whole site area including building footprint. Carpark shade area proposed is 66%. Refer landscape drawings at **Appendix I.**
Supports greening and a permeable car park area	Carpark has been redesigned to incorporate landscape zones and WSUD principles facilitating passive drainage of the carpark
Improves the quality and integration of landscaped spaces throughout the site, rather than limiting them to the curtilage	Landscape zones have been fully developed including integration of landscape with the internal built environment. Refer Landscape drawings for detail.
Integrates landscaping within the building	Landscaping within the building was reviewed. Connections to the external landscape have been enhanced through placement of landscape zones and access to them via breakout spaces has increased the connection of the internal built environment and the natural landscape.
Makes provision for dedicated pre-games warming-up spaces co-located with green space.	External half court zones are proposed. These are linked to the internal spaces via external pathways or directly via the courtyard off corridor 02. These half courts allow for use by the public.
Consider introducing a generous easement along the footpath and creek on the southern boundary and naturalisation of the creek (as noted in item 3) to increase opportunities for walking, gathering, cycling and street activation and improve amenity along Monash Road.	Refer landscape drawings for details of gathering, rest and activity spaces, and improved amenity along the Monash frontage. The existing cycle/pedestrian way is maintained in its entirety until Stage 1B where the Eastern connection to Turton Road is amended to facilitate the carpark design.
Built Form: The building in the round has implications on treatment of building mass, entry points and architectural expression. The disparate language used for the different components of the building should be made more cohesive. In addition, consideration should also be given to internal functionality particularly due to the staging of the different components.	
Explore massing options that reduce the footprint, and optimise green space, amenity, and permeability.	The scale is reflective of the function of the building and the number of courts required. Built form has been reduced through the use of retractable seating
Develop the elevational treatment and articulation of the northern and western façades to provide an	A revised overall elevational treatment has been developed which extends the concept of movement

SDRP Feedback	Response
appropriate interface with the townhouses and school and reduce adverse visual impacts.	in the built façade and providing a cohesive overall architectural treatment for the overall facility. These facades have been developed along the concept of escarpments that have been weathered and articulated with fissures ad eroded clefts allowing for the façade scale to be reduced and modulated.
Modulate the western façade in consideration of its relationship to the green space and connection with the school, including pathways and entrances between the school and the facility. For example, modulation could include shifting some of the internal program to the west.	Western façade has been modulated and broken down to provide a better connection, both physical and visual, with Lambton High school and the proposed landscaped areas and pathways. The southern high-performance module has been twisted allowing the increase of useable internal breakout space and greater connection of corridor 02 to the external courtyard, proposed half courts and landscape beyond. A corner window, eroded cleft, has been included within Court 08 to provide a direct visual connection to Lambton High School.
Reconsider the internal planning, hierarchy and functional layout and explore an efficient use of space for diverse user groups to better engage with the local school and wider community	HISC will develop partnerships with Lambton High School and the wider community to facilitate patronage of the facility by school groups.
Test the acoustic impact of the arrangement of eight open courts and consider opportunities for the arrangement to be interspersed with amenities which may provide noise mitigation.	The eight internal courts are to be broken into three halls with acoustic glazing providing visual connection between spaces whilst reducing the overall acoustic impact of multiple courts being used at one time.
Co-locate meeting and gathering spaces with the playing courts to increase opportunities for interaction and to create views into the playing spaces.	Meeting and gathering spaces have been included within the playing halls over and above the required playing and runoff areas. In addition, additional glazing has been introduced from the foyer and Corridor 02 to increase viewing and connectivity into the playing spaces. First floor multi-purpose rooms have windows overlooking Court 01. These spaces will be used as breakout spaces as well as Culturally safe spaces for LAC's and Indigenous players. Glazing has also been incorporated from the lobby, players' lounge and function room into the show court module.
Consider breaking down the space allocated to the courts into smaller segments and explore ways to increase visual and physical access.	Acoustic glazing will be used between the eight courts to separate this section of the building into three halls. The glazing will provide visual connection between spaces whilst reducing the overall acoustic impact of multiple courts being used at one time.
Sustainability and Climate Change There is a real opportunity for this to be a demonstration project that is energy neutral. Therefore, a more ambitious benchmark for the project's sustainability targets is encouraged.	
Explore use of landscaping to assist with passive	The landscape design has been developed to

SDRP Feedback	Response
shading and minimise urban heat island effect and draw it into the building to enhance biophilic design principles.	provide a high level of shading to the building and carpark areas to reduce where possible the heat island effect. Landscape zones have been brought to the façade edge to biophilic design principles and the end user experience.
Demonstrate integration of Water Sensitive Urban Design	The carpark has been redesigned to incorporate landscape zones to reduce and drain the hardstand areas an increase landscape coverage whilst endemic species selection has been undertaken to reduce dependence on watering
Test the ventilation strategy and demonstrate that it's workable in summer and winter.	The ventilation strategy provides a high level of occupant adaptability and control to provide a comfortable internal environment. Passive natural ventilation principles have been employed with mechanical assisted roof ventilators. These systems will be further developed during the design development phase.
Include active transport strategies to improve and connect to existing pedestrian and cycle networks and the wider Broadmeadow area	Proposal links seamlessly to local pedestrian and cycleways with close proximity to public transport along Turton Road and Broadmeadow Station.
Maximise use of roof solar for energy requirements given the day and night use of the space.	Roof top PV's have been included, and a full cost benefit analysis will be undertaken during the developed design phase to determine extent, size and possible battery inclusion. Refer Architectural Roof Plan at **Appendix E.**
Provide strategies for how a net-zero building can be achieved. This is highly encouraged to reach NSW's Net Zero emissions goal by 2050. Refer to 'NSW, DPIE, Net Zero Plan, Stage 1: 2020-2030' for further information.	Northrop has prepared an ESD report detailing strategies to employ ESD initiatives within the building, refer **Appendix O.** A net zero statement has also been provided, **refer Appendix VV.**
The project presents a significant opportunity to advance the inclusion of women in sport: Demonstrate that appropriate amenity will be provided in the new facility to genuinely encourage women to participate in the sport of basketball.	BANL actively encourages the participation of women in sport and a high percentage of its members and players are female. HISC is multi-sport venue that has been designed to include other sports including netball which is predominantly a female sport. Equal numbers of male and female change rooms and amenities have been included within the facility

Overall, it is considered the proposed development provides for a high level of design quality and will have a positive impact on the site and the surrounding context.

6.2. BUILT FORM AND URBAN DESIGN

6.2.1. Potential Impacts

The layout of the building has been carefully considered to make sure it provides a positive visual outcome and efficient use of the site given the flooding constraints. A conscious effort has also been made to ensure the building's design provides a flexible and welcoming environment for community members.

The building has been designed in a long L shape with is relatively low scale-built form. The shape, low scale nature and windows enables the activities occurring inside the building to be seen from the street. This provides visual interest to the public domain and also allows the community to engage with the facility.

The building has been designed with three levels; however, the higher levels are kept to the rear of the site such that the two-story street-front element provides greater compatibility with pedestrians.

The site is bordered by a combination of existing avenue trees along Turton Road. These trees have been extended around the corner along Monash Road, to provide a consistent curtilage to the building and improve environmental amenity.

The site entry is activated by a corner building element comprising the associated retail tenancy. Along Monash Road the building is fenestrated to reveal the internal workings of the High-Performance centre which will enable the showcasing the region's elite athletes.

The lower level of the development contains the back-of-house operations of the building, as well as end-of-trip facilities. The southern side of the site provides a designated building servicing point at which vehicular and truck access is provided to the building without impeding pedestrian access to the main street frontage.

Figure 19 Photomontage of the proposed built form

Source: EJE Architecture

6.2.1.1. Materiality

The building's external materiality consists of high-quality and durable materials which are intended to last the lifespan of the building. Externally the proposal is a mix of lightweight cladding systems reflecting both the internal program and the façade design concept, and high-performance glass curtain walling to the double height foyer and lobby spaces.

The internal materiality is intended to reflect the design concepts within the external built form and landscape whilst being warm and inviting for people to meet and gather. The general court areas will be practical and reflective of the multi-sport environment.

Figure 20 Proposed materiality

Source: EJE Architecture

6.2.1.2. BCA and Access

A Building Code of Australia Report has identified that the proposal is capable of compliance with the BCA. The report noted that the proposed works will achieve compliance with the *Disability (Access to Premises-Building) Standard 2012* through a mixture of Deemed-to Satisfy-and Performance-Based strategies, compliance will be readily achieved.

6.3. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The Crime Prevention Through Environmental Design (CPTED) guidelines were prepared by the NSW Police in conjunction with the Department of Planning. CPTED provides a clear approach to crime prevention and focuses on the *'planning, design and structure of cities and neighbourhoods.'* The guidelines provide four key principles to limit crime. A CPTED Assessment accompanies this application and is attached at **Appendix J**.

6.3.1.1. Recommendations

The CPTED Assessment concludes that the proposed design generally accords with CPTED principles and provides the following recommendations to be incorporated in the detailed design of the facility:

Territorial reinforcement

- A fence along the northern boundary to create a formal boundary to adjoining private properties is recommended.
- Heavy vegetation should be avoided at entrance points and any window areas along the building as it will inhibit line of sight and natural surveillance into / out of the building.
- Signage should be erected in order to assist with wayfinding.
- Areas where access is prohibited or is private should be clearly signposted.

Surveillance

- Landscaping should not inhibit natural surveillance (block sight lines) or provide concealment and entrapment opportunities. Shrubs should not be greater than 1 metre in height and the canopy of tall trees should be higher than 1.8 metres.
- The building design should not inhibit natural surveillance (block sight lines) or provide concealment and entrapment opportunities.
- Australian and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- Entry doors to have deadlocks, windows to be deadlocked to reduce opportunities for forced entry.
- On site security and after-hours security patrols are recommended.

- CCTV strategy is recommended (refer site specific recommendations).

Access Control

- All entry points (pedestrian and vehicle) should be clearly signposted to ensure that informal access points are not utilised as this will inhibit surveillance and therefore reduce opportunity for detection.
- Clearly identify the areas that are private / out of bounds.
- The HISC building to be secured after hours with back to base security.

Space / Activity Management

- The area (including gardens, hard walls, fencing) should be well maintained. Any evidence of antisocial behaviour (e.g. graffiti, malicious damage, broken lights etc.) should be cleaned / fixed / replaced within 24 hours. A maintenance plan needs to be developed for the site.
- The garbage bin area to be secured and kept out of general sight.

6.4. ENVIRONMENTAL AMENITY

An Architectural Design Report has been prepared by EJE and is attached at **Appendix F**. The Design Report addresses how good internal and external environmental amenity is achieved and provides a solar access analysis of the overshadowing impacts of the development within the site and on surrounding properties.

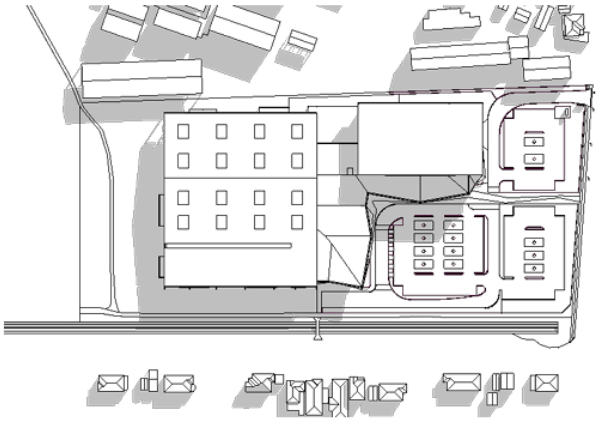
6.4.1. Solar and Overshadowing

The proposed building massing has minimal impacts on the surrounding context, given it is surrounded by roads to the west, south and north.

EJE has prepared shadow diagrams at hourly intervals between 9am and 3pm (inclusive) on the 21 June (mid-winter solstice) and at 9am, 12pm and 3pm on 21 December (summer solstice) provided within the Urban Design Report at **Appendix F.** The shadow diagrams provided (see **Figure 20** below) show that shadow cast by the proposed development falls within the site boundary and do not impact on any adjoining residential areas.

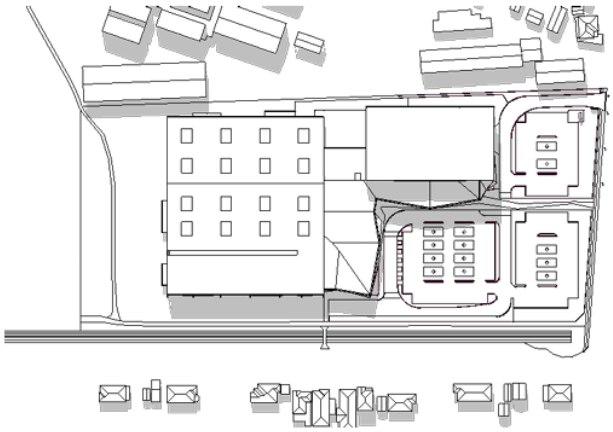
In addition, solar access within the building has been carefully examined to ensure suitability for the playing spaces with regards to glare and hot spots. Shading devices have been employed to ensure direct sunlight to the playing court surfaces is controlled.

Figure 21 Solar Diagrams



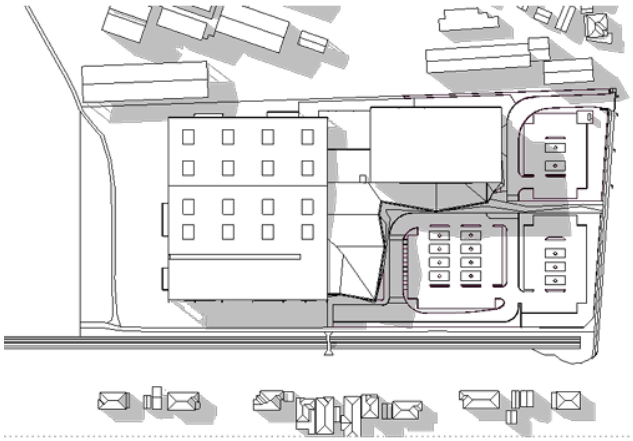
Picture 7 9am Winter Solstice

Source: EJE Architecture



Picture 8 12pm Winter Solstice

Source: EJE Architecture



Picture 9 3pm Winter Solstice

Source: EJE Architecture

6.4.2. Lighting

An External Lighting Impact Assessment has been prepared by Electrical Projects Australia (**Appendix HH**). The report analyses the ambient light level and lighting design for the proposed development to determine whether the proposal is likely to result in obtrusive light spill impacts to the public domain and adjacent properties. The site has existing floodlighting that will be removed under the proposal.

6.4.2.1. Potential Impacts

The assessment concluded:

- The proposed external lighting design is compliant with both the minimum recommendations of AS/NZS 1158 and the maximum restrictions of AS/NZS 4282.
- The external lighting design has no obtrusive lighting impacts to the adjoining residential areas, light pollution or light spill into the night sky or site surrounds, and no obtrusive impacts to the safety of the road network.

6.4.2.2. Mitigation Measures

The report makes the following general recommendations and strategies to reduce external light pollution:

- Utilise smart lighting control strategies i.e.
  - Dusk – 10pm: All lighting to be 100% on.

  - 10pm – Dawn: All lighting to dim down to 30%, intelligent lighting control to dim up lighting back to 100% only when presence is detected.

- Motion detector control – luminaires incorporate motion sensor, lighting ramps up to maximum when movement is detected, reverts to minimum level when no movement is detected.
- Curfew switch-off of certain types of lighting. This can be appropriate for 'decorative' lighting, which is not required for safety or orientation, and can be turned off late at night when it is less likely to add value.

If the proposal incorporates the recommended mitigation measures it is concluded that the proposal will result in acceptable external lighting impacts.

6.4.3. Wind Impact

A Pedestrian Wind Environment Statement has been prepared by Windtech and is attached at **Appendix GG**. The report analyses the local wind environment at the critical outdoor areas within and around the proposal to examine the climate on pedestrians.

The report uses wind speed criteria for pedestrian comfort to make an assessment of the wind impact on people. The following have been used within the assessment:

- Walking criterion (8m/s with a 5% probability of exceedance)
- Standing (short exposure) criterion (6m.s with a 5% probability of exceedance)
- Sitting (long exposure) criterion (4m/s with a 5% probability of exceedance)

6.4.3.1. Potential Impacts

- The prevailing west-north-westerly winds are expected to have a minor impact on the trafficable areas to the east of the development as the building itself shields the ground level areas from these winds.
- The north-easterly winds are expected to flow along Turton Road and adjoining pedestrian footpath, these winds will impact the ground level trafficable areas mainly in the form of a direct flow through the car park.
- Southerly winds are expected to flow along Turton Road and over the low-rise developments across Monash Road. The existing trees along Monash Road will break down the flow before it streams into the ground level areas of the proposed development.
- Additionally, the southerly winds will have a direct flow into the alfresco and open space areas.

The results of this assessment indicate that the wind environment in the trafficable ground level areas surrounding the development will meet the required safety and comfort criteria and be suitable for their intended use.

6.4.3.2. Mitigation Measures

The Wind Statement identifies that the proposed development has incorporated several design features and wind mitigation strategies, notably landscaping to the carpark, planter boxes and the retention of trees on the western side of the site and to the Turton Road frontage. These mitigation measures will be applied in the detailed design of the building. As such, it is concluded that the proposed development will result in acceptable wind impacts.

6.5. VISUAL IMPACT

A Visual Impact Assessment (VIA) has been prepared by Terras (**Appendix M**). The analysis assesses the likely visual impacts of the built form through a visual analysis of the development from key viewpoints within the public domain.

6.5.1. Existing Environment

The visual context is largely characterised by public recreation, low density residential dwellings and mixed-use businesses. Within the immediate vicinity of the site, the surrounding land uses include four recreational ovals and fields, netball courts and a skate park. McDonald Jones Stadium and Newcastle International

Hockey Centre are directly opposite the site on the eastern side of Turton Road. Further east of McDonald Jones Stadium, is Newcastle Harness Club, Go Karts Go and Supa Putt.

The most prominent views afforded into the site will be for users of Turton Road, travelling north, users of the shared pedestrian / cycleway to the immediate south of site, residences along Monash Road facing north, and subsequent users of recreational facilities in the surrounding area, as they are located to the immediate boundary of the proposal. Direct views are also available from the current Turton Road pedestrian crossing, however the existing fig trees on the eastern boundary of the site provide a significant vegetation screen. The remaining views to the site are considered filtered due to the topography, development in the foreground and the height of the established street vegetation of the surrounding area.

6.5.2. Potential Impacts

Photos from eleven viewpoints were prepared as part of the view analysis. These views represent a range of viewpoints from which the development may have a visual effects or impact.

A summary of potential view impacts is explored below:

Viewpoint 1: Turton Road, Travelling North

- **Stage 1a –** Due to the vegetated screening to the carpark as well as the setback proposed and maintenance of field space abutting Turton Road, the visual impact has been reassessed as low. Low-level mass planting proposed to the carpark will assist in screening the hardstand of the carpark.
- **Stage 1b and Stage 2 –** This high visual impact is a result of the viewer access and sensitivity of the viewpoint however it has been reassessed as moderate as although the proposal will change the view from this viewpoint the proposal will mostly screened by proposed planting to the foreground of the built form and the site is viewed in the context of Turton Road which is a major road corridor with a low visual quality rating.

Viewpoint 2: Turton Road Pedestrian Crossing Looking West

- **Stage 1a –** Views are afforded to pedestrians, cyclists and users of the Turton Road pedestrian crossing, heading only west in direction. As the views available from this location are only afforded to users for a short period of time, largely screened by existing and proposed vegetation and visual relief is provided by retaining the existing field area to the front of Turton Road, the visual impact has been assessed as low. The magnitude of change from this viewpoint will also be low.
- **Stage 1b and Stage 2** – The magnitude of change from this viewpoint is high due to the change affecting the majority of the view however the majority of the change will be proposed vegetation implemented to screen the carpark and built form. The context of the view is within the busy road corridor of Turton road and therefore the Impact has been reassessed as low.

Viewpoint 3: Monash Road Residences facing north

- **Stage 1a –** Visual impact is assessed as low due to the existing vegetation to Monash Road providing a large amount of foreground screening to the proposal from this location allowing for only a partial change in existing viewed landscape. The magnitude of adverse change from this viewpoint will be balanced with the beneficial change due to the removal of the shed in the foreground and the proposed development set back from this viewpoint retaining the open field fronting Monash Road.
- **Stage 1b –** The magnitude of change from this viewpoint will be beneficial due to the removal of the shed in the foreground and the proposed development set back from this viewpoint retaining the open field fronting Monash Road therefore it is believed no reassessment is required.
- **Stage 2 –** The visual impact has been retained as moderate. The magnitude of change is high due to the loss of open fields and proposed development however the removal of the existing shed in the foreground from this viewpoint and the proposed planting to the southern boundary the impact is believed to be moderate.

Viewpoint 4: Arthur Edden Oval Grandstand, Facing East

- **Stage 1a, Stage 1b and Stage 2 –** Views are afforded to users of the Arthur Edden Oval (fenced oval) facing east. As access to this location is limited to only when play is occurring or maintenance, and the integration of vegetation to ensure the proposal blends with its existing viewed landscape and maintenance of a portion of the field area surrounding, the visual impact has been reassessed as low.

Although clearly visible from this viewpoint, the extent of change and the level of contrast that will be experienced by receptors is low therefore the magnitude of change is low.

Viewpoint 5: Share Path at Wallarah Road, Travelling East

- **Stage 1a, Stage 1b and Stage 2 –** The proximity to site and sensitivity of the viewpoint has unjustly affected the visual impact rating as the proposal will be largely unseen from this viewpoint due to extensive foreground vegetation and structures. The small portion of what will be visible will largely blend with the existing viewed landscape, therefore the visual impact has been assessed as negligible.

Viewpoint 6: McDonald Jones Stadium Gate N, Looking West

- **Stage 1a and Stage 1b –** This viewpoint is assessed as negligible, due to the majority of the proposal being screened from this viewpoint by existing vegetation on the eastern boundary of the site and the offset in height and bulk frontage appearance by retaining field area to the eastern boundary, ensure an overall minimal visual impact from this viewpoint.
- **Stage 2 –** The sensitivity rating of the viewpoint has resulted in a moderate visual impact; however, it is reassessed as low, due to the majority of the proposal being screened from this viewpoint due to existing vegetation on the eastern boundary of the site and proposed internal landscaping.

Viewpoint 7: Lambton Road / Turton Road Intersection, Travelling East / West, Looking North

- **Stage 1a and Stage 1b –** Visual impact from this location is considered nil, as the proposal is not visible from this viewpoint for this stage of proposed works.
- **Stage 2 –** Visual impact from this location has been reassessed as negligible, due to low viewers numbers, short duration, and extensive screening of site as a result of existing vegetation and foreground infrastructure creating negligible views of site.

Viewpoint 8: Turton Road Travelling South

- **Stage 1a –** Visual impact from this location has been assessed as negligible, as the proposal provides little contrast to the surrounding viewed landscape and is largely unseen due to established, existing development.
- **Stage 1b –** Visual impact from this location has been assessed as negligible, as the proposal is largely unseen due to established, existing development. For portions of the proposal that will be visible, they provide minimal contrast to the surrounding viewed landscape.
- **Stage 2 –** From this location the visual impact has been reassessed as low as the magnitude of change is low and the proposal will sit within the urban fabric adjoining Turton Road and appear as an extension of this therefore the visual impact is low.

Viewpoint 9: Richard Ford Netball Courts, Looking East

- **Stage 1a, Stage 1b and Stage 2 –** As the proposal is expected to largely blend with the existing viewed landscape from this viewpoint and screened by mid-ground vegetation and infrastructure, the visual impact is reassessed as low.

Viewpoint 10: Lambton Road, Looking North-West

- **Stage 1a, Stage 1b and Stage 2 –** The proposal is only visible from this location through a partial breach of mid ground infrastructure and is expected to have negligible visual contrast to the surrounding viewed landscape.

Viewpoint 11: Residences on No-Through Road, Carrington Parade, New Lambton Heights, Looking North-East

- **Stage 1a, Stage 1b and Stage 2 –** The proposal is only visible from this location due to superior viewpoint in the context of the greater established infrastructure of the CN and would be very difficult to distinguish. Therefore, the visual impact is assessed as negligible.

6.5.3. Mitigation Measures

The VIA recommends the following mitigation measures:

- Implement screening vegetation to hardstand areas along Turton Road and screening to Monash and western interface of site, as per the proposed landscape plans.
- Ensure under planting to tall, native, evergreen species.
- Early works planting for vegetation would be recommended to ensure trees are established in the early stages of the development.
- Varied treatment and use of recessive colours to the facade to reduce its perceived mass and encourage integration into the existing landscape.
- Ensure no light spill particularly to residences to the south of the site from carparks.

Overall, the VIA considers the proposed development to be acceptable in visual impacts terms; however, it is acknowledged the proposed mitigation measures will enhance the site's appearance and the streetscape.

6.6. TREES AND LANDSCAPING

Landscape Plans have been prepared by Terras Landscape Architects (**Appendix I**) and an Arboricultural Impact Assessment and Tree Protection Plan has been prepared by Bark Trees and Landscapes (**Appendix N**).

6.6.1. Existing Environment

The site has established vegetation to the eastern boundary along Turton Road and on the Monash Road side of the Lambton Ker-Rai Creek drainage corridor. This established vegetation provides a level of screening into the site. Landscape character within the immediate vicinity includes low density residential, roads and recreational space in the form of ovals and playing fields. There are 26 existing trees on the site.

6.6.2. Potential Impacts

- On-site Trees 2, 3, 4, 5, 6, 7, 8, 10 13, 14, 15, 18, 19 will not be impacted by the proposed works as the TPZs of these trees will be subjected to only minor encroachments.
- Off-site Trees A, B, C, D, E, and G will also be retained as encroachments from the development are within acceptable limits of encroachment having regard to their locations, type of tree and condition.
- Trees 7,16, F and G have been assessed as being potentially impacted by the development.
- Trees 1, 9, 10, 11, 12, 17 are required to be removed to facilitate the development.
- Preventative measures should be taken to retain Trees 16, 17, F and G. If they do need to be removed, then compensatory planting will need to be undertaken.
- The proposed landscaping includes progressive vegetation of the site with early establishment of planting on the southern boundary to aid in screening of the building from adjacent residences and softening the appearance of the carpark.
- Vegetation in the carpark will also be used as part of WSUD initiatives.
- The proposed landscaping will increase tree canopy coverage on the site and is considered to have a positive impact on the site and the surrounding environmental amenity.

6.6.3. Mitigation Measures

The Arboricultural Impact Report (refer **Appendix N**) provides the following recommendations:

- Tree 1,9, 10,11,12 and 17 be removed.
- Trees 2, 3, 4, 5, 6, 8, 13, 14, 15, 18, 19, A, B, C, D, E, be retained.
- That Trees 7,16, F and G be retained following the requirements of the Tree Protection Plan.
- To compensate for the loss of Trees 1, 9, 10, 11, 12 and 17, it is recommended that 28 standard trees [45litre] be planted on the site.

The HISC proposes a high-quality landscaping strategy and the design has been planned to retain existing trees where possible. The proposed development is therefore considered to have acceptable impacts from a landscaping perspective.

6.7. ECOLOGICALLY SUSTAINABLE DEVELOPMENT

6.7.1. Existing Environment

The Environmental Planning and Assessment Regulation Act 2021 (EP&A Act) adopts the definition of ecologically sustainable development (ESD) from section 6(2) of the Protection of the Environment Administration Act 1991. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- The precautionary principle
- Intergenerational Equity
- Conservation of biological diversity and ecological integrity
- Improved valuation, pricing and incentive mechanisms

6.7.2. Potential Impacts

An Environmentally Sustainable Development (ESD) Report has been prepared by Northrop (refer to **Appendix O**) for the proposed works, in response to SEARs. The report identifies design initiatives and features of the proposed development that holds the potential to reduce the overall environmental impact. The proposed development has included a variety of sustainability initiatives reflective of the project's commitment to sustainability. A net zero statement has also been provided, refer **Appendix VV.**

6.7.3. Mitigation Measures

Energy Efficiency

- Use energy efficient lighting, fixtures and install electric vehicle charging stations.

Improved Building Fabric and Glazing Performance

- The proposal will use high performance insulation, fabric, and glazing, prioritizing the comfort of occupants in the building.
- The design incorporates the provisions for natural and mechanical ventilation.
- Glazing will be installed to aim to allow natural light whilst managing intense glare during the daytime. Glazing will also aid in controlling heat transfer.

Energy Efficient Equipment

- The proposal will use higher star rated refrigerators, dishwashers and other major equipment that will reduce the site's energy demand.
- The proposal will use higher WELS-rated fixtures and fittings, to reduce energy demand and hot water demand.
- Lighting systems will utilise LED lights with motion sensors and timers.
- Solar panels will also be installed, contributing to the electrical system and powering equipment.

Environmentally Friendly Refrigerants

- All mechanical systems across the development will use environmentally friendly refrigerants to minimise global warming potential and ozone depletion.

Low Impact

- The project aims to minimise embodied energy by avoiding unnecessary use of materials and procuring materials with a low carbon footprint where appropriate.

- During construction works, there will be a focus on optimizing the use of available materials onsite to reduce transportation needs. In cases where the necessity arises for imported materials, preference will be given to locally sourced options where feasible.

Indoor Environmental Quality

- Daylighting systems are being integrated throughout the internal and external areas to support the admission of natural light and direct sunlight.
- Cross-ventilation measures have been undertaken to ensure careful placement, sizing and location of openings will promote the natural flow of air throughout the proposed building.
- Preference has been given to materials with low levels of volatile organic compounds and formaldehyde content to reduce respiratory issues for workers.

Water Efficiency

- Use of onsite rainwater storage will ease the burden on traditional water sources and avert harm from wastewater discharge.
- A closed loop fire water testing system will be implemented to reduce strain on potable water sources.
- The proposal will incorporate water sensitive urban design to reduce demand for portable water and redirect stormwater into the urban landscape.
- The development will provide systems for stormwater treatment on the broader development such as raingardens, and reductions systems onsite designed as a protective measure for the environment.
- The development will use a system to recycle rainwater by collecting, storing, filtering, and distributing rainwater to offset most of the sites potable water usage throughout the site.
- Landscape featuring a selection of native grasses, shrubs and trees will promote the biodiversity of insets and native birds.

Waste Management

- Effective waste management throughout the construction and operation of the site will help to promote resource efficiency and minimise the adverse environmental impacts of the site development.
- The development during construction works will target an 80% rate for recycling and reuse of waste, with monitoring in place to ensure adherence.
- The provision of separated waste and recycling streams in all areas will allow for more effective recycling of the operational waste, particularly given the higher culpability of areas such as the ancillary offices.

Heat Island Effect

- The proposed development is to integrate design and materiality which reduces reflected solar heat radiation. This will involve passive design strategies, material selection and maximization of shading and effective landscaping.

6.7.4. Summary

Overall, the implementation of the initiatives noted within the ESD Report demonstrate the proposal's commitment to ESD principles throughout the design, construction, and operation. Additionally, the development has worked to address key climate related risks posed to the site.

6.8. TRAFFIC, TRANSPORT AND ACCESSIBILITY

A Traffic Impact Assessment (TIA) (**Appendix P**). of the development and Green Travel Plan (GTP) (**Appendix MM**) have been prepared by SECA Solution.

The TIA has provided an assessment that considers the traffic and transport implications of the proposed development. This assessment relates to the construction and operational phases of the proposed development, at completion.

6.8.1. Existing Environment

The existing pedestrian, cycling and public transportation infrastructure within the vicinity of the site have been identified throughout Section 2.0 of the TIA. An overview of the surrounding road network and car parking facilities is provided at Subsection 2.4 of the report. The following is noted in summary:

Road Network

The site has no direct vehicular access. The eastern boundary of the site adjoins Turton Road. Turton Road is a classified main road and is a major transportation route within the Newcastle Road network. It provides two lanes of travel northbound and three lanes of travel southbound separated by a raised central median and has a posted speed limit of 60km/hour. Turton Road carries a high volume of traffic especially during traditional commuter peaks, reflecting its role and function within the road network.

Monash Road runs parallel to the southern boundary of the site and connects with Turton Road. Monash Road is a local road with a single lane in each direction. Perpendicular parking is provided on Monash Road. Pedestrians parking here cross via a bridge over the stormwater canal to reach the ovals. It is noted that these spaces are not dedicated parking spaces for the playing fields and are used by residents as well as visitors to McDonald Jones Stadium.

Public Transport

The site is well located with respect to access to public transport. Broadmeadow train station is located approximately 1km to the east and provides regular train services on the Central Coast Newcastle Line between Newcastle and Sydney. It is also a stop on the XPT Regional Train service between Sydney and Brisbane.

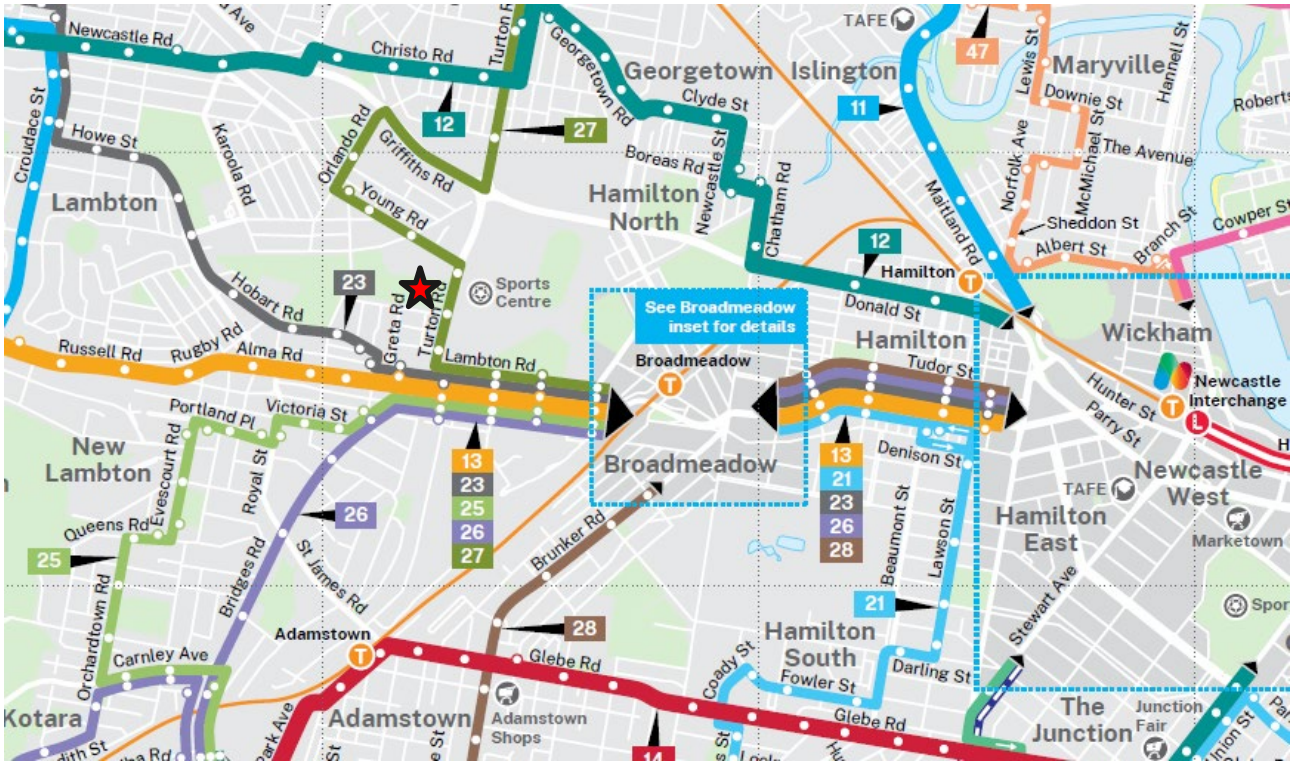
Bus stops are located on Turton Road to the north of the site and are serviced by:

- Route 27 – Wallsend
- Route 138 – Lemon Tree Passage (Monday to Friday)
- Route 266 – West Wallsend (Monday to Friday)

Additional services depart from Lambton Road (400m south) providing access to Newcastle CBD, John Hunter Hospital, the University of Newcastle and west to Cardiff and Glendale in the Lake Macquarie LGA. Broadmeadow train station also acts as hub for bus transit as shown in **Figure 22**. Overall, both bus and trains operate at a high frequency in this area.

There is also a wide network of pedestrian paths in the locality, reflecting the high demand for pedestrian movements in the area. This includes footpaths along both sides of Lambton Road and Turton Road. The site sits adjacent to the intersection of two main cycling routes (R4 and R5) which connect east and west with a mix of primarily shared paths and low difficulty on road cycle route.

Figure 22 Excerpt of Newcastle Bus Network Map



Existing Active Transport

There is also a wide network of pedestrian paths in the locality, reflecting the high demand for pedestrian movements in the area. This includes footpaths along both sides of Lambton Road and Turton Road. A shared pedestrian/cycleway runs adjacent to the southern boundary and within the site. This path connects west to Lambton and east to the Newcastle CBD via Broadmeadow Station.

There is a signalised mid-block pedestrian crossing on Turton Road, on the site frontage to allow for safe and controlled pedestrian and cyclist movements in this location.

6.8.2. Potential Impacts

Proposed Site Access

Vehicle entry and exit movements shall be via a new driveway connection to Turton Road which shall cater for all large vehicles including bus and delivery vehicles in and out of the site. All vehicles will enter and exit the site via a left hand turn in and left out only. A left turn deceleration lane will be provided for the site access. This is a similar arrangement to that at the Hockey Centre on the opposite side of Turton Road. The proposed deceleration lane and site access will result in the removal of existing parking spaces on Turton Road north of the pedestrian crossing.

The TIA confirms that the driveway location provides a straight and level alignment allowing for visibility to the right for exiting vehicles and good forward visibility for drivers approaching the access.

The site layout provides for the efficient movement of vehicles throughout the site. The first bay of parking spaces are located 80 metres from the entry point on Turton Road. This allows free flow of vehicles into the site and means that minimal queuing is expected at the entrance.

A pedestrian boulevard will direct people from Turton Rod through the carpark to the main entrance. The driveway into the carpark will cross this boulevard, but will be marked as a pedestrian crossing ensuring priority for pedestrians. Vehicles will be travelling at slow speeds within the carpark and conflict between pedestrians, vehicles and cyclists is not expected to be significant. During events traffic/pedestrian control will be implemented at this crossing to manage the movement of inbound pedestrians, and to ensure there is no queuing back towards Turton Road. At all other times pedestrian movements would be minimal and have no significant impact (delay) on vehicle movements entering the site.

Forecast Trip Generation

The projected traffic movements for the project have been based on surveys of a similar facility and adjusted to suit the number of courts on site (being 12). This approach has been agreed with TfNSW and CN. In respect of vehicular and pedestrian trip generation, the TIA notes:

- The facility will generate minor traffic demands during the morning peak period, associated with staff and servicing requirements.
- The busiest hours of operation are weekday afternoon /evening between 4pm-6pm, due to use of the HISC for training and coinciding with evening peak. The following PM peak hour trip generation rates have been assumed by the TIA:
  - 402 arrival car trips.
  - 402 departure car trips.

  The projected peak hour traffic flows have been adopted in the network traffic modelling for the project.
- On a weekend, the site could generate in the order of 240 vehicle movements per hour (120 inbound and 120 outbound).
- School gala events would occur mid-week during school hours and there will be buses to carry people to and from the site.
- The site is within 1km of Broadmeadow Railway Station and close to bus services, so it is likely a high number of patrons travel by train or by various bus routes when there are main events, consistent with attendance at various events at the adjacent stadiums. Peak events created by major tournaments at the site will be infrequent and will be controlled under a site-specific Event Management Plan (**Appendix LL**).

Capacity of Local Roads

The TIA has considered forecasted trip generation rates in respect to the carrying capacity of the local road network. The following is noted:

- The forecasted number of vehicle trips that will be generated shall have an acceptable impact upon the local road network during the critical afternoon peak period. On the weekend, when the traffic flows are lower, the impact shall be lower again. Local roads will remain within their environmental capacity.
- The project is expected to draw attendees from Newcastle, Lake Macquarie, Port Stephens and Maitland local government areas, therefore drawing traffic to and from all directions. There are multiple routes available to approach the site allowing for the distribution of traffic across numerous roads and via various intersections.
- In the PM, the development will result in increased delay to the right-hand turn movement from Turton Road to Griffiths Road. This can be mitigated by optimisation of traffic lights phase times to increase through flow of vehicles through this intersection at peak times.
- The HISC will generate some pedestrian movements towards Turton Road to connect to the public buses in this location.
- The footpath across the site between the Turton Road pedestrian crossing and Monash Road will be widened to allow for the relocation of the shared pathway that currently crosses the bottom corner of the site near Monash Road. The existing footpaths and this proposed new footpath in the public domain on Turton Road will adequately cater for pedestrian movement associated with the development.

Parking Assessment

There is no specific parking rate specified in the Newcastle DCP 2023 for the proposed indoor sports centre. A rate of 19 car spaces per court has been provided, derived with reference to rates applied to similar facilities by other Councils in the region and consistent with the parking provision for the existing Basketball Stadium. For further details refer to Section 5.5.7 of the TIA. Parking rates for other elements within the proposal are based on Newcastle DCP 2023 requirements and are detailed in **Table 15** below.

Table 15 HISC Parking Rates

Land use	Car Parking Rate	Area / Number	Requirement
Courts	19 spaces per court	12	228 spaces
Café or Restaurant	1 space per 10m2 GFA or 1 space per 5 seats	Ancillary	5 staff spaces
Health Consulting Rooms	1 space per practitioner plus 1 space per 2 other staff 2 spaces per practitioner for visitors	Assume 3 practitioners + 2 staff	10 spaces
Gym	Minimum 4.5 spaces per 100m²	344.8m2	15.5 spaces
High Performance Office	1 space per 50m2 GFA	351.1m2	7 spaces
Office	1 space per 50m2 GFA	303.5m2	6 spaces
Total proposed parking		240 car spaces, including: - 9 drop off spaces - 8 accessible spaces -2 bus parking spaces 12 motorcycle parking spaces	

The proposed parking provision is considered acceptable given that the other uses on site are ancillary to the HISC (café, gym and office uses) and will operate during the day outside of peak court visitation. There is also likely to be carpooling and drop off / pick up by parents for evening training rather than vehicles remaining parked at the site.

The carpark will be developed in the following stages:

- Stage 1A: 110 spaces (6 courts)
- Stage 1B: 75 spaces (8 courts)
- Stage 2: 55 spaces (12 courts)

The progressive delivery of the carpark means that adequate parking will be provided to service each stage of the development.

A dedicated service bay vehicle bay will be provided adjacent to the building. This will be used by waste trucks as well as for deliveries and maintenance. Swept paths have been undertaken by Northrop (refer **Appendix P**) that demonstrate all vehicles will be able to enter and exit the site in a forward direction, with the proposed carpark layout providing for two-way movements throughout.

There will be two dedicated bus parking spaces on site. At times when overall parking demand is low, for example a day-time school sports activity, there may be adequate parking available within the site to enable additional buses to stand if necessary.

Events Management

The Event Management Plan (**Appendix LL**) outlines arrangements for management of large events with up to 2,500 patrons in attendance. During these events access to the on-site parking will be prioritised for those directly associated with the event including players, officials, caterers, first aid staff and teams arriving in buses. Parking on site for spectators will require a valid parking ticket.

Buses will exit to layover off-site at either Young Road or Griffiths Road. Offsite parking will be available in the McDonald Jones stadium car parking on the opposite side of Turton Road which has 900 spaces. The combined parking capacity of 1,140 spaces is considered sufficient to accommodate demands for events of this size, noting that patrons would be encouraged to attend via public transport.

There is a wide network of pedestrian paths in the locality includes footpaths along both sides of Lambton Road and Turton Road. There is also a signalised mid-block pedestrian crossing on Turton Road, along the

site frontage. A designated pedestrian route shall be provided through the site between the HISC and Turton Road. The pedestrian infrastructure within and surrounding the site is considered sufficient to allow for safe and controlled pedestrian movements during events.

Construction Traffic

A Preliminary Construction Traffic Management Plan (CTMP) has been prepared by SECA Solution (**Appendix R**). Preparation of a final CTMP will be the responsibility of the Principal Contractor. The preliminary CTMP identifies the following:

- A temporary construction access point will be established off Turton Road prior to the creation of the new driveway access. This shall allow for left in left out vehicle movements only.
- The estimated construction workforce will be 20 people and in peak periods up to 100. The size of the site will allow for construction vehicles and contractor parking to be provided on site in the initial stages. During periods of peak demand overflow parking is available on Monash Road or within the McDonald Jones Stadium (subject to consultation with Venues NSW).
- During remediation and construction activities there will be a demand for heavy lifting machinery as well as some earthwork equipment. The construction vehicles will all be contained within the site and as such will have a minimal impact upon the local road network.
- Larger vehicles may require part of the inner north bound lane to enter or exit the site, dependent upon the design of the temporary access and so should be limited to deliveries outside the local road peak (8.00am-9.00am and 4.30pm-6.00pm)
- There shall be no impact to pedestrians and cyclists during the majority of the works with the existing shared path and footpath maintained. During the public domain and site works in the south-eastern corner of the site the shared pathway will be impacted for a short period. During this period suitable traffic management and detours will be implemented.
- The works will not impact the operation of the signalised pedestrian/cyclist crossing nor the northbound bus stop north of the site.

Green Travel Plan

SECA Solution has prepared a Green Travel Plan (GTP) (**Appendix MM**). The purpose of the Green Travel Plan is to inform users of the proposal of the actions that can be implemented to support active transport and reduce single car usage along with resultant car parking demands.

The GTP establishes site-specific actions and incentives to manage travel demands and embrace the principles of sustainable transport to maximise the use of transport modes that have a lower environmental impact such as walking, cycling, public transport, or car share schemes. Further reference should be made to the GTP.

6.8.3. Mitigation Measures

The following management measures are recommended to maintain safety in the vicinity of the site and manage traffic and parking impacts:

- ‘No Right Turn’ signs will be included at the exit
- Include a ‘No U Turn’ sign on the Turton Road median strip at Monash Road consistent with the current one for northbound traffic.
- A Traffic Guidance Scheme is recommended to manage inbound and outbound traffic, accommodate pedestrians and cyclists and allow for the work directly impacting Turton Road which will be the subject of a works authorisation deed (WAD) with TfNSW.
- Optimisation of traffic lights phase times for Turton Road / Griffiths Road.
- Implementation of the Events Management Plan.
- The pedestrian pathway through the carpark will be marked as a pedestrian crossing ensuring priority for pedestrians (cyclists to dismount).

- During events traffic/pedestrian control will be implemented at crossing of the pedestrian boulevard and carpark access driveway to manage the movement of inbound pedestrians, and to ensure there is no queuing back towards Turton Road.
- The carpark will be sign posted as a shared zone at the entrance.

6.9. BIODIVERSITY

Clause 7.9 of the Biodiversity Conservation Act 2016 applies to SSD applications and requires SSD applications to be accompanied by a BDAR unless it is determined the proposed development is not likely to have any significant impact on biodiversity values.

A thorough literature review was undertaken to gain an insight into the ecology and applicable legislation within the locality. These sources were used to gain an understanding of the natural environment and ecology of the site and surrounds. Searches using NSW Wildlife Atlas (**BioNet**) were conducted to identify current threatened flora and fauna records within and surrounding the site. This data was used to assist in establishing the presence or likelihood of any biodiversity values as occurring on, or adjacent to, the site.

The BDAR confirms the site contains no threatened species habitat or vegetation and the proposed development will not require any clearing of native vegetation. SLR concluded:

- The vegetation within the site and surrounding landscape has been historically cleared of its original native vegetation. The trees and vegetation on the subject land are cultivated for landscaping purposes and represent a low coverage and diversity of native vegetation.
- The subject land does not contain any known populations of threatened species or threatened ecological communities. The site does not represent a suitable habitat for threatened flora due to a lack of native vegetation and lack of suitable ground conditions. No suitable habitats for threatened plants exist on the subject land.
- Marginal to negligible foraging habitat for a narrow selection of mobile threatened fauna, in the form of scattered planted trees, occurs across the subject land.
- The potential for microbats to use the existing buildings and structures for roosting is low and there was no evidence found during the inspection of bat roosting behaviour (e.g. droppings, urine stains or live bats) therefore the impact of the demolition of the existing structures is unlikely to have any impact on threatened species.
- The non-native vegetation features of the subject land are unlikely to provide any important habitat for any threatened species of fauna potentially using the subject land. The exotic grass within Wallarah Oval is subject to frequent maintenance and disturbance including mowing, and anthropogenic recreational utilisation. Due to the lack of evidence of utilisation by threatened species, and the low potential for breeding, foraging and shelter habitat, it is unlikely that the removal of this feature will impact local threatened species.
- Some of the trees within and adjacent to the subject land represent suitable forage trees for the Grey-headed Flying Fox; however, the site does not represent an area of regional foraging habitat for the local population of this species. Given the project will result in the removal of only six trees and replant 28 native trees, there is no likelihood that the proposed development will adversely affect individuals or the local population of the Grey-headed Flying Fox. No other threatened species are likely to be adversely affected by noise and light during operation of the proposed facility.
- The subject land does not contain any vegetated links or fauna movement corridors and the proposed development will not affect the movement of threatened or migratory species through the landscape.

6.9.1. Mitigation Measures

The BDAR provides the following recommendations to be implemented before, during and post construction to avoid and minimise the impacts of the project.

- Undertake pre-clearance surveys to detect bat roosting in human made structures (i.e. buildings in southern section of the subject land) and breeding threatened species in trees to be removed.
- Clearing works to comply with Australian Standards (AS) 4970-2009 Protection of trees on development sites

- Temporary tree protection zone fencing to be implemented around retained trees and comply with AS 4970-2009.
- Animal rescue (WIRES or equivalent) to be notified in the event where wildlife is injured or impacted during the removal of vegetation and/or human-made structures.
- Works to comply with 'Arrive Clean, Leave Clean -Guidelines to help prevent the spread of invasive plant diseases and weeds threatening our native plants, animals and ecosystems' (DCCEEW 2015).
- Sediment barriers are to be implemented on areas of Lambton Ker-rai Creek near works areas.

6.10. CONTAMINATION

Contamination investigations have been undertaken by Kleinfelder. The scope of the work included:

- Desktop review of site information to review current and historical site information and images.
- Preparation of a Sampling and Analysis Quality Plan (SAQP) and Health, Safety, Environment and Quality Plan (HESQP) prior to intrusive site works
- Review of site information, including background information.
- Soil sampling at 26 locations.
- Groundwater monitoring at three newly installed groundwater monitoring wells including gauging, sampling, and recording of field groundwater quality parameters.
- Preparation of a DSI (refer **Appendix U**) and Addendum DSI (**Appendix V**)
- Preparation of a RAP (refer **Appendix W**)
- Preparation of a Long-Term Environmental Management Plan (LTEMP) (refer **Appendix X**)

6.10.1. Existing Environment

The site has been used for recreational activities since at least 1954, with possible recreational use prior to this date. The site is almost entirely grassed with some areas of pavement.

6.10.2. Potential Impacts

The DSI identifies all potential sources of contamination, areas of environmental concern (AEC), and contaminants of potential concern (CoPC) at the site. Identified elevated concentrations of CoPCs were prevalent across the entirety of site fill soils with the majority of reported below the adopted screening criteria. However, there were detections of total recoverable hydrocarbons (TRH) at several locations above the adopted urban and public open space ecological screening levels for coarse grained soils. Concentrations of copper and zinc exceeding the adopted ecological assessment criteria were also identified in select locations across the site. Based on the DSI findings, a supplementary DSI was undertaken to assess for additional CoPC. The Supplementary DSI also assessed whether identified contaminants have the potential to leach and migrate through the site.

The Supplementary DSI results for total cyanide, ammonia, and total phenols indicate that the most likely source of elevated Polycyclic Aromatic Hydrocarbons (PAHs) concentrations found in the investigations relate to fill derived from historical coal mining activities and associated infrastructure (railway lines and coal fuelled locomotives) and may have been present at the site for over 100 years.

The leachability results indicate that observed elevated heavy metals and PAH concentrations are bound within the soil profile and are not leaching into surface water or the shallow groundwater aquifer underlying the site.

Exposure to impacted filling material relates to direct contact only, with no vapour or inhalation risk present at the site and minimal risk of leaching of contaminants from fill soils to surface water or groundwater. As a result, the risk of current exposure is mitigated by the grass and pavement that restricts direct contact with impacted filling material.

A RAP was prepared in accordance with the NSW EPA (2020) Contaminated land guidelines for consultants reporting on contaminated land. The RAP identified that the preferred remediation strategy for the site is the

containment of impacted fill material on site. The impacted soils would be capped by a layer of clean fill material to prevent direct contact. This will be carried out during development earthworks and construction activities. This is lower cost (and has lower external amenity impacts due to not requiring large numbers of truck movements to move fill) compared to offsite disposal or onsite or offsite treatments.

Ongoing management of contaminated material will be governed by the Long-Term Environmental Management Plan (LTEMP) prepared for the project. It provides a framework for ongoing environmental management of the site during future disturbance of capped impacted fill soils. The LTEMP mitigates future exposure to impacted soils, manage potential human health or ecological concerns, and protects the safety of maintenance workers accessing the subsurface and members of the public accessing the site.

Subject to the implementation of the recommended remediation strategy Kleinfelder concludes that the site can be made suitable for an ongoing recreational / public open space land use.

6.10.3. Mitigation Measures

The following recommendations are made to manage contamination on the site.

- Management of impacted soils should be undertaken at the site through the implementation of the RAP, prepared in accordance with the NSW EPA (2020) Contaminated land guidelines consultants reporting on contaminated land (**Appendix W**).
- Should any material be identified at the site which is not consistent with the descriptions provided in the DSI, it is recommended that works cease, and investigations are undertaken in accordance with a site Unexpected Finds Protocol (UFP).
- A Construction Environmental Management Plan (CEMP) should be developed prior to the commencement of remediation activities in accordance with the Development Control Plan (Newcastle City Council, 2023).
- Given impacted soil is remaining at the site, a LTEMP was prepared (refer **Appendix X**) and will be required to be implemented by current and future owners of the site, to mitigate future exposure to impacted soils, manage potential human health or ecological concerns, and protect the safety of members of the public accessing the site.

6.11. ABORIGINAL CULTURAL HERITAGE

Aboriginal Cultural Heritage Assessment Report (ACHAR) has prepared by Artefact Heritage and Environment (refer to **Appendix BB**) has been undertaken to identify any potential Aboriginal objects and other cultural heritage values within the study area.

6.11.1. Existing Environment

The study area is located in the Newcastle LGA and is known to be associated with the Awabakal people, particularly the Pambalong clan who had Country from Newcastle to Mt. Sugarloaf and down to Lake Macquarie. They also used the New Lambton and Broadmeadow areas as hunting grounds for wallaby and kangaroo.

6.11.2. Potential Impacts

The assessment found that the study area is unlikely to contain Aboriginal objects based on the following:

- An AHIMS extensive search and a review of previous archaeological literature did not reveal any previously known Aboriginal sites within the study area.
- No previously unrecorded Aboriginal objects, sites or areas of potential archaeological deposits were identified within the study area as a result of the archaeological survey.

6.11.3. Mitigation Measures

As Aboriginal objects are unlikely to be located within the study area and therefore unlikely to be harmed, no mitigation measures are proposed.

Unexpected finds would require management under an Unexpected Finds Procedure or Cultural Heritage Management Plan. If any Aboriginal objects, or potential objects, are uncovered in the course of the

proposed development, work in the vicinity must cease and Heritage NSW, Department of Planning, Housing and Infrastructure (DPHI), Awabakal LALC, and a qualified archaeologist must be contacted for advice.

6.11.4. Summary

No previously unrecorded Aboriginal objects or areas of potential archaeological deposits were identified within the study area during the archaeological survey. The study area has been subject to considerable modification from historical disturbance, with recorded fill / topsoil reaching depths of 1.4m.

One scatter of exposed shell, identified near historical land modifications for WWII structures on the northern boundary of the site, is considered likely to be redeposited and not of Aboriginal origin. Further analysis of the geotechnical report suggests there is no intact Aboriginal shell midden below the recorded and varying levels of fill material, and significant disturbance is anticipated in the site area, potentially affecting the preservation of archaeological sites.

The study area is unlikely to contain Aboriginal objects.

6.12. HERITAGE

A Historical Archaeological Assessment has been undertaken by Artefact (refer **Appendix DD**).

6.12.1. Existing Environment

The subject site located within a residential and recreation setting within the suburb of New Lambton. The site currently exists as an oval and is utilised for public recreation.

6.12.2. Potential Impacts

Potential archaeological impacts are discussed below within the phases identified in various timeframes of the site's existence.

Table 16 Summary of Historical Archaeological Potential

Item	Phase	Discussion and Potential Remains	Potential
Newcastle Pasturage Reserve	1849 - 1861	Evidence of land clearance and agricultural preparation (tree boles, plough marks in subsoils, environmental samples); Evidence of water management systems (field drains, cisterns, dams); Opportunistic dumps of soil and rubbish; Evidence of property boundaries (postholes)	Low
Hartley Vale Colliery	1861 – c.1880	Evidence of the colliery railway (track, ballast, earthworks) Evidence of undocumented colliery works – administration buildings and warehouses (footings, postholes, platforms, yard surfaces); evidence of mine workings.	Low
Public Reserve	c.1880s - current	Evidence of former use of reserve in the form of postholes, planting pits, landscaping and access roads	Low
WWII	1943	Evidence of dummy gun emplacements (concrete footing, remnant dummy gun materials)	High

Section 6 of the HAA provides an impact assessment of likely project impacts. Based on the findings of the HAA, it has been concluded that there is generally low potential for the study area to contain significant archaeological resources. Should any archaeology associated with the WWII anti-aircraft dummy gun emplacements unexpectedly survive within the study area, it is assumed that the project earthworks would result in major adverse impact to these potential archaeological works of local significance. Accordingly, it is recommended that a program of archaeological monitoring and archival recording be undertaken to record the fabric and extent of one of the former emplacements

As the remains are considered to be archaeological 'works,' and the project is SSD, approval to impact the remains of the gun emplacements under the relics provisions of the *Heritage Act* 1977 is not required.

6.12.3. Mitigation Measures

Section 6.3 of the HAA proposes a range of standard recommendations to minimise the potential for any unacceptable impact on archaeological heritage values. These recommended mitigation measures are as follows

- All relevant construction staff, contractors and subcontractors must be made aware of their statutory obligations for heritage under the NSW Heritage Act 1977 and best practice as outlined in The Burra Charter (Australia ICOMOS 2013) to ensure no archaeological remains or heritage fabric are impacted during the proposed works without appropriate mitigation measures in place.
- A program of archaeological monitoring and recording, in accordance with the WMS outlined in this document, should be undertaken prior to excavation works. The results of the archaeological monitoring program, including survey data, would be presented in a standalone results report.
- An Unexpected Finds Procedure should be implemented for all excavation works not subject to direct management by an archaeologist.
- Should archaeological 'relics' be unexpectedly identified during any excavation work, dependant on the nature and significance of the find, there may be a requirement to notify Heritage NSW in accordance with Section 146 of the NSW Heritage Act 1977.

6.13. STORMWATER DRAINAGE AND WATER QUALITY

Northrop has prepared a Stormwater Management Plan (**Appendix L)** which includes engineering design plans for the proposed stormwater system that will service the site. A summary of the assessment and recommended mitigation measures is provided below.

6.13.1. Stormwater Quantity and Onsite Detention

The benefit of providing on site detention (OSD) was tested as part of the flood modelling. This demonstrated that given the site's location in the within the overall catchment, providing OSD did not have a benefit to the surrounding stormwater network and behaviour. As such, no onsite stormwater detention is proposed as part of the development. Each stage of the development will include an in-ground stormwater network of pits and pipes to manage minor flows within the development. A pit and pipe system will be provided for the development to discharge stormwater to the existing stormwater network (stormwater channel to the south and stormwater network within Turton Road).

There is an existing Hunter Water stormwater culvert that runs north to south into the existing stormwater channel. This culvert is proposed to be relocated around the development footprint. The grade of the culvert will be generally maintained and still discharge to the existing stormwater channel.

6.13.2. Stormwater Quality

The proposed stormwater management system has incorporated water quality treatment devices and meets or exceeds the Water Sensitive Urban Design (WSUD) targets set by Newcastle City Council Development Control Plan (DCP) Part 7.06. The proposed stormwater management system consists of:

1) Each stage of the building will include rainwater tanks as indicated in the stormwater drawings. Rainwater reuse will be reticulated internally and externally and has been sized in accordance with Section 4.1.3 of CN's Stormwater and Water Efficiency Technical Manual.
2) Stormwater runoff from each roof will be conveyed via gutters and downpipes to the tanks. Overflow from the rainwater tanks will be conveyed to the nearest stormwater pit. All stormwater inlet pits are to be fit with a proprietary pit insert to capture gross pollutants.
3) The secondary treatment proposed onsite is raingardens around the hardstand at each stage.
4) The raingardens have been integrated with landscaping to ensure a functional finish.

The WSUD stormwater quality targets and the achieved reduction modelled in MUSIC is outlined in **Table 17** below. This shows the proposed treatment train meets CN targets for reducing pollutants discharged from the development.

Table 17 WSUD Stormwater Quality Performance Targets

Pollutant Type	Target Reduction Percentage	Achieved Reduction Percentage
Gross pollutants	90%	100%
Total suspended solids	85%	86.3%
Total phosphorus	65%	65.2%
Total nitrogen	45%	55.1%

6.14. FLOODING

A Flood Impact and Risk Assessment has been prepared by Torrent Consulting and accompanies this application at **Appendix Z**.

The scope of works included:

- Review existing flood risk information including previous studies and available flood mapping.
- Review relevant flood related planning controls and development guidelines.
- Establishment of numerical hydraulic model to define existing flood risk for the site and development constraints.
- Flood impact assessment of proposed development using hydraulic model and identify requirement for flood mitigation. The flood assessment considered existing and post-development flood conditions for a range of design flood event magnitudes including the 10% AEP, 5% AEP, 2% AEP, 1% AEP, 0.5% AEP, 0.2% AEP and PMF events. The future 2050 planning horizon conditions were also assessed for the 1% AEP event.
- Establish principles for flood emergency response.
- Assessment of the compatibility of proposed development with established flood risk.

6.14.1. Existing Environment

The site is located beside Lambton Ker-rai Creek, which is a tributary of Styx Creek, located approximately 450 m downstream. The site is known to be flood-prone, as identified in the Newcastle City-wide Floodplain Risk Management Study and the recent update to the Throsby, Styx, and Cottage Creeks Flood Study.

6.14.2. Potential Impacts

The potential impact of the proposed development has been considered in terms of potential changes to existing flood behaviour. The modelled change in peak flood level and flood velocity distribution has been mapped for the 10% AEP, 1% AEP (2050) and PMF events. The assessment concludes the following:

- In the 10% AEP event the removal of the existing amenities building and lowering of the ground surface levels in the proposed car park results in a minor reduction in the modelled peak flood levels. This includes off-site reductions in peak flood level of around 15-25 mm between Gloucester Avenue and Marina Avenue (to the south of the site).
- The scale of the modelled flood impacts reduces for rarer flood events, becoming negligible by the 2% AEP. At the 1% AEP (2050) event, changes in the modelled peak flood level are effectively contained within the site (except for a minor localised increase of around 10 mm in Turton Road), principally associated with the removal of the existing amenities block.

- Changes in the modelled peak flood velocity are largely consistent with the 10% AEP event. There is a localised increase of up to 0.3 m/s within the rear of the neighbouring lot at 303 Turton Road. However, the resultant peak flood velocities are no higher than 0.7 m/s and so are of no consequence, being too low for scour erosion risk.
- In the PMF event the proposed development results in a greater degree of flood flow redistribution than for the 10% AEP and 1% AEP (2050) events.
- The removal of the amenities building and the proposed building increase the peak velocity by up to 2 m/s within the site, around the southern side of the development. Between the northern side of the proposed building and the adjacent higher ground of Lambton High School the peak velocity is increased by up to 1 m/s. Off-site increases are typically less than 0.3 m/s, except for within Turton Road, where they are locally up to around 0.8 m/s.
- OSD was omitted from the design because the site is constrained by flood water inundation at intermediate events such as the 10% AEP and 5% AEP. Further, the site's location within the receiving environment of the catchment (below around 10 m AHD) rather than within the upper catchment, makes the potential benefit of OSD provision questionable.

6.14.3. Mitigation Measures

The report recommends the following mitigation measures:

- Retain on-site flood storage.
- Limit obstructions within the external car park area.
- Retain the floodway along the eastern side of the site.
- Suitable bollards will be employed along the northern and southern boundaries of the car park area to prevent vehicles from being washed into the Lambton Ker-rai Creek or other key drainage infrastructure.

6.14.4. Flood Emergency Management

A Flood Emergency Response Strategy has been prepared , refer **Appendix UU**. The principles within the strategy are:

- Staff members should monitor BoM severe weather warnings and be subscribed to the Newcastle Flood Alert Service. The recommended flood emergency response (if people are present on the site during a flood) is to seek refuge from flooding within the site, only vacating the site when it is safe to do so following the recession of flood inundation. There is however an opportunity to evacuate people from the Site (if required and safe to do so) and for flood emergency egress/ingress during a flood event, from the rear building access to Womboin Road.
- The Flood Refuge area is the first-floor level of the building. With an available floor area of around 2000m2, the Flood Refuge can accommodate up to 2000 people potentially present on the site. Being a fully functioning part of the building, the Flood Refuge is inherently well-equipped to service the needs of potential occupancy for an expected period of a few hours.
- On-site flood refuge requires structural certification that the proposed building can withstand the expected hydraulic loads of the PMF event. Given the heavy construction type of the building this is expected to be readily achieved. The modelled flood depths adjacent to the building at the PMF event are locally as high as 1.4 m, with peak velocities typically no higher than up to 1.6 m/s. However, the modelled peak velocity is locally as high as 2.1 m/s at the south-eastern corner of the proposed Allied Health Club.
- The site management should consider the need to cancel or postpone events if a relevant severe weather warning is issued by the BoM. Travel is typically discouraged in such circumstances due to the risk of heavy rainfall and strong winds increasing the risk of driving.

With the recommended flood risk management measures in place, the proposed development is supportable from a flood risk management assessment perspective.

6.15. GEOTECHNICAL CONDITIONS

A Geotechnical Assessment has been prepared by Kleinfelder and is attached at **Appendix V**. The Geotechnical Assessment consolidates the findings from field work and laboratory testing to establish existing ground and water conditions at the site. The Geotechnical Assessment considers potential impacts of the proposed development, including soil erosion, salinity and acid sulfate soils.

The existing ground and water conditions inform recommendations for the detailed structural and civil design for the proposed development. A summary overview of the Geotechnical Investigation, including the recommendations from the Geotechnical Report, is provided by the subsections below.

6.15.1. Existing Environment

Field investigations included eight boreholes drilled to a depth of 8.0m below ground level (bgl). Twenty-two hand augers were advanced to between 0.5 and 2.0m bgl. Laboratory results established the following subsurface conditions at the site:

Fill

- Between 0.2 to 1.5m of clayey fill/ topsoil material under the surface.

Natural Soils:

- Firm to stiff black, dark brown or grey mottled yellow clay or Silty clay was encountered to depths varying between 1.8m bgl and greater than 7.95m bgl.
- Medium-dense to dense/firm to stiff alternating bands of grey sand and clay was encountered to depths varying between 4.5m and 7.8m bgl.
- Very stiff to hard grey mottled yellow and red CLAY to 6.0m bgl or beyond 7.95m bgl.

Sandstone Bedrock:

- Very low strength pale grey sandstone was identified to at least 7.95m bgl in one borehole.

Groundwater:

Groundwater was recorded at between 0.8 and 4.5m bgl in boreholes and monitoring wells during the investigation period.

Acid Sulfate Soils

The site is located on lands that are Class 4 acid sulfate soils. In accordance with Clause 6.1 of Newcastle LEP 2012, development consent must not be granted for works more than 2 mbgl and works where the water table is likely to be lowered more than 2 mbgl unless an acid sulfate soils management plan has been prepared for the proposed works.

6.15.2. Potential Impacts

Potential impacts that were identified by the Geotechnical Report include:

- The site is comprised of highly expansive clay and will likely require piers or other structural measures to prevent excessive movement of the footings and floor slabs.
- The sub surface characteristics of the site are not suitable for shallow footings and all structural loads shall be piles to very stiff clay and/or sandstone bedrock at approximately 8m depth.
- The suggested structural design is slabs suspended supported on piers taken to the very stiff clay and/or sandstone bedrock at approximately 8m depth.
- The site has a high groundwater level at around 1-3m below ground level and works below this depth may require dewatering measures.

6.15.2.1. Acid Sulphate Soils

Acid sulfate soil screening test returned four tests that indicated that Potential Acid Sulfate Soils (PASS) are present at the site. Subsequently in January 2024 a further ten hand auger boreholes were sampled and also identified the presence of ASS.

The laboratory results triggered the action criteria for the creation of Acid Sulphate Soils Management Plan (ASSMP). An ASSMP has been prepared (**Appendix Y**) to manage ASS/PASS/acidic soils/reactive acid producing soils at the site and mitigate potential impacts resulting from the exposure of these soils during excavation for the construction of the building. Excavation exceeding 3m in depth should be assumed to be disturbing ASS. The implementation of the ASSMP will ensure that excavated soils are treated and site groundwater and any discharges remain within acceptable limits.

6.15.3. Mitigation measures

Kleinfelder provides the following recommendations:

- Due to the nature of soils on the site, the surface may become soft and boggy during wet weather. Affected material shall be removed prior to construction of footings, slabs or pavements.
- To improve the trafficability of the site, minimise construction delays, and enable proper functioning of the pavement, adequate surface and sub-surface drainage should be provided.
- Larger footings than 1.5m shall be checked by a geotechnical engineer to ensure settlements are within project tolerances.
- All structural loads are supported by piers or piles taken to the very stiff clay and/or sandstone bedrock at approximately 8m depth.
- Ground bearing floor slabs may be used up to a total loading of 15kpa, above this it is recommended that slabs are suspended and supported on piers taken to the very stiff clay and/or sandstone bedrock at approximately 8m depth.
- Bored pier or pile excavations are to be assessed by a geotechnical engineer during construction to ensure that founding conditions are consistent with those on which the design recommendations are based.
- Excavation exceeding 3m in depth is to be treated in accordance with the ASSMP prepared for the site, including a regime for testing of soil and groundwater.

6.16. SOCIAL AND ECONOMIC IMPACT

A Social and Economic Impact Assessment (SEIA) was prepared by LCG Solutions (**Appendix EE**) to identify and analyse the potential positive and adverse social and economic impacts associated with the proposed development. The SEIA has been prepared in accordance with DPHI's *Social Impact Assessment Guideline 2023*. This included consultation with CN, identified stakeholders and the local community.

It provides an overview of the locality, its 'social baseline' and the existing social infrastructure. Following from this, it provides an assessment of the social infrastructure needs of future residents, and the economic and social impacts that are expected to be generated by the proposal.

6.16.1. Existing Environment

The SEIA establishes the social baseline' for the project. The following was found:

- The Hunter is one of the fastest growing regions in NSW and is projected to grow from 725,000 people in 2016 to approximately 840,000 people in 2036.
- Around 85% of the population growth will be concentrated in Greater Newcastle including Newcastle, Lake Macquarie and Maitland Local Government Areas.
- In 2021, the total population of City of Newcastle was estimated to be 169,448 people. It is expected to increase by over 14,224 people to 183,672 by 2031, at an average annual growth rate of 0.81%.

- In 2031, the dominant age structure for persons in CN is forecast to be ages 25 to 29, which accounted for 8.7% of the total persons. The largest increase in persons between 2021 and 2031 is forecast to be in ages 40 to 44, which is expected to increase by 2,247 and account for 6.8% of the total persons.
- Basketball NSW reports that the catchment area's participation rate is around half that of other benchmark LGAs. Market analysis (from ActiveXchange) demonstrates that the current number of approximately 5,500 members is well short of the potential 8,000 to 9,000 members if adequate facilities were available. Similar patterns of under participation ((compared to benchmark LGAs) are reported in volleyball and other indoor sports.
- The age group distribution and growth for the CN aligns with increased demands for sporting facilities. The quantum and profile of population change in the area will contribute to additional demand for indoor multipurpose sport and recreation facilities.

The proposal has also been assessed in regard to its potential social and economic impact during its construction and operational phase. The impacts are identified below.

6.16.2. Potential Impacts

Social Impacts

- The venue utilisation forecasts show the HISC will support a substantial increase in physical activity (with over 375,000 active participants per annum).
- The facility will provide increased access and opportunity for participation in indoor sports within a welcoming and safe environment, including a place for older age groups to participate in physical activity in a safe and controlled environment.
- Improvement in the health and wellbeing for over 600,000 local and regional members including children, young people, families, people from culturally and linguistically diverse backgrounds, people who are socially disadvantaged, seniors and people with disabilities.
- The HISC will establish a multi-sport excellence hub and provide a base for junior pathway and high-performance programs / tournaments as well as coach and referee development.
- Sporting and recreational activities and events contribute to the development of stronger social networks and more cohesive communities – for participants, volunteers and supporters. The HISC will provide increased opportunities for social engagement, support local community networks and create an inclusive environment for participants, volunteers and supporters.
- During construction there is likely to be some disturbance to neighbourhood and amenity, temporary changes to road access arrangements and construction vehicle movements.
- The proposal will reduce the open space available for local sporting clubs and Lambton High School as well as informal access by the community to the open space.

Economic Impacts

- The HISC will facilitate physical activity. Increased sporting participation has the potential for improved physical and mental health outcomes within the community and therefore contribute to increased economic productivity.
- Visitors to special events at the HISC (estimated to be per 35,000 per annum) will spend within the LGA. Informed by previous events, tourism data and anecdotal feedback from BANL, it is forecast that one third of event visitors will come from outside the LGA, generating an average expenditure of $144/ per person.
- The HISC will assist in facilitating the outcomes of the Draft Broadmeadow Place Strategy which will provide much needed additional housing within the Hunter Park Sport and Entertainment Precinct and be a catalyst for economic development in Newcastle.
- The Hunter Indoor Sports Centre is also forecast increase business turnover with more residents actively participating in sports at the venue and making associated purchases – this increases business turnover and reduces escape expenditure on sport and leisure outside the LGA.
- The development of the HISC will generate 260 construction jobs (with 115 direct jobs).

- The operation of the HISC will generate 91 operational jobs (including 52 direct jobs).

6.16.3. Mitigation Measures

- Stage 1 maximises the balance of the site (over 40%) as open space that will continue to be available for use by local residents, Lambton High School and sporting clubs.
- CN has noted that there is significant capacity to meet sporting needs into the future through its portfolio of fields. CN is to facilitate the relocation of the existing sporting clubs to enhanced alternative facilities (as negotiated and agreed between CN and the peak sporting bodies).
- Local residents will continue to be able to access adjacent and nearby Ford Oval and Kentish Oval (and surrounds) for open space purposes as well as the residual open space surrounding the Stage 1 HISC development.
- BANL will provide access Lambton High School access to the HISC to support their delivery of curriculum as well as general sport and recreation activities. Preliminary discussions have been held with NSW Education in line with the Education Department's *Community Access Agreement framework and approach*. Lambton High School will also be able to access nearby sporting fields including Ford Oval and Kentish Oval and surrounds.
- The Principal Contractor will work with Lambton High School to manage all key risks and controls on site to mitigate impact on the school operations.
- Planting recommended in the early stages of the development to provide time for growth and establishment of screening vegetation.

Construction Impacts

- The hours of construction including delivery of materials to and from the site shall be restricted to between: Monday to Friday inclusive 7.00am to 6.00pm, Saturday 8:00am – 1:00pm and no work on Sundays and Public Holidays.
- All practicable measures will be taken to reduce the noise arising from the Works. Noise from the Site shall not exceed the limits set out in the Interim Construction Noise Guidelines (ICNG) and Environmental Protection Authority. No machine work will occur outside approved working hours unless approval has been given by the consent authority.
- Dust suppression and air quality control measures at various stages of the project.
- Construction mechanisms that reduce noise, such as enclosures and limiting operations to agreed time periods.
- Implementation of a Construction Traffic Management Plan mitigation measures.
- Ensuring there is an effective community engagement process with surrounding residents.

The SEIA concludes that the project has significant positive social impacts, and that potential adverse social impacts identified can be adequately managed and mitigated.

6.17. HEALTH IMPACT ASSESSMENT

As required by the SEARs, this section of the EIS provides a health impact assessment of local and regional impacts associated with the development, including those health risks associated with the relevant key issues.

6.17.1. Findings

The EIS and appended technical reports provide an assessment of potential health impacts and finds:

- The site can be made suitable to accommodate the proposed development through implementation of recommendations of the DSI (**Appendix U**), RAP (**Appendix W**) and LTEMP (**Appendix X**). Adoption of these measures will reduce the risk of harm of site development and occupation to human health.
- The proposal will promote physical activity, health and wellbeing, through the provision of a variety of sporting opportunities including basketball, netball, pickle ball and volleyball. The proposal will also

provide increased opportunities for social engagement, increasing local community networks and creating an inclusive environment for participants, volunteers and supporters.

- Landscaping will be integrated on the site in accordance with the Landscape Design prepared by Terras Landscape Architects (refer **Appendix I**) to reduce the urban heat island effect, increase tree canopy, improve interaction with nature and contribute to creating a cooler environment for visitors on the site.
- The proposal will provide good connections to the surrounding parks and playing fields, which will provide convenient access for passive recreational opportunities and planned / unplanned informal interactions.
- The site is in proximity to several health care facilities within the local area including Broadmeadow Medical Centre, Calvary Mater Newcastle Hospital and John Hunter Hospital.
- As recommended by Northrop, glazing will be installed to allow natural light whilst managing internal glare during the daytime. The proposal will also use high performance insulation, fabric, and glazing, prioritizing the comfort of occupants in the building (refer **Appendix O**).
- Adoption of noise management and mitigation measures recommended by Rapt Consulting (**Appendix U**) will reduce construction noise, operational noise exposure and the associated adverse health consequences on neighbouring properties and patrons within the area.
- Adverse impacts from lighting spill / glare during construction and operation of the site are not anticipated as outlined in External Lighting Impact Assessment prepared by Electrical Projects Australia (refer **Appendix NN**).

The health risks of the proposed development can be adequately managed by adoption of the mitigation measures outlined in consultant reports appended at **Appendix A – Appendix QQ** and summarised in the Mitigation Measures table at **Appendix C.**

6.18. NOISE AND VIBRATION

An Acoustic Assessment has been prepared by Rapt Consulting and is at **Appendix R** of this report. The report assesses the noise and vibration generated during demolition of the buildings and operation phases of the HISC. The assessment also includes mitigation measures to minimise potential noise impacts on surrounding dwellings and high school.

6.18.1. Existing Environment

To establish background and ambient noise levels, noise monitoring was undertaken by Rapt Consulting. between 29 February 2024 - 6 March 2024. During site visits it was noted that existing road traffic, distant road traffic, natural wildlife and an underlying urban ‘hum’ primarily described the ambient noise environment and is indicative of an urban noise environment.

Noise monitoring was undertaken around the site, the location from which this noise monitoring was completed is indicated on **Figure 23**.

Figure 23 Noise monitoring location

Source: Rapt Consulting

Based on the results the background noise level of the site is:

- Day (7am – 6pm): 44dB(A)
- Evening (6pm – 10pm): 46dB(A)

Night (10pm – 7am): 41dB(A)

Noise modelling was conducted for each of the construction scenarios outlined below:

- Excavation / site preparation
- Construction of building

The proposed excavation and construction activities have been assessed in accordance with the established noise criteria for the sensitive receivers. The assessment was based on the noisiest data for each piece of plant/machinery involved in each phase of the construction process to present a reasonable worst-case scenario. Noise levels were predicted to each assessed receptor assuming receiver heights of 1.5m above ground level for typical construction activities.

6.18.2. Potential Impacts

6.18.2.1. Construction Noise

The results of the construction assessment indicate construction will comply with the relevant noise management levels (NMLs) with the exception of minor exceedances to some receivers depending on work location, work activity and proximity to receivers. Certain types of construction machinery would be present in the study area for only brief periods and as noted above the worst-case scenario has been modelled meaning that the results are conservative. The highly affected noise criteria is expected to be complied with in all situations.

6.18.2.2. Operational Noise

Operational noise modelling of the proposed sports centre facility has also been undertaken as part of the Noise and Vibration Assessment.

The main sources of noise during the operation of the sports centre will be as follows:

- Mechanical plant
- Ball sports
- Human voices and whistles
- Onsite vehicles
- Site deliveries / removal or buses

The assessment is based on a reasonable worst-case situation, i.e. all items being used simultaneously, while in reality it is not expected to have all items operating simultaneously. Overall, the results of the assessment indicate compliance with project noise trigger levels can be achieved in all situations assessed. The actual received noise levels are expected in most cases to be significantly less than the predictions shown in the assessment report.

6.18.2.3. Mitigation Measures

RAPT Consulting has provided the following mitigation measures to control noise emissions during the construction and operational phases of the proposed development:

- All works are to be carried out in accordance with the EPA Interim Construction Noise Guideline and AS 2436.
- A Construction Noise Management Plan (CNMP) will be prepared prior to the commencement of works.
- Construction Noise Management Plan should be prepared prior to construction commencing that and implemented through all phases of the proposed construction works. The CNMP should include the following:
  - Identification of sensitive receivers potentially impacted and nominates noise and vibration management objectives for each.
  - Protocols for notification to affected neighbours of construction works.
  - Identification of the proposed significant construction activities, plant and processes and times of site operation.
  - Predication and assessments of noise and vibration impacts and recommends appropriate controls.
  - Nominated compliant handling procedures and responses, community liaison principles and site management practices to be adopted.
- Construction works should adopt Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) practices as addressed in the ICNG. BMP includes factors discussed within this report and encouragement of a project objective to reduce noise emissions. BATEA practices involve incorporating the most advanced and affordable technology to minimise noise emissions.

Subject to the mitigation measures that are identified throughout Section 7.1.10.3, the proposed development will achieve a satisfactory design outcome with respect to acoustic amenity. These mitigation measures are necessary to satisfy the applicable noise intrusion guidelines and standards that are referenced at Section 7.1.10.1.

6.19. CONSTRUCTION

A Construction Management Plan (CMP) has been prepared by The APP Group (enclosed at **Appendix QQ**) and a Construction Traffic Management Plan has been prepared by SECA Solution (**Appendix R**) outlining the proposed construction methodology and possible impacts.

Key elements of the construction management plans are detailed below. All construction works on site will be subject to finalisation of the CMP having regard to project programming and staging.

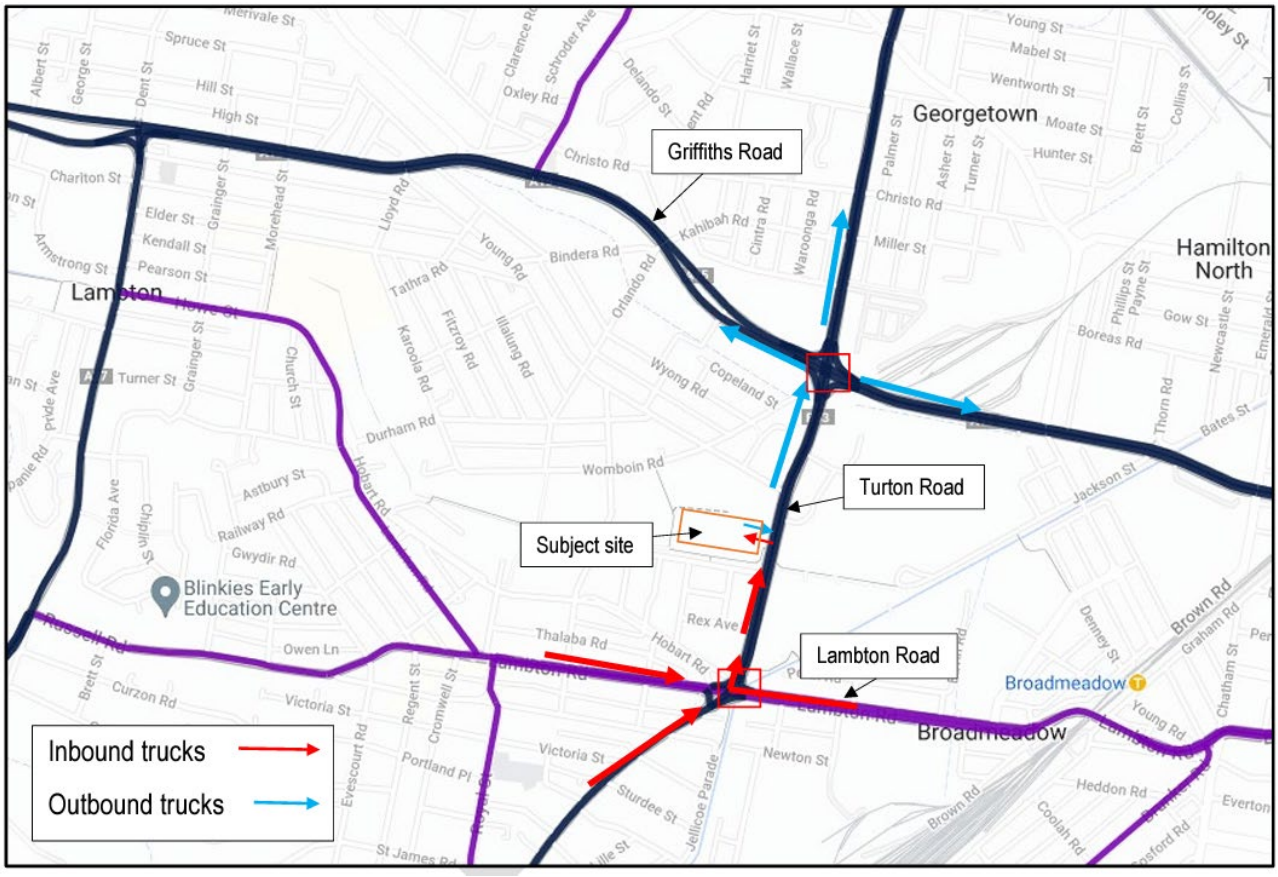
6.19.1. Project Delivery Methodology

The proposal has been designed so that the project can be delivered as an initial block of six courts with subsequent additions to be delivered over several construction stages, as detailed in **Section 3.1.1 and Section 3.2.5** of this EIS.

Construction Traffic Routes

- Access during the construction shall be provided via a temporary access provided on Turton Road. This design and location of this will be determined by the Principal Contractor and subject to consultation with the road authority.
- All heavy vehicles shall approach from the south along Turton Road, a State Road, and exit to the north due to the central median opposite the site, as shown in **Figure 24**.
- Exiting vehicles will turn left out of the site and continue north to the intersection of Turton Road and Griffiths Road where heavy vehicles can use the broader road network to continue their return route.
- Larger vehicles may require part of the second running lane to enter or exit the site, dependent upon the design of the temporary access and so should be limited to deliveries outside the local road peak (8.00am-9.00am and 4.30pm-6.00pm).

Figure 24 Overview of heavy vehicle movements



Source: SECA Solution

The hours of construction including delivery of materials to and from the site shall be restricted as follows or as per CN requirements:

- Monday to Friday inclusive 7.00am to 6.00pm
- Saturday 8:00am – 1:00pm
- No work on Sundays and Public Holidays

Construction Stages

During early works and construction of Stage 1A construction parking will be generally contained on site. During construction of Stages 1B and Stage 2 the peak parking demand associated with operation of the HISC will occur in the afternoon/ evening period so is unlikely to coincide with peak construction activities.

During the construction of Stages 1A and 1B the stages mitigation measures will be implemented to manage construction vehicle traffic so that it does not hinder the operation of the HISC and the safe use of the carpark by patrons. Note the following measures are preliminary and will be confirmed once the construction methodology is determined for the latter stages.

- Construction personnel will not park on site.
- Scheduling of deliveries to occur in the morning outside of the peak afternoon usage of the HISC.
- Pedestrian and cyclist access will be maintained at all times with suitable detours.
- Construction traffic will be separated from access by users of the HISC to the carparking within the site. If internal pedestrian or vehicle detours be needed these are to be laid out and managed in accordance with TfNSW traffic Control at Work Sites Manual (TCAWS)
- Pedestrian access to be maintained along site frontage.
- Provide signage for exiting vehicles to indicate pedestrian footpath.

6.19.2. Environmental Management

6.19.2.1. Noise and Vibration

All practicable measures will be taken to reduce the noise arising from the Works. Noise from the site will not exceed the limits set out in the Interim Construction Noise Guidelines (ICNG) and Environmental Protection Authority (EPA). No machine work will occur outside approved working hours unless approval has been given by the consent authority.

The following measures are proposed with reference to the ICNG:

- Use Noise Management Levels (NML's) to identify demolition, excavation and construction noise sources or scenarios that require engineering controls or administrative management;
- Promote clear understanding of ways to identify and minimize noise from construction works;
- Focus on applying all feasible and reasonable work practices to minimize construction noise impacts;
- Provide flexibility in the selection of site-specific and reasonable work practices to minimize noise impacts;
- Construction/ demolition work is be undertaken within approved standard hours where reasonably practicable. Approval is required for works undertaken outside standard hours; and
- The use of noise reduction techniques including, but not limited to, barriers, enclosures and silencers shall be employed to ensure compliance with construction and demolition noise criteria.

6.19.2.2. Dust

Management of dust prevention strategy will be developed by the Principal Contractor and detailed in the Construction Management Plan and agreed by the project stakeholders. Examples of precautions that will be implemented during the works include:

- Water spraying
- Covering of all haulage trucks with tarpaulins
- Monitoring of weather conditions (including wind) and helicopter down draft.
- Management and contingency plans will be developed to prevent any foreseeable impacts from dust.

6.19.2.3. Stormwater Erosion and Sediment Control

The erosion and sediment controls for the works shall be designed, installed and maintained in accordance with the requirements of Managing Urban Stormwater: Soils and Construction “The Blue Book” 2004 (4th edition) and/or details provided by projects civil engineering consultants.

Appropriate elements of the drainage system on the site will be cleaned out to remove sediments, prior to commencing the works on site. Drainage of surface run-off will be allowed to flow along existing contours (down slope) with the existing drainage system on site of kerbs, gutters, gully pits, pipes and stormwater runoff passing through installed filtration systems prior to being discharged off-site. The site will be continually cleaned of rubble to minimise possible sediment flow during rainfall periods. Stormwater kerbs and drainage lines will have sediment controls in the form sedimentation socks. Installation of grids or rock on site driveways and in vehicle paths will be utilised to reduce trucks tracking dirt, dust and mud into the public street network.

Stormwater grate inlets surrounding works areas will be covered with geotextile fabric to allow water to enter into drains whilst retaining sediments. All drainage control devices will be regularly checked particularly during heavy rainfall periods.

6.19.2.4. Hazardous / Dangerous Goods

Dangerous goods (such as petrol, diesel, oxy-acetylene, oils, glues etc) will be stored in a lockable compound with sufficient ventilation in accordance with relevant codes of practice and standards. Material safety data sheets on all of these flammable and potentially harmful liquids will be provided by the Principal Contractor undertaking the works.

The DSI, RAP, and an Unexpected Finds Protocol will be provided to the contractor in order for them to further develop a Hazardous Materials Management Plan (HMMP). The HMMP is to be prepared in accordance with the requirements of AS 2601 prior to the commencement of any demolition works.

6.20. WASTE MANAGEMENT

A Waste Management Plan has been prepared by Dickens Solutions (refer **Appendix EE**) which provides details of how all waste and other materials resulting from the demolition, construction and on-going operation of the site will be managed.

6.20.1. Demolition and Construction

The demolition of the existing amenities block, paved areas on the site and existing electrical infrastructure will generate building waste. The construction stage will generate waste from packaging of building materials as well as domestic waste from the construction workforce. Demolition and construction waste will be handled as followed:

- The generation, storage, treatment and the disposal of hazardous waste (including asbestos) will be conducted in accordance with relevant waste legislation administered by the NSW EPA and any applicable WH&S legislation administered by Work Cover NSW.
- All friable and non-friable asbestos-containing material shall be handled and disposed of off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classifications Guidelines – Part 1 ‘Classifying Waste (EPA 2014).
- All waste associated with demolition and construction activities will be disposed of in accordance with the recycling, reuse and disposal provisions details in Part 3.2 of the Waste Management Plan and the requirements of the Protection of the Environment Operations Act (1997).
- Mobile bins of an appropriate size will be located on site for the collection of food scraps, beverage containers, and other waste generated on site by workers.

6.20.2. Operational Phase

Based on the estimated waste generation of the project, a bin storage area of 40sqm is provided for the storage of all waste and recycling bins associated with the facility. The space will accommodate the following:

- 2 x 1100-litre mobile waste bins: serviced 2 days per week.
- 3 x 1100-litre mobile recycling bins: serviced 2 days per week.
- An area for the storage of bulky waste items (cardboard, etc).

Waste Handling and Management

- Appropriately sized bins will be provided at strategic locations throughout the venue. Staff will regularly monitor these areas, and transport rubbish from these to the bin storage area.
- Appropriate signage will be erected in prominent locations within the facility to assist both employees and patrons in the efficient management of waste and recycling material.
- Unrestricted access to the bin storage area will be provided at all times for a representative of BANL, the Building Manager or their authorised representative. Access to the bin storage area will be restricted to authorised personnel only.
- No green waste services will be provided to the facility buildings.
- A Service Agreement will be entered into between the BANL and the appointed Contractor describing the manner in which all waste services will be provided. A copy of this agreement will be provided to the Council upon request.

6.20.3. Mitigation Measures

In order to achieve the Waste Management Plan objectives, the following will be required:

- The walls and floors of all waste storage facilities are to be constructed of smooth faced masonry or concrete, and all walls will be painted with light coloured and washable paint. The junction between all floors and walls will be coved and sealed up to 100mm above the floor level, in order to eliminate the build-up of dirt and grime.
- Appropriate washing facilities will be provided to the bin storage area, including appropriate plumbing and drainage fixtures and the provision of running water to support the regular cleaning of all mobile bins and the bin storage area.
- Natural and mechanical ventilation will be required to be installed within all waste storage facilities in accordance with the relative provisions of the Building Code of Australia.
- Appropriate signage will be displayed in a prominent position clearly identifying the location of all waste storage facilities.
- BANL will be responsible for ensuring that all waste and recyclable matter and materials are placed and stored within the appropriate containers provided.

6.21. INFRASTRUCTURE REQUIREMENTS AND UTILITIES

Existing and proposed servicing and utility arrangements for the site are detailed within the Architectural Design Report (**Appendix F**). The availability of utility services including potable water and wastewater, electrical services, telco provisioning and gas services have been assessed and the findings summarised below.

6.21.1. Existing Environment

The existing services and infrastructure available to the site are summarised in **Table 15.**

Table 18 Existing Services

Service	Availability
Potable water	DBYD indicates the only potable water asset in the vicinity of the site is 100mm diameter main that is located to the north and south of the Turton Rd street frontage. It is anticipated that a new 150mm diameter main line will be required to link each end of the existing 100mm diameter mains.

Service	Availability
Stormwater	There is an existing 750mm underground stormwater pipe and culvert that runs north to south into the existing stormwater channel.
Wastewater	A 375mm diameter UPVC also crosses through the middle of the site in a north-south direction, which is proposed to be relocated around the north-east footprint of the proposal. A 600mm diameter VC sewer main runs along the southern boundary of the site, which will remain. There is an existing sewer vent located adjacent to the existing amenities block.
Electrical	There is an 11kv high voltage Ausgrid powerline on the eastern side of Turton Road. On the western side of Turton Road are low voltage Ausgrid powerlines. There are no HV mains on the southern side of the site. There is an existing power pole near the site of the new access driveway owned by Ausgrid, which is proposed to be relocated approx. 15.5m further south, to clear the new driveway crossing.
Telecommunications	Telstra below-ground conduits are located on the western side of Turton Road (outside the property boundary).
Gas	There is a Jemena natural gas main on the western side of Turton Road (outside the property boundary). The pipeline is a 32mm Nylon pipeline and is − medium/high pressure 210kpa.

6.21.2. Potential Impacts

The assessment below provides detail of the proposed infrastructure services to be installed at the site. This has been informed by the Hunter Water Section 50 certificate (statement of requirements) which identifies upgrades and works to water supply, wastewater and stormwater infrastructure required to support the development.

- **Electrical:** The existing floodlighting infrastructure will be demolished. The HV power line on the eastern side of Turton Road will be brought to the site, this is likely to be achieved by under boring Turton Road and connecting the line to a new kiosk near the site access driveway.
- **Telecommunications:** Dial Before You Dig search has confirmed that a NBN facilities is located in the vicinity of the proposal. The final connection point will be determined by NBN post consent.
- **Potable water:** Based on investigations and ongoing discussions with Hunter Water, connection to the water main on Turton Road will be utilised to provide water services to the site. Initial hydraulic computation has indicated that the main system may need to be amplified to satisfy the pressure and flow requirements for the development.
- **Wastewater:** The existing sewer line needs to be relocated as it bisects the site underneath the location of the carpark. A preliminary route for a new 375mm sewer main has been identified and this will be confirmed following project approval. A location for a sewer vent will form part of this design. Sewer drainage and trade waste pipework would connect the proposed development to the authority network.
- **Stormwater:** The underground stormwater pipe and culvert crossing the site cannot be built over. This pipe is proposed to be relocated further west adjacent to the existing pedestrian footpath. The final design for the diversion of the pipe and culvert will be completed during the Stage 1a documentation phase.
- **Recycled Water:** Stormwater and rainwater capture and reuse systems including above ground tanks, pumps, filtration and disinfection equipment will be provided as part of the proposed development.
- **Gas:** A gas connection will not be provided in accordance with the project's ESD commitment.

The proposed development will not compromise the existing provision of services to the existing development at the site or surrounding properties, including during the construction phase. It is concluded the proposed development can be satisfactorily serviced, subject to the proposed works and augmentation of infrastructure listed above.

6.21.3. Mitigation Measures

The proposed infrastructure upgrades outlined above will be implemented in consultation with the respective authorities at the detailed design stage to confirm the supply arrangement and modification. The utility service providers will consider the cumulative impact of the approved and proposed developments within the locality on future demand and to ensure there is sufficient system capacity for the current proposal, as well as any future developments in the surrounding area. The installation of services will be subject to the appropriate and relevant approval and will be undertaken in line with industry standards.

Works will be managed in accordance with a construction management plan that will include procedures to avoid undue disruption of services during the construction phase.

6.22. STANDARD ASSESSMENT IMPACTS

This section of the report addresses the matters which require a standard assessment. It outlines the findings of the assessment and the key mitigation measures used to ensure compliance with the relevant standards or performance measures.

6.22.1. Aviation

An Aviation Impact Assessment Report has been undertaken by AviPro and is enclosed at **Appendix BB** The report provides analysis into the impacts of the proposed development on the aviation operations in and out of Newcastle / Williamtown Aerodrome. Specifically, the report examines the helicopter operations within the CN and Port of Newcastle and analyses the likely impact of the proposal on any other associated aviation activities.

The report finds that the proposed development and development cranes, will not adversely impact helicopter operations to and from the Westpac Rescue Helicopter Service base at Broadmeadow or to and from the John Hunter Hospital. The report concludes that the proposal is appropriate from an aviation impact perspective.

6.23. ENVIRONMENTAL RISK ASSESSMENT

The SEARs require an environmental risk assessment to identify potential environmental impacts associated with the project.

This analysis comprises a qualitative assessment consistent with AS/NZS ISO 31000:2009 *Risk management–Principles and guidelines* (Standards Australia 2009). The level of risk was assessed by considering the potential impacts of the proposal prior to application of any mitigation or management measures. The environmental risk assessment and identification of the proposed mitigation measures are provided at **Appendix C.** The assessment is based upon the range of technical and specialist consultant reports appended to the EIS.

7. JUSTIFICATION OF THE PROJECT

This section of the report provides a comprehensive evaluation of the project having regard to its economic, environmental and social impacts, including the principles of ecologically sustainable development (ESD).

It assesses the potential benefits and impacts of the proposed development, considering the interaction between the findings in the detailed assessments and the compliance of the proposal within the relevant controls and policies.

7.1. PROJECT DESIGN

The proposal represents an orderly and economic redevelopment of the site and will promote the social and economic welfare of the community whilst managing the impacts on the environment and surrounding landholders.

The design of the HISC has been carefully considered to address existing environmental constraints and deliver a fit-for-purpose sporting facility. The proposal addresses environmental conditions on the site including flooding to provide sustainable and resilient infrastructure, ensuring it will positively contribute to broader achievement of sustainability goals within the CN. High quality landscaping opportunities have also been incorporated into the proposal to ensure it supports landscaping aspirations.

The layout and design have been developed to balance flooding constraints with the opportunity to define and address the streetscape. The built form reflects the functional requirements of the facility and the site's proximity to and relationship with the established sporting precinct to the west. External works includes significant landscaping and planting to screen direct views to the HISC. Existing pedestrian and cycleway access routes will be maintained and enhanced, encouraging active visitation to the HISC and connectivity with public transport.

The HISC meets project objectives by delivering a state-of-the-art, inclusive sports centre to support the growth of basketball and other indoor sports within the needs of the Hunter Region.

7.2. STRATEGIC CONTEXT

The proposal is consistent with State and local strategic planning policies. The proposal will deliver a much-needed sporting facility in the well-connected, publicly accessible, central location. The proposal supports active lifestyles and facilitates the social and cultural needs of the community.

The HISC will provide economic benefit and employment opportunities, in particular, noting the inclusion of the café space, the opportunity to partner with a local business, supporting an innovative and prosperous local community. The proposal will also promote and support the growth of major sporting events within Newcastle and the broader Hunter Region. This will encourage visitation and tourism to the CN contributing to the cultural vibrancy of the city and providing economic benefits.

Additionally, the proposal will contribute to the strategic positioning of the area as a sporting and entertainment precinct. Given the site's proximity to McDonald Jones Stadium, Newcastle Hockey Club, Newcastle Entertainment Centre and Newcastle showgrounds. The closure of the existing basketball stadium will also facilitate the redevelopment of the Hunter Park in accordance with the draft Broadmeadow Place Strategy.

7.3. STATUTORY CONTEXT

The relevant State and local environmental planning instruments are listed in **Section 4** and assessed in **Appendix B**. The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments as summarised below:

- The proposed development has been assessed and designed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 the Act and addressed in **Appendix B**.
- This EIS has been prepared in accordance with the SEARs as required by Schedule 2 of the EP&A Regulations.
- Consideration is given to the relevant matters for consideration as required under the BC Act and the SSD is supported by a BDAR.

- This SSDA pathway has been undertaken in accordance with the Planning Systems SEPP 2021 as the proposed development is classified as SSD.
- Concurrence from TfNSW will be required as per the T&I SEPP for 'traffic generating development'.
- The proposal complies with all of the relevant provisions under the NLEP 2012 as detailed in **Appendix B**. The proposed development is consistent with the objectives of the RE1 zone.
- The proposal accords with the relevant provisions of the NDCP 2023 as outlined in **Appendix B**.

7.4. COMMUNITY VIEWS

As set out in **Section 5**, feedback received during the stakeholder engagement has informed the development of the design of the proposal as well as the preparation of the EIS.

Consultation feedback received during the finalisation and assessment of the application will continue to be considered.

7.5. LIKELY IMPACTS OF THE PROPOSAL

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment:** the proposal addresses the principles of ESD in accordance with the requirements at Clause 193 of the Regulations and as outlined below:
  - Precautionary principle: the precautionary principle relates to uncertainty around potential environmental impacts and where a threat of serious or irreversible environmental damage exists, lack of scientific certainty should not be a reason for preventing measures to prevent environmental degradation. The project does not pose any serious threat to the environment, nor any irreversible damage to the environment. As outlined in the BDAR (**Appendix T**) no threatened species, threatened ecological communities, or their habitats, were recorded on the site.
  - The proposal will incorporate photovoltaic panels and EV charging units within the carpark. The proposal will also use higher WELS-rated fixtures and fittings, to reduce energy demand and hot water demand. The development will also use a system to recycle rainwater by collecting, storing, filtering, and distributing rainwater to offset most of the sites potable water usage throughout the site. The proposed development will integrate design and materiality which reduces reflected solar heat radiation to assist in mitigating the urban heat island effect.
  - Intergenerational equity: the needs of future generations are considered in decision making and that environmental values are maintained or improved for the benefit of future generations. The project aims to minimise embodied energy by avoiding unnecessary use of materials and procuring materials with a low carbon footprint where appropriate.
  - Conservation of biological diversity and ecological integrity: The development has been designed to ensure biological diversity and ecological value is improved on the site via careful landscape design. Landscape will feature a selection of native grasses, shrubs and trees to promote habitat for insects and native birds.
  - Improved valuation, pricing and incentive mechanisms: this requires the holistic consideration of environmental resources that may be affected as a result of the development including air, water and the biological realm. It places a high importance on the economic cost to environmental impacts and places a value on waste generation and environmental degradation. The development during construction works will target an 80% rate for recycling and reuse of waste, with monitoring in place to ensure adherence.
- **Built Environment:**
  - Visual Impacts: As set out in Visual Impact Assessment (**Appendix M**), the proposed development is does not generate any significant visual impacts and the proposal is considered acceptable in visual impact terms.
  - Flooding: As found in the Flood Impact Assessment (**Appendix CC**) the proposal has been designed to address flood affectation on the site, flood storage is retained and the proposal does not result in unacceptable off site flooding impacts

  - Overshadowing: The proposal will not adversely adjacent residences or other sensitive areas.
  - Traffic Impacts: As set out in Traffic Impact Assessment (**Appendix P**), the proposed access arrangements can accommodate the vehicular movements generated by the development and the proposed carpark will support the project demand and visitation. Parking is provided at a rate appropriate for the intended use. Surrounding road networks will continue to operate at an acceptable level in terms of traffic generation. The proposal is considered suitable from a traffic generation perspective.
  - Trees and Landscaping: As set out in the Arborist Report (**Appendix N**) and Landscape Plans (**Appendix I**) , the proposal reduces the removal of existing trees onsite, and any tree removal proposed is mitigated by the proposed landscaping. Replacement planting includes a high level of native species planting to improve habitat and increase tree canopy on the site.
  - Noise and Vibration: As set out in the Noise and Vibration Assessment (**Appendix R**), the operation of the proposal is anticipated to comply with the required noise levels at surrounding receivers including nearby residential receivers. The proposal is found to have acceptable impacts in relation to noise and vibration, including during operation of the facility.

- **Social:**
  - The operation of the building will address insufficient venue capacity and unmet demand for indoor sports facilities. It will provide increased opportunities for participation in sport and result in improvements in the health and wellbeing for over 600,000 local and regional Basketball NSW members.
  - The project will promote inclusiveness and engagement with Indigenous people, local stories and culture and provide welcoming spaces for Indigenous players, officials and spectators.
  - The proposed development will provide significant and inclusive sports centre catering for all, including children, young people, families, people from culturally and linguistically diverse backgrounds, people who are socially disadvantaged, seniors and people with disabilities.
  - The facility will provide increased opportunities for social engagement, increasing local community networks and create an inclusive environment for participants, volunteers and supporters.
  - The facility will provide increased access and opportunity for participation in indoor sports within a welcoming and safe environment.
  - Existing organised sporting activities on the site will be relocated to other fields in the CN. The conversion of open space to built form will have some impacts on informal use of the site for recreation. However, the use is permissible within the RE1 zones, is consistent with the zone objectives and is in keeping with existing and planned future character of the area as a significant sports precinct. Overall, the social impacts are considered positive.
- **Economic:**
  - The construction of the HISC represents a significant investment within the Newcastle LGA. The proposal is forecast to support 260 local jobs (with 115 direct jobs) and 91 local jobs ongoing (including 52 direct jobs).
  - The operation of the HISC will provide economic benefits to the LGA through increased visitation and associated expenditure within the local economy.

The potential impacts can be mitigated, minimised or managed through the measures discussed in detail within **Section 6** and as summarised in **Appendix D** to this EIS.

7.6. SUITABILITY OF THE SITE

The site is considered highly suitable for the proposed development for the following reasons:

- The proposal is consistent with relevant State and local strategic plans.
- The entirety of the site is zoned RE1 Public Recreation which permits the proposed land use with development consent. The development is consistent with the zone objectives.

- The development satisfactorily addresses the relevant provisions in NLEP 2012 and NDCP 2023, including acoustic and lighting amenity, built form, traffic and car parking and landscaping.
- The proposal complies with Clause 5.21 Flood Planning of the NLEP 2012. The Flood Risk Assessment (**Appendix Z**) demonstrates how the proposal minimises flood risk to both life and property and is also accompanied by a flood emergency response plan.
- Existing infrastructure utilities are available for connection in the surrounding area and can be augmented to support the development.
- The proposed design balances the environmental constraints of the site with the functional requirements of the facility. This has resulted in a sensitive treatment of the site that delivers a high-quality building with a diversity of landscape spaces.

7.7. PUBLIC INTEREST

The proposed development is considered in the public interest for the following reasons:

- It is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- No adverse environmental, social or economic impacts will result from the proposal.
- The proposal will provide a new state-of-the-art indoor sporting facility for recreational and competitive use.
- The proposal will increase the supply of indoor courts and address the current shortage of court availability in the Hunter Region. This will enhance opportunities for participation in basketball and other sports.
- The HISC makes a positive contribution to the surrounding streetscape and aligns with the existing character of the site within a sporting precinct.
- The proposal incorporates ESD initiatives to contribute positively to energy efficiency and environmental sustainability.
- The proposal will provide economic benefits to the local community through job creation during construction.
- The proposal will provide a high-quality indoor sports centre facility which can cater to training as well as hold major regional events, supporting the economic development of the local and wider community.

Having considered all relevant matters, we conclude that the proposed HISC is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

8. DISCLAIMER

This report is dated 22 August 2024 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of BASKETBALL ASSOCIATION OF NEWCASTLE **(Instructing Party)** for the purpose of Environmental Impact Statement **(Purpose)** and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A SEARS TABLE

APPENDIX B STATUTORY COMPLIANCE TABLE

APPENDIX C MITIGATION MEASURES

APPENDIX D ENGAGEMENT SUMMARY

APPENDIX E ARCHITECTURAL PLANS

APPENDIX F ARCHITECTURAL DESIGN REPORT

APPENDIX G ESTIMATED DEVELOPMENT COST

APPENDIX H SURVEY

APPENDIX I LANDSCAPE DESIGN REPORT AND PLANS

APPENDIX J CPTED REPORT

APPENDIX K BCA STATEMENT

APPENDIX L CIVIL PLANS & CONCEPT SOIL AND WATER MANAGEMENT PLAN

APPENDIX M VISUAL IMPACT ASSESSMENT

APPENDIX N ARBORICULTURAL IMPACT ASSESSMENT

APPENDIX O ESD REPORT

APPENDIX P TRAFFIC IMPACT ASSESSMENT

APPENDIX Q GREEN TRAVEL PLAN

APPENDIX R CONSTRUCTION TRAFFIC MANAGEMENT PLAN

APPENDIX S TRAFFIC EVENT MANAGEMENT PLAN

APPENDIX T BDAR

APPENDIX U ACOUSTIC ASSESSMENT

APPENDIX V GEOTECHNICAL ASSESSMENT

APPENDIX W SAMPLING ANALYSIS AND QUALITY PLAN

APPENDIX X DETAILED SITE INVESTIGATION

APPENDIX Y DETAILED SITE INVESTIGATION ADDENDUM

APPENDIX Z REMEDIATION ACTION PLAN

APPENDIX AA LONG TERM ENVIRONMENTAL MANAGEMENT PLAN

APPENDIX BB ACID SULPHATE SOIL MANAGEMENT PLAN

APPENDIX CC FLOOD RISK IMPACT ASSESSMENT

APPENDIX DD EV READINESS REPORT

APPENDIX EE WASTE MANAGEMENT PLAN

APPENDIX FF ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

APPENDIX GG ABORIGINAL ARCHAEOLOGICAL TECHNICAL REPORT

APPENDIX HH HISTORICAL ARCHAEOLOGICAL ASSESSMENT

APPENDIX II SOCIAL AND ECONOMIC IMPACT ASSESSMENT

APPENDIX JJ HUNTER WATER SERVICE LOCATION PLAN, HUNTER WATER STAMPED PLANS AND SECTION 50 APPROVAL

APPENDIX KK AVIATION IMPACT ASSESSMENT

APPENDIX LL COMMUNITY & STAKEHOLDER ENGAGEMENT REPORT

APPENDIX MM PEDESTRIAN WIND ENVIRONMENT STATEMENT

APPENDIX NN EXTERNAL LIGHTING IMPACT ASSESMENT

APPENDIX 00 OPERATIONAL MANAGEMENT PLAN

APPENDIX PP CONNECTING WITH COUNTRY REPORT

APPENDIX QQ CONSTRUCTION MANAGEMENT PLAN

APPENDIX RR SIDRA INTERSECTION MODELLING

APPENDIX SS EMODIED EMISSIONS MATERIAL FORM

APPENDIX TT STAGING PLAN

APPENDIX UU FLOOD EMERGENCY RESPONSE STRATEGY

APPENDIX VV NET ZERO STATEMENT