




APPENDIX B: HUNTER INDOOR SPORTS CENTRE AGENCY ADVICE RESPONSE

Category of Issue	Issue(s) Raised <i>In some cases content from submissions has been abridged or edited for brevity.</i>	Response/ Action
Department of Planning, Housing and Infrastructure		
Economic, Environmental and Social impacts		
Flooding	<p>Flood Impact Assessment Report Address Biodiversity, Conservation and Science - Department of Climate Change, Energy, the Environment and Water (BCS), Council and NSW State Emergency Service advice (with consideration to public submissions and the draft Broadmeadow Place Strategy), in particular relating to (but not limited to):</p> <ul style="list-style-type: none"> the flood assessment does not appropriately address existing or future flood behaviour, risk or constraints on the site or to the surrounding land uses and/or road network. cumulative impacts to peak probable maximum flood levels. use of further permeable surfaces within the car park to increase flood storage capabilities and potentially reduce hazard risks. 	<p>The project design has been amended in response to some of the key issues identified within the submissions, including flooding. The assessment of the updated design is documented in the Flood Impact Assessment Report (FIRA)(Appendix I)and addresses the key issues raised in the submissions, including the management of flood risk in the car park and off-site flood impacts to existing property.</p> <p>Watertech has completed a peer review of the FIRA and FERP – refer Appendix K. The peer review endorses the assessment approach and the findings.</p>
	<p>Flood Emergency Response Plan</p> <ul style="list-style-type: none"> the Flood Emergency Response Plan is based on inaccurate assumptions and does not address emergency management constraints on the site. The RtS must also be accompanied by an updated Flood Emergency Response Plan developed by a suitably qualified flood risk and emergency management consultant in consultation with NSW State Emergency Service and be in accordance with current best practice flood emergency management. The Flood Emergency Management Plan must provide clear, quantifiable triggers for each emergency management action. 	<p>The Flood Emergency Response Plan (FERP) prepared by Torrent (Appendix J) has been updated to include details of emergency response and management arrangements to be implemented for the HISC during adverse weather conditions likely to lead to flooding events.</p>
Traffic, Transport and Parking	<p>Pedestrian Network Address Council, Transport for NSW and Venues NSW (with consideration to public submissions and the draft Broadmeadow Place Strategy) advice, in particular relating to (but not limited to):</p> <ul style="list-style-type: none"> the suitability of the walking/cycling network, including potential upgrades required to facilitate access to the site where sections of the expected route network would not efficiently or safely operate during major events. 	<p>The project team reviewed the public domain interfaces. On the southern boundary of the site allowance has been provided for a 10m corridor for the future expansion of the existing cycle way/ path. Landscaping within the HISC site has been removed from this area to avoid future conflicts if the pathway is expanded. On the Turton Road frontage, the existing footpath will be widened.</p>

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	<p>Event Traffic Management Engage a suitably qualified persons/s to prepare a site/proposal specific Event Traffic Management Plan, Operations Management Plan and Traffic Management Matrix that does not seek to rely on the Macdonald Jones Stadium facilities (that cannot be guaranteed for future use) and considers the cumulative impacts on the surrounding road network (from trips and car parking), impacts to the existing shuttle bus service and management of any potential detrimental safety impacts to other road users.</p>	<p>Traffic Management Plans have been prepared by Traffic Plan Professionals– refer Appendix O. Traffic Plan Professionals were responsible for the preparation of the TMP for McDonald Jones Stadium so are suitably qualified and knowledgeable about conditions in the precinct.</p> <p>The TMPs do not rely on the use of McDonald Jones Stadium car park</p>
	<p>Traffic Modelling Provide updated traffic modelling addressing the TfNSW's modelling review and the implications from revised management mitigation measures that form part of event/traffic management plan.</p>	<p>Bitzios has prepare updated SIDRA modelling, refer Appendix M.</p>
	<p>Parking The on-street car parking availability assessment provided as part of the Traffic Impact Assessment and Green Travel Plan must be updated to consider the cumulative impacts of concurrent events resulting in a reduction of availability at the MacDonald Jones Stadium and International Hockey Centre.</p>	<p>On street car parking availability is addressed in the Transport Impact Assessment- refer Appendix L.</p>
	<p>Where the RtS proposed to formalise on-street car parking provisions, this must be designed in consultation with the relevant roads authority and associated pedestrian infrastructure improvements (additional bridges, footpaths or crossovers) must form part of the RtS.</p>	<p>The project does not propose to formalise on street parking.</p>
	<p>Where car parking provisions servicing the site are amended, the RtS must include an updated Green Travel Plan, with associated updates to mode share.</p>	<p>The amount of parking provided on the site is unchanged and mode share in the Green Travel Plan is unchanged.</p>
	<p>In consultation with local public bus service/shuttle providers (public or private), investigate opportunities for increased frequency of services to reduce the demand for private vehicle parking and increase the non-vehicular mode share targets.</p>	<p>The site is well serviced by public transport and augmentation of services is not required.</p>
<p>Built form, Urban Design</p>	<p>State Design Review Panel Respond to concerns that the Environmental Impact Statement (EIS) does not demonstrate a progression in design or concept reflective of the matters raised at the State Design Review Panel (1 March 2024) for the proposal. The built form and site planning is characterised by a closed off and internalised scheme that does not relate to the streetscape or character of the surrounds. The RtS must address (but is not limited to) the following:</p>	<p>Part 5.4 of the Architectural Design Report provides a response to the SDRP comments – refer Appendix E.</p>
	<ul style="list-style-type: none"> ▪ provide further resolution to the pedestrian/arrival experience, particularly in Stage 1. In Stage 1, the EIS demonstrates that vehicle access is prioritised and the only pedestrian route is an existing footbridge from Monash Road. 	<p>As part of the project amendments, the design has been revised so that Stage 1 now includes the extension of the pedestrian promenade through to Turton Road, including the covered walkway areas.</p>

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	<ul style="list-style-type: none"> Stage 1 proposed pedestrian pathways leading to and from the built form appear to be cut-off midway, disconnected from Turton Road and lack sufficient weather protection, tree canopy coverage and shading. 	
	<ul style="list-style-type: none"> There is no meaningful streetscape activation proposed, particularly with regard to the interfaces where the carpark adjoins the public domain. The RtS should explore opportunities to create further active frontages and improve passive surveillance (through landscaping, weather protected access points, permeable landscaping and/or public domain infrastructure for pedestrians and cyclists) on Turton and Monash Road 	<p>Through the relocation of the building footprint, a landscaped swale has been created to provide a greater setback of the carpark areas to Turton Road, softening the interface. The landscape treatment of the swale uses endemic grass species, & is reflective of the site in its undisturbed, pre-settlement condition.</p> <p>This has provided an added opportunity for the pedestrian entry experience, with a gathering/meeting space & signage, informing opportunities for story-telling. Refer to additional imagery provided (Overall Views 17-22 – drwgs A1013-1018).</p> <p>Height raised at the corner, further articulation of the façade, glass panelling at the corner provides greater transparency to the interior and reduces the perceived bulk and scale.</p> <p>Panelling incorporated with breaks in the façade- reminiscent of the cracks in the sandstone which also addresses the Connecting with Country matters.</p> <p>All drawings referenced are included in the Architectural Plan set at Appendix E.</p>
	<ul style="list-style-type: none"> The northern and western facades present a 'back of house' look and the RtS should test options for the design further to create an interface that provides an updated materiality and fine grain articulation that is sensitive to the context. 	<p>The built form has been further refined, as noted previously above, to incorporate stepping of the facade elements . The level of transparency and connection between the outside of the building and the internal playing spaces has been portrayed in additional imagery.</p> <p>Refer to Overall Views 23-32 – drwgs A1020-1031.</p>
	<ul style="list-style-type: none"> The proposed rainwater tanks on the northern boundary should be relocated or better screened to minimise the dominating presence at the site access point, but also to the neighbouring residential and education land uses. 	<p>The fire water tanks have been moved westward by 20m along with the overall building footprint relocation. The relocation reduces the impact on the adjoining townhouses. Furthermore, the tanks have been moved off the northern boundary by a further 1.5m, thereby allowing for additional landscape screening between the tanks and the northern boundary. This is shown in the excerpt below from the landscape plans.</p>

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		<p>Refer also to Overall Views 10 – drwgs A58 in the Architectural Plan set at Appendix E.</p>
	<ul style="list-style-type: none"> The RtS should consider redistribution to court grouping or the internal planning to locate amenities in between the court spaces and provide opportunities to modulate the external bulk and scale. 	<p>The internal planning and court layouts have been designed over an extended period of consultation with an indoor court expert, working directly for Basketball NSW, to achieve efficiencies and flexibilities in the use of the facility. Refer to additional imagery showing the different court layouts for the main Show Court wing and back-court areas. Refer to Overall Views 33-45 - drwg A1033-1046 in the Architectural Plan set at Appendix E.</p>
	<p>Connecting with Country</p> <ul style="list-style-type: none"> Demonstrate how Connecting with Country has been undertaken in a place-based manner and is informed by engagement with local Aboriginal community, whether it is implemented through landscape, water sensitive urban design (WSUD), built form and master planning. 	<p>Refer to Part 5.4 (p.39-42) in the Architectural Design Report submitted with the SSDA, for comments regarding Connection Strategy, Conceptual Thinking, and Materials.</p> <p>This thinking has been further progressed with the revised facade articulation and faceting further reflecting the concept of the boulder and cliff face representation (refer to Overall View 25 – drwg A1022.)</p> <p>In addition, the south east wing has been stepped, breaking the horizontal facade line, and further emphasising the entry point from Monash Road (refer to Overall View 09 – drwg A57).</p> <p>The south east corner has been further eroded through the inclusion of large glazing areas into the upper floor Movement Studio, further reinforcing the conceptual ideas, and further accentuating the entry point from Monash Rd (refer to Overall View 21 – drwg A1017).</p> <p>All drawings referenced are included in the Architectural Plan set at Appendix E.</p>

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	<ul style="list-style-type: none"> ▪ Provide further clarification on how the recommendations made in Section 11 of the Connecting with Country (Appendix PP - EIS) are to be implemented. ▪ Detail how any opportunities for Aboriginal artwork are consistent with Indigenous Cultural and Intellectual Property protocols established and recommended using a local indigenous artist to meaningfully connect with Country. 	<p>Belanjee, an Indigenous business specialising in design concepts has been engaged to review past community engagement and the recommendations contained in previous Connecting with Country reporting. Belanjee has identified mechanisms for ongoing community engagement including engagement with artists who may work on the project. This process has been documented in Appendix G- Connecting and Designing with Country.</p>
	<ul style="list-style-type: none"> ▪ Confirm whether further checkpoints are planned with engaging with the community and connecting with Country. The EIS details that no engagement occurred after April 2024. 	<p>Belanjee has reviewed past community engagement, the recommendations contained in previous Connecting with Country reporting and has identified mechanisms for ongoing community engagement to inform the project. This process has been documented in Connecting and Designing with Country -Appendix G.</p>
Social Impact Assessment	<p>Include an amended Social Impact Assessment, that reflects community engagement matters and issues raised in all submissions and responds to any proposed amendments that form part of the RtS.</p>	<p>An amended Social Impact Assessment has been prepared addressing the project amendments and the responding to the key matters raised in the submissions. Refer Appendix FF.</p>
Noise Impacts	<p>Address the cumulative impacts from the concurrent use of outdoor spaces during all proposed stages.</p>	<p>Table 4.5 of the updated Acoustic Assessment at Appendix P identifies the results of the individual noise generating items and a cumulative operational noise assessment of all items operating simultaneously. Additional text has been provided in the report to provide context for this assessment.</p>
	<p>Provide an acoustic assessment against the nominated project noise trigger levels for activities that would occur on site outside of 7am to 10pm. The EIS proposes hours of operation from 6am to 11pm.</p>	<p>The updated Acoustic Assessment at Appendix P has been updated to confirm the proposed operating hours are 6am to 11pm. Noise data for 6am to 7am and 10pm to 11pm has been filtered and Table 2-2 within the updated Acoustic Assessment reflects this.</p> <p>The evening period (6pm-10pm) project trigger levels have been retained as the relevant trigger for the night time period, due to the night time 6am to 7am and 10pm to 11pm numbers being higher. Table 4-5 within the report shows this with the day, evening and night project noise trigger levels listed in the last column. The results of the updated assessment indicate compliance with the project noise trigger levels can be achieved at all stages of the development.</p>
Noise Impacts	<p>Address the cumulative impacts from the concurrent use of outdoor spaces during all proposed stages.</p>	<p>Table 4.5 of the updated Acoustic Assessment at Appendix P identifies the results of the individual noise generating items and a cumulative operational noise assessment of all items operating simultaneously. Additional text has been provided in the report to provide context for this assessment.</p>

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Procedural Matters		
Sufficiently Related Development	Outline details of the proposed Allied Health Hub and its relationship to the operation of the proposed development considered State significant development under Chapter 2 of SEPP (Planning Systems) 2021.	Under the Newcastle Local Environmental Plan 2012 (NLEP 2012) Health services facilities are not permitted within the RE1 zone. The proposal relies upon Section 4.38(3) of the EP&A Act that permits development consent for state significant development to be granted despite it being partly prohibited. The Allied health component is intrinsically connected with the 'recreational facility- major' use on the site, providing space for physiotherapists or other allied health professionals to support athletes and recreational users of the facility. As the allied health component is sufficiently related to the recreational use, consent is therefore able to be granted under Section 4.38(3) of the EP&A Act.
Development Contributions	The EIS has not sufficiently demonstrated why the payment of 7.12 contributions should be waived. The City of Newcastle 7.12 Development Contributions Plan does not identify the proposed development as eligible for exemptions or reduction of payment.	Council's Section 7.12 Plan provides exemptions for charities registered with the Australian Charities and Not-for-profits Commission (ACNC) BANL are a Not for Profit entity but are not a registered charity and are therefore not registered with the ACNC. Evidence of BANL being a NFP has previously been provided to Council.
	The EIS argues that an exemption from the payment of 7.12 contributions should be granted as the Applicant is a not-for-profit organisation. No evidence has been provided or is publicly available that confirms this statement.	
	Should a reduction or exemption continue to be sought, the RtS should include suitable justification with regard to the purposes and aims of the 7.12 Contributions Plan.	While a clear exemption from the payment of contributions is not available for the project under the Section 7.12 plan, BANL contends that the project provides significant public benefits that warrant DPHI providing an exemption. This issue is further addressed in Section 3.2.2 of the RTS and Amendment Report.
Inconsistency across plans and documents	The EIS and supporting documents contain a number of inconsistencies and errors that should be clarified as part of the RtS, including (but not limited to):	Project inconsistencies have been corrected.
	<ul style="list-style-type: none"> ▪ site area and associated calculations that rely upon it. 	
	<ul style="list-style-type: none"> ▪ fencing details and buffer landscaping in and around each stage, to the northern boundary. 	The Landscape Plans and Architectural Plans have been coordinated and fencing details are consistent across all plans.
	<ul style="list-style-type: none"> ▪ plans showing the removal of trees, that technical documents show being retained e.g. existing trees being used to mitigate wind impacts. 	An updated Arboricultural assessment report has been prepared. The 9 trees identified for removal are reflected on all relevant plans and reports.

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	<ul style="list-style-type: none"> EIS and plans do not show the construction of a mezzanine/first floor level during Stage 1A to be used as a flood refuge as proposed in the Flood Impact Risk Assessment. 	<p>The amended architectural plans (Appendix E) show a nominated flood refuge area on the first-floor level of the building. With an available floor area of around 2400 m², the Flood Refuge can accommodate up to 2,500 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 the duration required in a flooding event. The Flood refuge will be constructed in Stage 1 of the development.</p>
	<ul style="list-style-type: none"> cross referencing across plans and documents. 	<p>This has been checked in the preparation of the RTS and Amendment Report and all cross references are correct.</p>
The Project		
Land Claims, Crown Lands, Joint Use Agreements and Site Details	<p>Provide further information on the status and closure of matters relating to:</p> <ul style="list-style-type: none"> ongoing land claims affecting the site. 	<p>At the time of the lodgement of the SSDA the site was subject to an Aboriginal Land Claim (ALC) made under the <i>Aboriginal Land Rights Act 1983</i>. Confirmation was received from Crown Lands on 4 June 2025 that this land claim has been refused.</p>
	<ul style="list-style-type: none"> final legal description of the site area (Lot and DP) and titling details of any Crown Land relied upon as part of the proposed development. 	<ul style="list-style-type: none"> The final legal description of the site is: <ul style="list-style-type: none"> Lot 2380 DP755247 Lot 2379 DP755247 Lot 2378 DP755247 Lot 2377 DP755247 Lot 1 DP1304081 <p>The piece of land described in the EIS as the ‘amenities block land’ has now been titled. The legal description of the lot is Lot 1 DP1304081. This description has been included in the architectural plans and all the supporting reports.</p>
	<ul style="list-style-type: none"> proposed joint use agreement or other arrangements (including details of any agreement) to enable Council and community use of the proposed facilities. 	<p>BANL is not proposing any formal shared use agreements with Council or other community groups for use of the facility.</p>
Staging and Mitigation Measures Comment	<p>Provide detailed Staging and Mitigation Measures including:</p> <ul style="list-style-type: none"> a finalised plan without edit comment bubbles and a finalised position on what construction and operational elements form part of each stage. 	<p>Refer to Operational and Construction Staging Plan - Revision 2 Appendix JJ.</p>

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	<ul style="list-style-type: none"> All mitigation measures as detailed in the EIS and Appendix C should be included under each relevant stage and the staging plan should detail the responsible party. 	Refer to Operational and Construction Staging Plan – Appendix L and Appendix C - Mitigation Measures.
	<ul style="list-style-type: none"> Any new or updated mitigation measures relied upon for managing construction or operation impacts must be incorporated and detailed into an updated consolidated mitigations table attached to the Response to Submissions Report in accordance with the State Significant Development Guidelines. 	The consolidated mitigation measures have been updated. Refer to Appendix C – Mitigation Measures.
City of Newcastle		
Justification consistent with Government’s Plans		
Draft Broadmeadow Place Strategy	<p>As acknowledged in the EIS (p22), CN in partnership with the DPHI is preparing the Broadmeadow Place Strategy (BPS) for the Broadmeadow Regionally Significant Growth Area as required by the Hunter Regional Plan 2041. Currently, the BPS has concluded the public exhibition period and is in the process of being finalised. Once approved and adopted, the BPS along with a new State Environmental Planning Policy and an amended Newcastle Local Environmental Plan will provide an overarching thirty-year land use and development framework for the growth area by coordinating infrastructure with growth, identifying locations of new land uses (including residential, commercial and community uses), addressing precinct-wide constraints (such as flooding and contamination), and identifying desired public space outcomes for the community.</p> <p>While located outside the Broadmeadow Regionally Significant Growth Area to which the BPS relates, the proposal is not inconsistent with the future vision of the BPS, in particular the growth and transformation of the Hunter Park sub-precinct. Active transport connections through the development site and to surrounding key sites under the BPS, such as the McDonald Jones Stadium site and Broadmeadow train station, are essential for the BPS to be realised to its fullest potential.</p> <p>The proposal itself does not preclude the implementation of the BPS, however, if the current basketball facility at Broadmeadow remains occupied by the tenant into the future this will impact the ability for the site to be redeveloped for mixed use, including residential, in line with the BPS and for the Broadmeadow Town Centre sub-precinct to transform. Both are identified to occur within the first stage of the BPS and within the next 10 years.</p>	Comments noted. BANL appreciates that CN recognises that it is imperative that the current site of the basketball facility is vacated in order for the Broadmeadow Place Strategy to progress.
	<p>CN recommends the Applicant responds to the following matters:</p> <p>(a) Hunter Park sub-precinct - The subject site is adjacent to the Hunter Park sub-precinct envisaged by the BPS. The Hunter Park sub-precinct plays an important role as Hunter’s premier sport and entertainment destination centred around</p>	The site is situated on the key east west cycleway/ path that leads to Broadmeadow train station and on to the Newcastle CBD. The implementation of the Green Travel Plan- Appendix N will encourage

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	<p>McDonald Jones Stadium. However, strong active transport connections between the subject site and the Hunter Park sub-precinct should be developed, which the proposal must demonstrate.</p>	<p>use of these active transport connections and the integration of the proposal into the precinct.</p>
	<p>(b) Active Connections - The EIS (pp78 &79) states: "...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." "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." The BPS proposes delivering a pedestrian boulevard for direct and easy pedestrian access from Broadmeadow Station to the entertainment and sporting precinct of Hunter Park. Opportunities for improving connectivity between the subject site and the Hunter Park sub-precinct and to Broadmeadow Station should be investigated within the proposal. This could include the provision of an active transport link (shared pedestrian and cycling), noting the need for consolidation of sport and entertainment venues. The structure plan within the BPS identifies an active transport link which extends along the southern boundary of the subject site, representative of the existing path adjacent to the Lambton Ker-rai Creek drainage channel, which connects Lambton to the Hunter Park sub-precinct. It appears from the proposed site plan that direct pedestrian access is proposed through the site from the forecourt area to this active transport connection, to the footbridge over Lambton Ker-rai Creek to Monash Road. CN supports this important connection for visitors entering the development from the west and south, via active transport (walking and cycling). However, the proposed width of the footpath between the proposed retail space and service/loading zone is not commensurate with that of the remaining promenade through the site. CN is concerned about potential conflicts between service and delivery vehicles and pedestrians.</p>	<p>The width of the southern access point from Monash Road and the service loading zone have been reviewed by EJE as part of the project amendments. This area has been revised to relocate the service and loading area to the western side of the pedestrian pathway, reducing the potential for pedestrian vehicular conflict.</p>
	<p>(c) Car Parking - The EIS (p79) also states that: "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." Under the BPS, the land containing the McDonald Jones Stadium car park is envisaged to support future commercial and recreation uses. CN acknowledge that any redevelopment of the car park area will be required to provide sufficient</p>	<p>BANL notes the support provided by Council to the sharing of parking within the precinct. The amended project does not rely upon the use of the McDonald Jones Stadium car park for over flow parking.</p> <p>Under the amended project, visitation to the HISC has been categorised into business as usual, Low (less than 1,100 people) /Medium (1,100-1,700 people and High Impact (1,700-2,500) event scenarios.</p>

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	<p>car parking to satisfy new and existing uses (including McDonald Jones Stadium) as with all development proposals. We further acknowledge that the use of the stadium carpark is only for overflow parking and that in the future there may be some disruption to access to this car parking when the site is being redeveloped. However, we envisage that access to this carparking in association with the HISC would still be available, if needed.</p> <p>CN is supportive of shared parking arrangements between facilities and promotes mode shift from private vehicles to public transport use, the application should clearly identify any short-term or temporary needs for the proposal, including the provision of pedestrian connections between the subject site and the stadium site.</p>	<p>Additional off-site parking will only be required in High Event Scenarios, with patrons directed to alternative overflow parking options, including McDonald Jones Stadium Parking, Wanderers Oval Richardson Parks, or Newcastle Entertainment Centre.</p>
	<p>(d) Staging and implementation - According to the BPS, the relocation of the current basketball stadium site is identified within Stage 1 Implementation (short term), the 0–10 year timeframe of the 30-year strategy. In this context, the timing for the subject development application supports the implementation of the BPS.</p>	<p>Noted. The BANL lease over the Broadmeadow stadium site ends in 2028.</p>
The Project		
Staging of the development	<p>As outlined within CNs previous correspondence, the staging arrangement for the development is to achieve positive outcomes not only by the completion of Stage 2 but also at the completion of each earlier stage (Stages 1A and 1B).</p> <p>Open Space - To ensure quality outcomes are achieved throughout the staged implementation of the development, including in respect to open space, the Applicant should give further consideration with the programming of the staging. Where possible consolidation of the remaining open space subject to future stages should occur, also it should be ensured that these areas are not utilised for overflow car parking by way of appropriate restriction infrastructure.</p>	<p>Due to the building footprint, it is not possible to provide consolidated areas of open space at Stage 1. The remnant open space at Stage 1 will not be used for parking.</p>
	<p>Groundworks/underground works - CN recommends Stage 1A should be inclusive of groundworks/underground works for all stages inclusive of drainage and required services to save on interruptions, construction time and conflicts at later stages. This is a more efficient, cost-effective outcome for the development and may be the Applicant's intent, however this is not clear within the documentation.</p>	<p>Underground services will be provided throughout the site in Stage 1.</p>
	<p>It is understood that delivery of stages 1B and 2 of the development is to be dependent on yet to be secured funding. The application should consider which social, economic, disability access, and CPTED elements of the proposal will/will not go ahead at each stage of the project.</p>	<p>These reports have all been updated to include consideration of what measures will be provided in Stage 1 and Stage 2.</p>

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	<p>CN recommends that the Applicant provide sections in each of the reports listed below which outline what will be delivered at each of the project stages. This should align with the Detailed Staging Plan - Construction and Operational (Appendix TT).</p> <ul style="list-style-type: none"> i. Social and Economic Impact Assessment (SEIA) ii. Building Code of Australia (BCA) Capability Statement - (i.e. disability access, amenities/change rooms, parking, fire safety) iii. Crime Prevention Through Environmental Design (CPTED) iv. Operational Management Plan 	
Alternative Site Consideration (EIS)	CN recommends the submitted documentation and assessment is updated, including Table 1- Analysis of Feasible Alternatives (p8 EIS), to include the feasibility of the facility being located within Hunter Park Broadmeadow.	The table of feasible alternatives has been updated – please refer to Section 4.5 of the RTS and Amendment report.
Economic, Environmental and Social impacts		
Landscaping, fencing and trees	<p>CN recommends the Applicant provide further information/plans to address the following matters:</p> <p>(a) Landscaping - CN's letter dated 17th January 2024 to the DPHI was included as Attachment B of the Planning Secretary's Environmental Assessment Requirements (SEARs) dated 22 January 2024 for the development. This letter detailed well designed built form and landscape treatment to enhance the interface at all site boundaries is needed. In this regard, meaningful landscape treatment, including canopy, is needed to be delivered not just along the east site boundary along Turton Road, but also along the north, south, and west site boundaries.</p> <p>The design development undertaken since the SEAR consultation has resulted in a reduction in the extent of landscaping proposed along the northern property boundary. The proposal now includes the provision of four large 'fire water tanks' within the Turton Road building setback directly adjacent to the northern boundary and neighbouring properties. This is not a suitable outcome in terms of visual amenity. Further, the width of landscaping proposed west of the 'fire water tanks' along the north boundary is not sufficient to facilitate the planting of 'screening trees' to address privacy issues for the adjacent residential properties. Amendments to the landscaping plan are required to address these matters.</p>	Additional planting is proposed to screen the fire water tanks from the northern townhouses. Refer to updated Landscape plans – Appendix F .
	<p>(b) Northern Boundary fence - The submitted documentation and plans are inconsistent regarding a proposed fence on the northern property boundary. The EIS (p67) indicates that in accordance with a recommendation of the CPTED Report (Appendix J) a fence will be provided along the northern boundary to create a formal boundary to the adjoining private properties. The Stage 1A Site</p>	Continuous fencing is proposed along the northern boundary. A new 2.1m high palisade fence provided along this interface with planting to screen the fire water tanks from residents. This fence will join the existing fence between the site and Lambton High School.

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	<p>and View 01 Plans indicate a 'new fence' on the northern boundary adjacent to the residential properties. No details of height and materials are provided. However, there is no mention of the proposed fence in the Landscape Masterplan (Appendix I) and the Operational and Construction Staging Plan (Appendix TT). CN recommends the Applicant ensures the submitted EIS and supporting reports and plans are consistent regarding the proposed fence. Further, details are required of the fence height, materials and CN recommends it be constructed in Stage 1.</p>	
	<p>(c) Tree Removal - CNs previous advice noted that 12 existing trees are located adjacent to the Turton Road boundary of the subject site, and that sufficient investigation needs to be carried out to demonstrate retention of these mature street trees.</p> <p>According to the Arboricultural Impact Assessment report (Appendix N), six public trees, including five along the Turton Road frontage, are proposed to be removed to facilitate the development. CN notes all the trees are located on the perimeters of the site and suitable space is available to incorporate most of the trees into the design of the development.</p> <p>The exception is the removal of a tree to provide vehicular access off Turton Road, which is accepted on traffic safety grounds. Further, as discussed below in 'Point 4- Wind Impacts', achieving suitable wind conditions for the development is dependent on retaining the existing trees along Turton Road.</p> <p>Amendments to the design of the development should be undertaken in order to retain the trees within the Turton Road reserve.</p>	<p>The project amendments mean that four trees that were previously proposed to be removed on the Turton Road boundary are now able to be retained. Refer Arboricultural Impact Assessment – Appendix U.</p>
Wind Impacts	<p>Among the recommended strategies is the 'Retention of the existing densely foliating evergreen trees near the eastern and western aspects of the development'. Figure 3 of the report illustrates the existing trees recommended for retention. However, the Demolition Plan (14683-DA-A42-RevB-16 August 2024) indicates some of the existing trees along the southern end of the Turton Road frontage are proposed to be removed</p>	<p>Noted. This inconsistency has been addressed.</p>
	<p>It is noted that the EIS does not include the findings and conclusions of the PWES including that achieving suitable wind conditions is dependent on retaining the existing trees along Turton Road. As detailed in 'Point 2(c)' above, retention of these trees is preferable, and it is requested that the Applicant amends documentation to ensure trees are to remain.</p>	<p>Noted. As above, this inconsistency has been addressed.</p>
	<p>Additionally, the PWES only considers the wind conditions at the final stage of the proposed development. The expected wind conditions should also be assessed at the completion of each stage of the development.</p>	<p>Pedestrian wind impacts have been assessed at each stage and the impacts are found to be acceptable.</p>

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Flood Risk Management	<p>(a)Development impacts on flood hazard - Section 5.3 of the 'Flood Impact and Risk Assessment' Report (FIRA) (Appendix CC) acknowledges the development will increase flood hazard in some surrounding roads (i.e. Duke Street, Rex Avenue, Gloucester Avenue, Monash Road, and Turton Road) during the Probable Maximum Flood (PMF) but did not consider there to be any tangible adverse impact as the overall trafficability of the roads remained unchanged.</p> <p>CN has reviewed the pre- and post-development PMF hazard mapping (Figure 4-8 and Figure 5-7 of the FIRA) and found the impact of the proposed development was not limited to public roads. It was noted that, in the modelled post-development PMF scenario:</p> <ul style="list-style-type: none"> i. Flood hazards at the south of Lambton High School (85 Womboin Road) have generally increased along with the extent of the PMF over the site. ii. Existing H2 hazard areas in residential properties on Hobart Road, just west of Hitchcock Avenue, become H3. iii. Flood hazards at the south of Arthur Edden Oval had generally increased. iv. Flood hazards at the Newcastle International Hockey Centre (1/330 Turton Road) have generally increased. <p>CN recommends the FIRA is amended to address all significant off-site changes to flood hazard at the PMF event due to the proposed development. Additional mapping is also to be prepared highlighting the impact of the proposed development on peak flood hazards in all modelled events - i.e. comparing Figures 4-6 to 4-8 and Figures 5-5 to 5-7.</p>	<p>These impacts are noted, however the principal consideration for flood impact assessment at the PMF event is any potential wholesale change in flood risk profile, such as the creation of new flood flow paths or the changing of low hazard flood environments to high hazard ones. Comparison of the pre- and post-development PMF hazard mapping in Figure 4-9 and Figure 5-7 at Appendix I confirms that the high hazard distribution remains relatively consistent. The most significant off-site change is locally within some of the surrounding roads, where the existing flood hazard of H4 becomes H5. However, because this does not change the overall trafficability of the roads, this does not represent a tangible adverse impact.</p>
	<p>(b)Mapping pre- and post-development peak flood velocities - Figures 5-11 to 5-13 in the FIRA highlight development impacts on flood velocities during the modelled events but no mapping was provided for velocities in the pre- and post-development scenarios.</p> <p>CN recommends that additional mapping is prepared illustrating pre- and post-development peak flood velocities for all modelled flood events to better inform how the proposal may change flooding in the area.</p>	<p>These additional mapping series are included at Appendix C of the updated FIRA- Appendix I.</p>
	<p>(c) PMF peak flood level impacts - CN does not support the proposed impact on peak flood levels during the PMF event at the scale and magnitude indicated in Figure 5-10 of the FIRA. The Newcastle Development Control Plan (NDCP) 2023 Section B1(b) Flood Management manages development in areas of high risk to life flooding through the requirement of on-site flood refuges at or above the PMF level and constructed to withstand peak hydraulic loading during the PMF. Increases to peak velocities and/or peak flood levels can undermine the effectiveness of any existing flood refuges. For</p>	<p>The updated flood modelling for the amended project shows off-site peak flood level impacts have been reduced, and are only +60-70 mm at the PMF event, which only just exceeds the +50 mm threshold and is well within the +100 mm threshold. Refer Section 5.3 of Appendix I.</p>

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	<p>this reason, CN raises concern regarding the modelled impact on peak flood levels and velocities at the PMF as documented in the FIRA. CN further notes the proposed impact on flood levels at the PMF is inconsistent with flood risk management guidelines set out in the former Department of Planning and Environment 2023 publication Flood risk management guideline FB01: 'Understanding and Managing flood risk.' Information in Table 6 and Table 7 of the guideline recommend consideration of the impacts of cumulative development on flood events including the defined flood event (the 1% AEP 2050 for CN) and PMF with a starting point of 0.1 metres for the allowable limit of cumulative impact on flood level changes. Both sections 2.6.4 and 3.4.9 of the guidelines outlines that the impacts for specific development and infrastructure projects should be lower than the limit set for cumulative impact. CN recommends the Applicant be required to revise the design of the development to achieve modelled flood level impacts not exceeding +0.05 metres at the PMF event.</p>	
	<p>(d)Peak flood velocity impacts - Figures 5-11 to 5-13 of the FIRA present modelled numerical impacts on peak flood velocities (i.e. in terms of m/s). CN recommends additional mapping is provided presenting the impacts of the development on peak flood velocities as a percentage increase/decrease from modelled pre-development velocities to allow assessment of these impacts against starting-point limits set out in Department of Planning and Environment's publication 'Flood Risk Management Manual'(2023).</p>	<p>These additional mapping series are included at Appendix C of the updated FIRA- Appendix I.</p>
	<p>(e)Proposed car parking in high flood hazard areas - Figures 5-5 and 5-6 of the FIRA indicate peak flood hazards in post-development conditions for the 10% AEP and 1% AEP 2050 flood events, respectively. CN notes the carparking areas of stages 1B and 2 and parts of 1A are affected by flooding at a hazard level of H2 and H3 during these events. In accordance with Control 8.0(C-7), CN does not generally consider carparking facilities to be suitable in areas subject to flood hazards greater than H1. It is also noted that at the modelled 10% AEP event, a high number of car parking spaces are affected by H3 and H2 flood hazards. Considering the intermediate frequency of the 10% AEP, CN is concerned the parking of vehicles in these areas will result in flood risks to property (including private vehicles). The proposed car parking areas in the front setback of the development (Stage 1B and Stage 2 car parking areas) are not compatible with the flood hazard of the land. CN recommends that the development be revised such that no car parking facilities are provided in these areas and these areas remain usable open space. In this regard, the Applicant may consider:</p>	<p>The assessment of the updated design is documented in the Flood Impact Assessment Report (FIRA)(Appendix I).These comments have been considered in the amendment to the site layout which set the building back from Turton Road and provide a grassed swale to enhance the function of the floodway. The level of the proposed car park has been raised to reduce the flood hazard exposure and it now complies with the requirement of the Newcastle DCP.</p>

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	<p>i. Redesign or provision of additional fill such that the Stage 1A car park is not exposed to flood hazards greater than H1 during the modelled 1% AEP 2050 flood event. Any additional filling will need to be supported by revised flood modelling. Relocation of Stage 1B and 2 car parking away from areas of high flood hazard. The Applicant might consider relocating these spaces under the proposed Stage 2 sports centre building as basement carparking designed in accordance with Control 8.0 (C-3), Section B1(b) of the NDCP2023.</p>	
	<p>(f) Extent of mapping - Flood impact mapping provided in Appendix C of the FIRA indicate impacts on existing flood events that extend "off the page." CN recommends that additional impact mapping be provided with smaller map scales to illustrate the full extent of flood impacts resulting from the proposed development.</p>	<p>Mapping within the FIRA has been updated to address this comment. .</p>
	<p>(g) Proposed flood refuge for State 1A - Chapter 8 of the FIRA proposes a refuge on "the first-floor level at the completion of the Stage 1A development is limited to an unutilised area to facilitate subsequent Stage 1B extension. As a Flood Refuge it can accommodate up to around 600 people but will need to be provisioned accordingly (refer Section 7.5)."</p> <p>The submitted EIS and architectural plans provide no indication an unused first floor level will be constructed as part of Stage 1A. The development documentation should be amended to clearly indicate a mezzanine or first-floor level will be constructed as part of Stage 1A for the purposes of flood refuge.</p> <p>The FIRA assessed the first-floor level at the completion of Stage 1A will provide refuge for around 600 people. CN recommends that the Applicant propose site capacity limits (including staff and visitors) for each stage of development (as necessary) to ensure the corresponding flood refuge facilities can cater for the number of people on the development site.</p>	<p>The amended architectural plans (Appendix E) show a nominated flood refuge area on the first-floor level of the building. The Flood refuge will be constructed in Stage 1 of the development.</p> <p>Being a fully functioning part of the building, the flood refuge is well-equipped to service the needs of potential occupancy for an expected period of a few hours. Refer to FERF for further details – Appendix J.</p>
Stormwater Management	<p>(a) Water Cycle Management Plan - Given the scale of the proposal CN recommends the Applicant prepare a Water Cycle Management Plan (WCMP) to document the proposed stormwater management strategy and philosophy, rainwater reuse opportunities, and MUSIC modelling.</p> <p>It is noted that the EIS table of contents titles Appendix L as "Civil Plans & Concept Soil and Water Management Plan", however the DA (SSD-65595459) on the Major Project portal only provides Civil Plans under Appendix L.</p>	<p>The Concept Soil and Water Management Plan has been updated to reflect the amended design and is included at Appendix Q.</p>
	<p>(b) Additional detail for MUSIC modelling -The EIS presents the outcomes of MUSIC modelling in section 6.13.2 and Table 17. CN recommends that additional detail relating to MUSIC modelling is provided in the EIS or in the WCMP, including screenshots of the node map, a description of the modelled treatment train, and inclusion of the MUSIC-link report in the appendices.</p>	<p>The sqz file for the MUSIC model has been provided with the RTS.</p>

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	It is also recommended additional MUSIC modelling is undertaken by the Applicant to demonstrate that each proposed development stage individually complies with water quality targets in the NDCP 2023.	
	(c) Proposed tree planting in rain gardens - The submitted Civil Plans (Appendix L) and Landscape Masterplan (Appendix I) propose 'rain gardens' with tree planting to provide canopy cover for car parking areas. CN recommends that this be given further consideration by the Applicant as water quality devices installed early in staged development can degrade under intensified sediment and pollutant loading from later construction work. In this regard, rectification often requires replacement of vegetation and upper filter layers. Further, the installation of trees in rain gardens can complicate long-term maintenance and prevent full replacement of filter media. Tree planting in the car parking area is to be accommodated in tree vaults providing suitable rooting volume for the required number of trees to achieve shade cover in accordance with Section C12 of the NDCP 2023.	The design will incorporate tree vaults into the bioswale and this detail will be developed during the construction phase. Trees in rain gardens have been successfully implemented previously in Newcastle, an example is Stockton Local centre. Specific attention will be given to the management of sediment phases to ensure it is directed away from raingardens.
Traffic and Parking Comment	Road Network Turton Road - The application proposes a kerbside left turn deceleration lane for access to the site and vehicle entry/exit in Tuton Road. CN supports the proposed location for vehicular access to the site but acknowledges that Turton Road is a 'classified road' and therefore the concurrence of Transport for New South Wales (TfNSW) is required pursuant to Section138 of the Roads Act 1993.	In consultation with TfNSW it has been agreed to remove the deceleration lane from the proposal.
	The Traffic Impact Assessment has identified the northern side of Monash Road adjacent to the site as having the potential to cater for parking in the order of approximately 80 vehicles for larger events at the sporting centre. Due to the proximity of Monash Road to the site and the pedestrian footbridge connection, CN recommends the Applicant be required to formalise this northern road shoulder adjacent to the stormwater channel, comprising road pavement, kerb and gutter, stormwater drainage, vehicular barriers and lighting. In addition, the existing pedestrian footbridge linking the site to Monash Road should be upgraded to provide a minimum 3.0m wide pedestrian bridge incorporating pedestrian safety fencing. Monash Road is a Crown road and therefore any works proposed to be undertaken by the Applicant within the road reserve as part of this application will require the prior approval of Crown Lands.	This existing parking is used by visitors to the existing ovals as well as by people parking to attend activities at McDonald Jones Stadium. These spaces will be available for public parking whether associated with the HISC or by others at other times. It is not proposed to upgrade these spaces. Similarly, it is not proposed to upgrade the existing pedestrian bridge. This bridge is a public asset that is part of the existing external pedestrian network. It provides access to the existing pedestrian pathway and cycle way for all users of this network. It caters for people accessing McDonald Jones Stadium from suburbs to the south, recreational facilities to the west and Newcastle CBD to the east. Given the bridge serves a broad user group BANL does not consider it the responsibility of the project to upgrade it.
	Traffic Impact Assessment CN supports the following recommendations of the TIA (p41) to maintain road network safety and efficiency in the vicinity of the site:	Noted.

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	<p>(a) 'Left turn Only' signs be provided at the exit driveway on Turton Road within the site.</p> <p>(b) A 'No U Turn' sign be provided on the central median in Turton Road at Monash Road for southbound traffic.</p> <p>(c) Optimisation of traffic light phase times at the intersection of Turton Road and Griffiths Road to clear the northbound right turn lane at this intersection during the PM peak, due to additional traffic generated by the proposed sporting centre.</p> <p>TfNSW are the responsible authority for traffic signals and therefore the Applicant should consult with this authority to address signal phasing.</p>	
	<p>Civil Plans</p> <p>(a) Stormwater Connections - The civil plans indicate the provision of three new stormwater connections to the existing stormwater channel adjacent to Monash Road. These stormwater connections require the approval of Hunter Water.</p>	<p>Noted. Hunter Water has provided similar advice in their agency comments on the proposal. The relevant approvals will be obtained.</p>
	<p>(b) Bus swept paths - The modelled 14.5m long rigid bus vehicle swept path clashes with the designated pick-up / drop-off and bus parking areas. The Applicant proposes to manage this issue on-site utilising an events management plan. This approach is not supported and to ensure traffic safety and minimising congestion it is recommended that the car park layout be amended to remove this conflict.</p> <p>(.</p>	<p>The swept paths have been revised and they demonstrate that buses can turn safely in the carpark with no conflicts.</p>
	<p>c) Pedestrian Pathway - CN recommends the proposed east/west pedestrian pathway linkage to Turton Road is implemented as part of Stage 1A to adequately cater for pedestrians, inclusive of a marked foot crossing across the internal driveway access road</p>	<p>The pedestrian promenade will be delivered in Stage 1.</p>
Pedestrian/ Cycle Network Impact	<p>(a) The application impacts on the alignment of the existing major east/west cycleway at Turton Road with the proposed installation of the Stage 1B carpark. This is not supported as it results in the removal of the direct cycleway connection to the existing Turton Road traffic signal crossing.</p>	<p>Project amendments including the increased site setback mean that the existing path and cycleway will not be impacted by the project. They will remain on their current alignment.</p>
	<p>(b) CN's concept plans for the future upgrade of the above cycleway require a minimum 10.0m wide corridor to be provided along the southern boundary of the site from the top of the existing stormwater channel. The proposed development encroaches into this corridor. CN recommends the design of the development is amended to remove these encroachments.</p>	<p>On the southern boundary of the site allowance has been provided for a 10m corridor for the future expansion of the existing cycle way/ path (by others). This does not form part of the proposal. Landscaping within the HISC site has been removed from this area to avoid future conflicts if the pathway is expanded.</p>
	<p>(c) Future transport planning by TfNSW in association with the BPS proposes a grade separated cycle /pedestrian bridge crossing for Turton Road. While planning is in the early stages, an adequate area will be required for the bridge landing in the</p>	<p>This was discussed with TfNSW. Plans for a future bridge are unavailable, therefore it is not possible to plan around this.</p>

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	south/western corner of the site. CN recommends the design of the development is changed to accommodate the above facility.	
Network Upgrade	Having regard to the potential increase in pedestrian /cycle activity CN recommends the following pedestrian /cycle upgrades be undertaken by the developer in association with the development:	
	(a) The existing 1.2m wide concrete pedestrian path located on the western side of Turton Road between Monash Road and the proposed internal site pedestrian pathway is upgraded to a combined 3.0m wide pedestrian/cycle pathway incorporating pedestrian fencing.	The Turton Road pedestrian path is proposed to be widened and pedestrian fencing added and will meet these requirements.
	(b) The existing pedestrian footbridge linking the site to Monash Road be upgraded to provide a minimum 3.0m wide pedestrian bridge incorporating pedestrian safety fencing.	It is not proposed to upgrade the existing pedestrian bridge. This bridge is a public asset that is part of the existing external pedestrian network. It provides access to the existing pedestrian pathway and cycle way for all users of this network. It caters for people accessing McDonald Jones Stadium from suburbs to the south, recreational facilities to the west and Newcastle CBD to the east. Given the bridge serves a broad user group BANL does not consider it the responsibility of the project to upgrade it.
	(c) The existing major east/west cycleway be upgraded between Turton and Wallarah Roads to provide a 3.0m wide cycleway / 1.0m separation / 2.5m pedestrian path.	On the southern boundary of the site allowance has been provided for a 10m corridor for the future expansion of the existing cycle way/ path. Landscaping within the HISC site has been removed from this area to avoid future conflicts if the pathway is expanded. This does form part of the proposal.

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	<p>Parking</p> <p>The application proposes a total of 240 parking spaces across three car parks including ten drop off spaces. In addition, a large off-street parking area associated with the McDonald Jones Stadium on Turton Road opposite the subject site providing 920 spaces for overflow parking during major events. The TIA has also identified the northern side of Monash Road adjacent to the site as having the potential to cater for an additional 80 vehicles.</p> <p>CN supports the use of the McDonald Jones Stadium car park for additional overflow parking in larger events, however, as mentioned previously the BPS identifies this car park, excluding the car park area to the north of the stadium, as future commercial in the short term.</p> <p>Notwithstanding, CN recommends that the Applicant be required to upgrade the northern side of Monash Road as additional overflow parking to ensure adequate parking is available. As advised above, the use of Monash Road for additional parking would be acceptable on the basis the Applicant includes this area as part of the proposed development and upgrades the existing pedestrian footbridge.</p>	<p>The parking on Monash Road is used by visitors to the existing ovals as well as by people parking to attend activities at McDonald Jones Stadium. The recreational use of the grounds would provide a similar role in the future and will be available for public parking whether associated with the HISC or by others at other times.</p> <p>As detailed above, it is not proposed to upgrade the existing pedestrian bridge.</p>
	<p>Traffic Event Management Plan</p> <p>CN recommends the Applicant is required to prepare a Traffic Events Management Plan (TEMP) in consultation with TfNSW, CN, and NSW Police to address traffic management during events held at the proposed sports centre, such being prepared in accordance with 'NSW Guide to Traffic and Transport Management for Special Events, July 2018'. The TEMP is to be approved by TfNSW, CN and NSW Police prior to the occupation (part or whole) of the premise.</p>	<p>Traffic Plan Professionals has prepared Traffic Management Plans (TMPs) to address medium and high impact event scenarios. Refer Appendix O.</p> <p>The TMPs were prepared in consultation with TfNSW, Council, NSW Police and Venues NSW.</p>
	<p>Preliminary Construction Traffic Management Plan</p> <p>The application is supported by a Preliminary Construction Traffic Management Plan (Appendix R). CN recommends that heavy vehicle construction traffic is not permitted to utilise local roads to access the site and are confined to the State road network as shown in Figure 3.1 of the plan.</p>	Noted.
Noise Impacts	<p>CN notes the Acoustic Assessment (AA) (Appendix U) is confined to consideration of activities on-site and traffic that may be associated with these activities. The EIS states that "Large spectator events will generally take place over weekend periods from Friday evening to Sunday evening". Crowds from these large events exceed the parking available on-site and the night-time dispersal of these patrons from the site may result in noise impacts on the surrounding neighbourhood. The AA does not address potential noise from patrons outside the premises. This is usually the case for acoustic assessments, as the noise from these sources can be challenging to quantify and no clear guidelines for conducting an assessment are available.</p> <p>However, this potential impact should be considered and addressed appropriately.</p>	<p>Management measures to address the dispersal of patrons from the site are included in Section 4.4 of the updated Acoustic Assessment at Appendix X.</p>

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Social Impact Assessment	<p>CN notes the submitted materials appear consistent with the requirements in the Social Impact Assessment Guideline (NSW DPHI, 2023) and Sections C7 and C8 Safety and Security, and Social Impact, respectively, of the NDCP 2023. The following comments outline key social planning analysis required to be undertaken by the Applicant and considered in the assessment process to ensure a complete assessment is undertaken.</p> <p>(a) The EIS and Statement of Social Impact Assessment (SEIA) (Appendix II) have effectively outlined current utilisation of the Indoor Basketball Centre (capacity rates, turn away numbers, court participation and member numbers). While an analysis has not been provided for the current utilisation of the existing Blackley Oval and Wallarah Oval outdoor sport fields and informal recreation greenspace, CN has been engaging with local sporting clubs and associations, and the local high school, to explore and plan upgrades to other nearby local facilities to ensure current user groups are no worse off.</p>	<p>Comments noted. The proponent understands that the assessment undertaken by CN included assessment of the capacity of other sporting and recreational facilities to accommodate current sporting uses on the site, and concluded that there were adequate alternatives available within the LGA.</p>
	<p>(b) Future utilisation of the site for HISC has been clearly outlined in the submitted documentation. There is a need for the facility to be able to cater for other compatible community and sporting uses as part of the future utilisation.</p>	<p>Noted. The HISC will be a multi purpose indoor sports facility capable of accommodating volleyball, pickleball, futsal, indoor netball and other sports. This has been outlined in the EIS and no changes are proposed to the planned use of the facility. BANL is continuing to engage with the administrators of other sporting codes to identify opportunities for shared use of the facility.</p>
	<p>Code diversity, affordability, community access in perpetuity as mitigation for displacement of open space and recreation / alternative site use.</p> <p>(a) Additional code use - The proposed development articulates the use of the facility of HISC with a primary use of basketball. The use and access of the site/facility for additional sporting codes, whilst indicated, should be further detailed and should include volleyball, pickleball, adaptive sports and other indoor sports including schools, out of school care providers or similar. Consideration of community facility space co-location - Information should be provided on the purpose of and access to 'tenant areas for associated health and wellbeing services' to demonstrate the rationale of permanent location of commercial or code funded health workers on site in lieu of other community services, code office, meeting rooms or similar. The Applicant should consider provision of community space (e.g. local level hierarchy low-cost community accessible meeting room) to expand its 'value-add / positive social impact'.</p>	<p>Alternative court mode plans have been included in the Architectural Plan set- refer Appendix E. These illustrate the flexibility of the court spaces. During consultation Council advised that they did not want to operate a community facility within the building. The proposed allied health uses are considered a complementary use to the indoor sporting activities. The HISC will include meeting rooms and spaces which will be able to be accessed by the community.</p>
	<p>(b) Loss of free recreational open space - The Applicant demonstrates how the loss of free recreational open space will be mitigated for both existing and future user groups and residents. Impact mitigations could include equitable access principles to assist user groups with low incomes etc. The Applicant should demonstrate how access is to be facilitated.</p>	<p>There are alternative areas of green space nearby for passive recreations, including Ford Oval and Kentish Oval (and surrounds) for open space purposes. There will also be residual open space surrounding the development.</p>

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	<p>(c) The EIS (p43) states 'Access will be allowed for community groups and local sporting clubs at times to be agreed with BANL', access to indoor recreation spaces for non-member use (e.g. local community groups) is noted.</p> <p>(d) Community access in perpetuity - Public access and wide community use is to be maintained.</p> <p>To address these matters the Operations Plan should be revised for each stage to provide a draft/indicative operations 'road map' which demonstrates capacity for use by varying sporting codes, and wider community use coexisting with the primary use of the site as a regional basketball and indoor sports facility.</p>	<p>Community organisation or community individuals will be able to hire the courts, meeting rooms and function spaces. People will be able to spectate during organised games and/or utilise the social spaces including the café.</p>
Crime prevention	<p>(a) Data sources - The Crime Prevention Through Environmental Design (CPTED) report (Appendix J) considers a superseded version of the architectural plans, outdated CN safety strategies and crime statistics for the whole local government area rather than suburb and surrounding specific figures. These documents/sources should be updated. Crime hotspot offence categories for New Lambton should also be specifically considered.</p>	<p>The CPTED report has been updated to address these comments. Refer Appendix S. Section 3.2 includes New Lambton crime statistics.</p>
	<p>(b) Staged delivery - CN recommends a section be prepared in the CPTED report indicating crime and safety considerations (and mitigations) as each of the project stages; as per the staging plan (Appendix TT)</p>	<p>CPTED recommendations and design strategies address Stage 1 and Stage 2 to ensure adequate CPTED measures are applied at both stages.</p>
	<p>(c) Cumulative impacts - CN understands that major events at both the development and surrounding large scale uses, will be planned to occur at different times. This is accepted as a means to address any potential cumulative impacts from a CPTED perspective.</p>	<p>Noted.</p>
	<p>(d) "Back of house" (Northern and Western site boundaries interface) - CN recommends CPTED report be amended to include section/s that specifically address the back of house interface of the HISC, Lambton High School and the development's western outdoor courts and remnant open space. And across each of the three stages of development's delivery.</p>	<p>CCTV is recommended to be included on both the northern and western elevations. Continuous fencing is proposed along the northern boundary.</p>
	<p>(e) Public Access - CN recommends the CPTED report give further consideration of the public use of the site, including the interaction between buildings that are secured after hours, and other areas of the site which remain accessible to the public.</p>	<p>CPTED report comments on securing of doors and the need to site staff in the entrance foyer to monitor access to the facility.</p>
Operations/Crime Prevention-Other	<p>CN recommends the Applicant include the following in the Operational Management Plan (OMP) (Appendix OO), the CPTED assessment should also be updated in response as required:</p> <ul style="list-style-type: none"> i. Crowd queuing and dispersal for large scale mass events. ii. Staff safety and sales handling - ticketed sport events (routine and large scale), food and drink premises and allied health hub; and 	<p>These measures are addressed in the updated Operational Management Plan – refer Appendix HH.</p>

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	iii. Staged shut down internally including isolated areas such as the administration offices, courts, changerooms as issue identified in the CPTED report.	
Heritage	CN has no specific comments to offer in respect of heritage. Recommended conditions of approval regarding archaeology, Aboriginal cultural heritage and unexpected finds procedure will be provided with CN's advice on the Applicant's Response to Submissions report, if the various matters raised in this letter have been satisfactorily addressed	Noted.
Procedural Matters		
Legal description of the subject land	All properties forming part of the DA need to be accurately and consistently identified on the application form, landowners' consent, and supporting documentation submitted in support of the DA. CN recommends the Applicant is required to confirm the legal description of the subject land and updates any inconsistencies in their documentation.	The architectural plans and project documentation have been updated to include reference to Lot 1 DP1304081.
Site Area	The EIS (pp16, 24 & 34) states the site has a total area of 7.83 ha. CN notes this area has been used in other supporting documents, such as the calculations of existing and proposed tree canopy in the Landscape Master Plan. Based on the lot areas contained on the 'Wallarah Oval Detail and Contour Survey' plan (Appendix H) and dimensions taken from aerial images, we have calculated the site area as approximately 3.75ha. It is recommended that the Applicant confirm the area of the subject site and update any inconsistencies within their documentation.	Noted. The correct site area is 3.77ha and this has been reference on all plans and reports.
Development Contribution Plan	The provisions of CN's Section 7.12 Development Contributions Plan (the Plan) apply to the subject land. Under the plan a contribution based on a levy of 1% of the cost of the development applies. The proposed development is not a type of development identified in the Plan as being eligible for an exemption or reduction in the payment of a contribution. CN notes the Applicant is seeking from the consent authority an exemption from the payment of the contribution based in part on the grounds the Basketball Association of Newcastle Limited (BANL) is a not-for-profit organisation. However, the EIS does not provide evidence demonstrating BANL is a registered charity on the Australia Charities and Not-for-profits Commission (ACNC) register. Furthermore, the ACNC register does not identify BANL as a registered charity. CN confirms that the provisions of the Plan apply, and contributions should be conditioned on any consent issued. The contributions can be conditioned to align with the proposed staging. However, ultimately it is a decision of the consent authority to decide whether full or partial contributions apply. To enable the contribution to be calculated, CN recommends the Applicant is required to prepare a	Note. Council's Section 7.12 Plan provides exemptions for charities registered with the Australian Charities and Not-for-profits Commission (ACNC) BANL are a Not for Profit entity but are not a registered charity and are therefore not registered with the ACNC.

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	Detailed Cost Report in accordance with Section 208 of the Environmental Planning and Assessment Regulation 2021.	
Appendix referencing	To avoid confusion, the EIS should be reviewed to ensure references made to appendices are correct and consistent. There are several examples of incorrect referencing. For example, the Flood Impact Risk Assessment (Appendix CC) is incorrectly referenced as Appendix Z in Sections 5.2, 6.14, and 7.6 of the EIS.	All references have been reviewed and updated.
Government Agencies		
Biodiversity, Conservation and Science		
BDAR Comments	The Biodiversity Development Assessment Report (BDAR) provides no reference to the use of temporary or ancillary facilities during construction, either in the introduction to the document or in the maps provided. It is therefore difficult to ascertain if any temporary structures will be used, if these will be within the construction footprint of the site, and if they are likely to affect the biodiversity of the site.	An updated BDAR has been prepared addressing temporary facilities – refer Appendix LL .
	The field reconnaissance described within the BDAR does not provide specific information on details such as the time of day that reconnaissance was completed. Additional details regarding time of day would help to support the data in Table 4 – Incidental Fauna Observations and assessment of any species likely to be affected by construction. This is particularly relevant, as the BDAR references microbat species, which would be more likely to be observed at night.	These details have been added to the updated BDAR- refer Appendix LL .
	Recommended action: When pre-clearing surveys are undertaken, as referenced in Table 9 – Summary of Proposed Mitigation and Management Measures for Residual Impacts, details regarding the time of day that surveys are completed should be documented and included in reporting.	
Flooding	The Flood Impact Assessment Report, prepared by Torrent Consulting May 2024 (FIRA) - Fig 4.2 identifies two overland flow paths on the site: a major path running northwest and a minor path originating at the intersection of Marina Ave and Kar-Rai Creek. The minor flow path will be removed as it lies within the stadium footprint. However, the FIRA has not provided a clear explanation of how water from this flow path will be diverted.	The amended design maintain the function of the site as important floodway for the conveyance of overland flow. The revised location for the building footprint has been designed to sit outside of the highly convective areas of the floodplain.
	Recommended action:	

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	Provide mapping or describe the proposed diversion strategy for the minor overland flow path.	
	<p>The proposed car park is situated within an identified floodway, in close proximity to Kar-rai Creek. This location poses a significant risk of vehicles being swept into the creek or other drainage channels during flood events. Such occurrences can lead to severe blockages of culverts, causing substantial upstream flooding and potential hazards to life and property.</p> <p>The Newcastle City-wide Floodplain Risk Management Study and Plan (N-FRMSP) highlights the critical nature of this issue. The report cites numerous instances of debris, including cars, blocking drainage infrastructure during past flood events. For example, in the lower reaches of Cottage Creek, Newcastle West, two shipping containers obstructed culverts, exacerbating flood impacts.</p> <p>To mitigate this risk, the N-FRMSP recommends implementing measures such as installing bollards around flood-prone car parks or along channel edges to prevent vehicles from entering waterways.</p>	The revised project layout has reduced flood impacts on the site and flood hazard levels, refer Appendix I . Bollards are not required.
FERP	<p>The FERP has not considered the risk of individuals becoming trapped in their vehicles during extreme flood events</p> <p>The FIRA identifies that in extreme flood events, flood depths in the proposed carpark will exceed 2m and have a hazard classification of H4. Such flood conditions would pose an extreme risk to life of anyone seeking refuge in their vehicles.</p>	<p>The FERP (Appendix J) has been updated to include additional management measures including addressing risk to patrons in vehicles. In the event of extreme flooding events resulting in flood hazard levels within the car park of H4 the site will be closed. Roads immediately leading to the site will not be trafficable. The car park will also be secured and vehicles will not be able to enter.</p> <p>The flood hazard within the local and broader city-wide road network will be higher than within the site and so leaving the site during or immediately prior to a flood event can increase the level of risk, particularly given the context of the local “flash flood” environment. The recommended flood emergency response (if people are present on the Site during a flood) is therefore to seek refuge from flooding within the first floor flood refuge, only vacating the site when it is safe to do so following the recession of flood inundation.</p>
DCCEEW- Water Group		
Groundwater-information required Prior to determination	DCCEEW Water notes the site investigations documented in the Environmental Impact Statement (EIS) identified groundwater between 1 and 3 metres below ground level (mbgl) and the proposed excavation is to be up to 3mbgl and piling to 8mbgl. There is no analysis or quantification of the volumes of groundwater take due to these works.	Refer to Groundwater statement at Appendix R .

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	The proponent must demonstrate they can obtain sufficient entitlement to account for the maximum potential groundwater take or clearly identify a relevant exemption.	
	Quantify the maximum annual volume of water take due to aquifer interference activities required for the project.	There will be up to 1m of fill placed on site and only minor cutting. Excavation that reaches the water table will therefore be minimal for piles and underground services installation. Given that the majority of the site is underlain by low permeability clay soils it is considered likely that water take from excavations during construction will be a maximum of 5,000 liters. Piles to 8m depth will be approximately 600mm diameter and estimated water take will be less than 500 liters per pile.
	Demonstrate sufficient water entitlement can be acquired in the relevant water source unless an exemption applies.	Therefore, the annual water take will be less than 3ML per year and Clause 7 of Schedule 4 of the Water Management (General) Regulation 2018 applies. There will be zero water take after completion of construction and the water will not be taken for consumption or supply. The project team will claim an exemption and keep a record of the water taken under the exemption and provide this to the Minister within 28 days of the end of the water year; and the records will be kept for 5 years.
Groundwater-post approval	The proponent should ensure a water access licence (WAL) is obtained to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2018.	As per above, the stated exemption applies.
Groundwater take- pre determination	The EIS has not provided a volumetric quantification of groundwater take. Additionally, the EIS has not provided an assessment of impacts to groundwater due to construction or operation of the project. DCCEEW Water notes that without groundwater take estimations it is difficult to assess the level of risk. Therefore, the proponent should determine the estimated take volume.	As per above, the stated exemption applies.
	<p>Recommendation - pre-determination</p> <p>If the take of groundwater is found to be greater than 3 ML per year, the proponent must assess the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012).</p>	
State Emergency Services (SES)		
Flooding Assessment Comments	The NSW SES recommends that consideration of flooding issues is undertaken in accordance with the requirements of NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 (the Manual) and supporting guidelines, including the Support for Emergency Management Planning and relevant planning directions and circulars relating to the Environmental Planning and	NSW SES comments have been addressed in the updated FIRA- refer Appendix I.

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	<p><i>In some cases content from submissions has been abridged or edited for brevity.</i></p> <p>Assessment Act, 1979. The site is affected by flooding up to 1m in depth during the 1% Annual Exceedance Probability (AEP) flood event. During the Probable Maximum Flood (PMF) event the site is inundated to depths in excess of 1.5m across the site. Recommend revising the Flood Emergency Response Strategy including:</p> <ul style="list-style-type: none"> ▪ an assessment of the full range of flood risk on site and surrounding access/egress routes, including time to overtopping of roads, time to onset and duration of inundation. ▪ review of available warnings for the site and the amount of warning time available, including warnings from the Australian Warning System. ▪ clearly defined actions and triggers for implementing emergency plans. <p>The SES does not support shelter in place as a strategy for new development or the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.</p> <p>Recommend closing the site early if there is a risk of flooding, on receipt of advice from the Bureau of Meteorology (BoM), or when other evidence leads to an expectation of flooding, as a primary emergency management strategy.</p>	
	<p>Recommend seeking advice from the Department of Climate Change, Energy, the Environment and Water.</p>	<p>DCCEEW were provided the opportunity to comment on the project during the EIS exhibition. The comments they provided related to groundwater impacts.</p>
Hunter Water		
Comments	<p>Hunter Water issued a Development Requirements Letter under reference 2024-544 on 31 May 2024 outlining the following requirements:</p> <ul style="list-style-type: none"> ▪ The proponent is required to engage a Hydraulic Design Consultant to prepare a Hydraulic Assessment Summary Report in order for Hunter Water to calculate a Developer Charge for the development. ▪ Construct a section of 150mm watermain on Turton Rd to provide the development with direct watermain frontage. ▪ Relocation of existing trunk gravity sewer mains and stormwater pipe / culvert clear of the proposed development. ▪ The delivery and relocation of the above assets, and payment of a Developer Charge, before a Section 50 Compliance Certificate for the development can be issued. 	<p>Noted. These requirements will be complied with.</p>
	<p>Hunter Water requests the inclusion of the following conditions of consent issued for the project:</p>	<p>This proposed condition of consent can be complied with.</p>

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	<p>1. The proponent is required to submit an application for Development Assessment (Section 50) for each stage of the proposed development</p> <p>2. A Compliance Certificate will be issued under Section 50 of the Act for each stage of the proposed development once Hunter Water's specific requirements have been satisfied, and this Compliance Certificate must be submitted to the Principal Certifying Authority prior to a Construction Certificate being issued for the development.</p> <p>3. The proponent is responsible for ensuring that any development staging is clearly defined in the development consent in order to allow the release of Section 50 Compliance Certificates for each development stage and, if required, the associated staged delivery of water and sewer infrastructure.</p>	
Transport for New South Wales (TfNSW)		
Access	<p>The proposed left in/left out (LILO) driveway on Turton Road is located at the break in the median for channelised right turn into Hunter Stadium car park, with a traversable seagull and no physical barrier to prevent vehicles attempting to turn right out of the proposed access.</p>	<p>The access driveway has been moved 3m south to avoid vehicular conflicts with cars exiting McDonald Jones stadium.</p>
	<p>Vehicles can currently turn right from Hunter Stadium car park opposite this location and this would introduce the risk of vehicle conflict with vehicles exiting from the proposed stadium and vehicles exiting from Hunter Stadium, in a northbound direction, compounding the existing crash history at this location.</p>	<p>No right turn sign will be provided at the site exit.</p>
	<p>Swept Path analysis for a 14.6m bus requires all lanes of Turton Road to exit the site. During peak traffic this will be difficult to accomplish resulting in increased delay for other vehicles exiting the site and/ or disruption of the traffic network.</p>	<p>Refer updated swept paths in conjunction with widened driveway. Buses would only be exiting the site outside of peak traffic times and therefore there will only be minimal impact onto Turton Rd.</p>
	<p>Design of access does not show if a 2.5% crossfall can be achieved for footpath.</p>	<p>Civil package has been updated to include this notation – refer Appendix Q.</p>
	<p>Improved lighting to be provided at the entry points to the proposed stadium.</p>	<p>The light pole currently shown at the Turton Rd driveway entrance provides sufficient illumination. As this is an access road according to AS/NZS 1158.3.1 it is to be lit to 50% of the PC2 carpark levels, and compliance is achieved. This 50% of PC2 level is the equivalent to the PR2 road lighting level as well, so the access points are sufficiently lit according to the Australian Standards. Refer External Lighting Impact Assessment at Appendix GG.</p>

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	Investigation of an auxiliary left turning lane in accordance with Austroads requirements outside of the current lanes is requested to access the site instead of the proposed line marking of the current parking lane.	Following consultation with TfNSW the deceleration lane has been deleted from the proposal. No Stopping signs are to be installed on either side of the driveway. Bus parking spaces for McDonald Jones Stadium are to be relocated north on Turton Road in consultation with Keolis Downer and Venues NSW.
	The proposed deceleration lane occupies the current parking lane and will remove a section of parking, this is also event parking for buses during large Stadium events.	The Civil Plans have been updated to show the amended access arrangements- refer Appendix Q .
	On road cyclist facilities have not been provided on Turton Road through turn lane and should be accommodated.	It was agreed with TfNSW that as an interim solution, bike symbols are to be provided in the shoulder to provide visual guidance to road users on the presence of cyclists.
	Ensure the deceleration lane meets the required length for the design speed of Turton Road.	The deceleration lane has been deleted from the proposal.
	While not specifically outlined in the Broadmeadow Strategy, there are a range of initiatives identified as needed along Turton Road. The proposed use of existing infrastructure as an exclusive left turn lane into the proposed stadium effectively precludes the opportunity for a third lane in the future.	The deceleration lane is no longer part of the project. A third lane could be provided in future.
	A pavement investigation should be undertaken in the proposed deceleration lane on Turton Road to confirm existing shoulder pavement is sound to support changes.	TfNSW have acknowledged that should pavement investigation be required, it can be completed as part of the Works Authorisation Deed (WAD).
Shared Path	Consider increasing the width of the footpath along the full frontage of Turton Road to a shared path to cater for increased foot traffic during events. Pedestrian fencing between proposed vehicle access and mid block crossing to improve pedestrian safety.	The footpath to Turton Road will be widened between Monash Road and the access driveway.
	The development's proposed Stage 2B carpark appears to significantly impact the existing pedestrian and bicycle Shared Use Path along the southern and eastern edges of the site. This path is identified as an Active Connection in the NSW Government and Newcastle City Council Broadmeadow Place Strategy and has potential to align with the Strategic Cycleway Corridor between Broadmeadow and Lambton which is one of five connections identified as an opportunity for investigation.	Project amendments including the increased site setback mean that the existing path and cycleway will not be impacted by the project. They will remain on their current alignment.
	1.The development should provide an upgrade to the existing shared path along the southern and eastern boundary of the site to an offroad separated bicycle path and separate pedestrian footpath, including connections to the facility itself, in the first stage of the development that impacts the existing path.	The design provides room for future expansion of the footpath to occupy a 10m wide corridor. Upgrade of this path does not form part of the proposal.

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	2. Consider relocation of the existing signalised pedestrian and bicycle crossing on Turton Road to provide a direct path and avoid the need for sharp turns on the bicycle path to be considered.	A curve on approach to the crossing is preferable as cyclists are required to slow down creating a safer environment.
	Any design is to include provision of suitable curve radius to allow for bicycle travel, path width, clearances, sight lines, management of anticipated pedestrian and bicycle conflicts, separation from vehicle traffic as may be required. Design to be in accordance with the principles set out for Priority routes in the TfNSW Cycleway Design Toolbox.	No new design required as the amended project does not impact this path.
	Consider improved pedestrian access to the development including priority pedestrian crossings and footpaths, as recommended by the Walking Space Guide.	The site is served by the existing pedestrian crossing over Turton Road and no additional pedestrian crossings are required. The proposal includes the widening of the Turton Road footpath which will provide increased amenity for pedestrians.
	Ensure that supporting active transport infrastructure, such as adequate lighting (CPTED), trees (green infrastructure/amenity) and secure bike parking, are included in the designs for the active transport routes to the facility.	This is a matter for Council to consider in the management and design of their assets. The proposal includes lighting to footpaths and entrance points compliant with Australian Standards. Secure bike parking shall be included in the design.
	Given the desire to see more users of the stadium arrive/leave by walking or cycling, a better outcome would be to increase the width of the path between Wallarah Road and Turton Road to provide separate walking and cycling facilities along with fencing and lighting to provide a safe and attractive environment. Ensure it can be designed and constructed in accordance with the Austroads Guidelines, Australian Standards, TfNSW Supplements and to Council's specifications.	The design provides room for future expansion of the footpath to occupy a 10m wide corridor. Upgrade of this path does not form part of the proposal.
Modelling	Refer separate excel document attached for review.	TfNSW comments were addressed by Bitzios in their update of the SIDRA modelling. Refer Appendix M .
Trip Assignment	Simulation undertaken from locations listed in table in TIA with Google maps provides the quickest route has nearly 60% of routes different to stated in TIA. It is assumed south bound vehicles will take a less direct route on Griffiths Road / Croudace Street. There is an opportunity for vehicles to enter Young Road and U turn legally in Young Road exiting back to Turton Road through TCS. These vehicles movements do not appear to be considered.	The Proponent has consulted with TfNSW regarding this comment. TfNSW reviewed the trip assignment again and advised that no further consideration of this matter is required.
Construction TMP	Number of construction vehicles entering/exiting site per day not stated.	This level of detail is not known at this stage of the development. The Preliminary Construction Traffic Management Plan shall be updated and submitted for approval once the contractor is appointed and construction methodology is determined.

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	Long term lane closures on Turton Road during driveway construction to be avoided	Noted. This will be addressed by the contractor during Construction Management Planning.
	Between funding approval and construction of subsequent stages access should be equal or better than existing in between stages, including patron to park ratio adequate for each stage.	Stage 1 provides 185 car spaces which is an oversupply based on the demand generated by 8 courts.
	Site Access in Staging Plan differs from access point in erosion and sediment control plan.	The civil and architectural plans have been co-ordinated.
	Traffic guidance scheme (TGS) not provided. Consultation with TfNSW requested for any access/VMP/TGS/TMP that are developed for construction.	The Preliminary Construction Management Plan submitted with the EIS includes an indicative TGS, however site specific TGS shall be prepared by the contractor for approval prior to CC.
	Hunter Stadium event shuttles information not included.	The updated TIA identifies the parking spaces on Turton Road used for the shuttle buses.
Event Management	The TIA is unclear how car park will be managed during event clashes with Hunter Stadium.	The Traffic Management Plan addresses this – refer to Appendix O .
	Boom gates or manned entry would likely create queuing onto Turton Road and would not be supported.	The access to the McDonald Jones stadium as well as the hockey centre operate in a similar manner with manned control to restrict non ticket holding drivers from entering the site.
	Event TMP mentions access via ticket parking this should show how this does not create queuing onto Turton Road.	There is sufficient lead in lanes within the project site that will prevent queuing onto Turton Road.
	It is unclear how the impact of events at Hunter Stadium and the Hockey Centre will be managed. Frequency of consultation with other venues to be provided.	The Traffic Management Plan addresses this refer to Appendix O . The TMP was prepared in consultation with Venues NSW and other stakeholders.
Flooding/drainage	The Torrent Consulting flood model should be reviewed against the more detailed Throsby, Styx and Cottage Creeks flood study when available or a peer review of the Flood Impact Risk Assessment is recommended. All predictions of the impact of the development on TfNSW infrastructure are dependent on the validity and accuracy of the Torrent Consulting model.	Torrent obtained the Rhelm TUFLOW model forThrosby, Styx and Cottage Creeks from the City of Newcastle to inform their updated flood modelling and assessment. Refer Section 3 of Appendix I .
	The development should consider the impact of vehicles being washed on to Turton Road as well as into the adjacent Creek with mitigation devices recommended to prevent this.	The amended design achieves a reduction in flood hazard level in the car park with cars unlikely to be swept away. No physical barriers are therefore required.

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	The site discharge to the existing drainage pit in the North-East corner of site should not exceed the current discharge to the pit in the existing fully turfed condition up to the 100 year rainfall event once site developed.	Site discharge volumes have been reduced from the volumes in the proposal as lodged.
Green Travel Plan	This plan makes no mention of wayfinding signage for existing public transport hubs and distance/routes to those hubs.	The Green Travel Plan has been updated with this information – refer Appendix N .
Plans	A detailed signage or line marking plan must be provided. A detailed pavement plan must be provided.	This level of detail is generally provided at the post approval stage. The submitted civil plans include sufficient information.
Fire and Rescue		
	Fire and Rescue acknowledge the application and have no further recommendations for consideration nor any requirements beyond that specified by applicable legislation.	Noted.
Heritage NSW (Aboriginal Cultural Heritage)		
	Further information is required on the one site listed in Table 5 of the Arch Technical Report	In Table 5 the number of sites should be '0' not '1'. This appears to be a legacy typo from when PAD was identified early in the project. The report has been revised to reflect this.
	The ACHAR outlines that the project area is unlikely to contain any subsurface archaeological material owing to existing ground disturbance, imported fill and distance to permanent water. However, there have been instances of sub surface materials recovered in similar contexts and soil landscapes in the Newcastle Area (ie Newcastle High School). Further discussion is required on the potential for archaeological material to be located in the sand units below imported fill and if possible providing mapping of creek lines from the late 19th to early 20th centuries.	<p>Artefact agrees that the high school has some similarities with the current study area, they are both on the same soil landscape and topographic landform. However, there are a few differences, the high school is close to a permanent creekline, while our study area is not. Our study area was once swamp land, while the high school was a dune landscape. The geotech results indicate that the deposit at our study area is fill on clay with no natural sediment deposit that could contain artefacts between the two layers. While the geotech and excavations at the high school characterised the EMM deposit as:</p> <ul style="list-style-type: none"> ▪ Modern fill ▪ Historic fill ▪ Pre-contact top soil ▪ Dune sub soil. ▪ I.e. deposit below the fill on our site is clay and therefore unlikely to contain Aboriginal objects.

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Heritage NSW		
Archaeology	<p>Western Dummy Gun Emplacement</p> <p>1. Please provide additional information on whether options to minimise or avoid impacts to the WW11 era dummy gun emplacements were considered. Section 6.3 of the HAA recommends avoidance of impacts where possible, however this approach is not discussed in the EIS. If avoidance of impacts is considered to be a practical measure, has consideration been given to test excavation to confirm the presence, location, condition and significance of the emplacements?</p> <p>2. Clarify the need for impacts to the westernmost dummy gun emplacement. Based on the mapping and plans provided, it appears that this emplacement is located in a planned area of green open space. What works are required in this area, and are impacts to the emplacement necessary?</p>	<p>Artefact also notes that a typo in Section 4.1 may have caused some confusion – it was stated that the fill layer depth is 400 cm - 1.4 m, but this is actually meant to be 400 mm - 1.4 m (0.4m - 1.4m. We note that the EMM report identified artefacts up to a depth of 1m (majority at a depth of 500mm - 800mm). This typo has been fixed. Overall, the geotech indicates there are no sand layers below the fill layers, it is straight into sterile clay.</p> <p>Updates have been made to Section 6.3 of the Historical Archaeological Assessment (HAA)- Appendix CC.</p> <ul style="list-style-type: none"> ▪ The proposed works are expected to result in major adverse impact to archaeological evidence of the dummy gun emplacements. Artefact does not believe that potential remains of the emplacements are significant enough to justify retention. ▪ Impact to these archaeological works of potential local significance are considered acceptable. Remains are unlikely to be substantial, and the sites were not actively used during the WWII period, considerably reducing the potential for artefact bearing deposits to be present. ▪ It is therefore recommended that a program of archaeological monitoring and archival recording be undertaken to record the fabric and extent of one of the former emplacements. ▪ It is assumed that all of the dummy gun emplacements would have been constructed similarly and would have been consistent in shape and form. Therefore, archival recording of a single example is considered to be appropriate. The westernmost emplacement has been selected for investigation. This location would result in the least impact to the construction program. <p>This methodology is outlined in Section 6.3.1 of Appendix CC. This monitoring program could be undertaken during or prior to project bulk earthworks.</p>
	<p>Work Method Statement</p> <p>3. Heritage NSW requests that the Work Method Statement provided in Section 6.3.1 of the HAA is updated to include:</p> <p>a. Provision for an Excavation Director who meets the requirements of the Criteria for Assessing Excavation Directors (Heritage Council of NSW 2019) to be nominated to oversee the archaeological program.</p>	<p>These matters have been addressed in the updated HAA- refer Section 6.3.1.3 of Appendix CC.</p>

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	<p>b. Discussion of how the representative sample dummy gun emplacement will be selected for archaeological investigation.</p> <p>c. Clear triggers and hold points for the identification of substantially intact archaeological deposits/relics associated the Phase 1 occupation of the site.</p> <p>d. Outline any triggers for further investigation, such as additional monitoring or salvage excavation, if substantial intact artefact deposits associated with the WWII-era use of the site are identified.</p> <p>e. Consider the inclusion of an artefact discard policy and procedure.</p> <p>f. A requirement for the final post-excavation report to be provided to Heritage NSW.</p>	
Ausgrid		
Landscaping	<p>Avoid planting any vegetation that is likely to impact on the Ausgrid network mains, do not plant trees directly under powerlines, this is to reduce the need for future trimming. Plant trees at least five meters away from powerlines or a distance equal to its mature height. Ausgrid has a list of appropriate species.</p>	Proposed landscaping species conform with these requirements.
Supply of Electricity	<p>We recommend engaging an electrical professional who knows how to design your connection and the type of connection you need to apply for. To apply for a connection the developer will need to visit Ausgrid's website. An assessment will be carried out based on the information provided which may include whether or not the existing network can support the expected electrical load of the development.</p>	Noted. We advise that preliminary contact has been made with Ausgrid as part of consultation activities undertaken by EJE.
Venues NSW		
Traffic and Parking	<p>Hunter Park Master Plan It is appropriate that the indoor sports centre development proposal includes full and thorough consideration of the Hunter Park master plan. A key feature of the master plan is the relocation and development of a new Newcastle Arena collocated with McDonald Jones Stadium. This important step will concentrate major event activity in the north-west portion of the Hunter Park precinct, closest to the site of the proposed indoor sports centre. Once delivered, this new arena will attract an estimated 100 additional major events to the region. These additional events will make full use of the new and existing Hunter Park facilities, including car parking facilities.</p>	Noted. The RTS addresses the future plans for the McDonald Jones stadium carpark – refer Section 4.4.7 .
	<p>The TIA notes that the area is part of the Broadmeadow Place Strategy however no reference is made to the Reimagining Broadmeadow: Package E – Transport or the exhibited masterplan including future proposed changes to the Hunter Park Precinct.</p>	The Place Strategy includes a new eastern leg at the Turton Road/ Young Street signalised intersection. The introduction of this would not impact traffic movements associated with the HISC.

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	<p>Recommendation: The TIA needs to include analysis on the Reimagining Broadmeadow project and associated land use changes including consideration of the VISSIM microsimulation traffic model developed as a part of this process.</p>	
	<p>Parking The indoor sports centre development's Green Travel Plan, Event Traffic Management Plan and Operation Management Plan rely heavily on access to the 920 car parking spaces at McDonald Jones Stadium as an overflow provision for major events at HISC. Access to the 920 spaces cannot be guaranteed in the short-term and will not be available in the long-term. In Hunter Park, in addition to redeveloping the entertainment centre, Venues NSW will develop the site of the McDonald Jones Stadium car park.</p>	<p>The future plans for stadium car park are well understood. The analysis of on street parking provision contained in the SECA Solution Traffic Impact Assessment (Appendix L) identifies that there is sufficient on street parking in combination with the 240 spaces in the carpark to accommodate parking demand for day to day operations, low impact events (up to 1,100 people) and medium impact events (up to 1,700 people). In a high impact event scenario (over 1,700-2,500 people in attendance) off site parking will be utilised, however there are multiple off site parking alternatives available in proximity to the site and the project does not rely on use of McDonald Jones Stadium car park.</p>
	<p>Prior to the commercial development, access to the 920 spaces will depend on the stadium's operations and event schedule. There is also significant existing demand from current commercial and community partners, including home teams and codes, site tenants, and important community services such as the John Hunter Hospital park-and-ride service.</p>	<p>See above. The project does not rely on use of McDonald Jones Stadium car park.</p>
	<p>The car park is used in its event operational capacity for upwards of 70 days a year, making it unavailable to the casual access proposed in the indoor sports centre's development plans. It is also important to note that Venues NSW prioritises the procurement of more events to continue its contribution to the Hunter visitor economy. This will significantly increase the number of days the car park is in its operational mode. A single event, such as a major concert or motorsport event, requires use of the car park for up to 10 days. While the event schedules are known some time in advance, late changes or additional events are common meaning that the overflow spaces contemplated in the indoor centre's travel plans cannot be guaranteed.</p>	
	<p>Event Traffic Management The proposed development's Event Traffic Management Plan uses McDonald Jones Stadium's Traffic Management Matrix to determine appropriate traffic management for a range of given crowd sizes at the indoor sports centre. The matrix was developed based on the volume of carparking available to patrons on stadium land and requiring access to the stadium site. The proposed indoor sports centre has significantly less car parking available and site access requirements also differ. Venues NSW considers use of the stadium matrix inappropriate and believes the proposed indoor sports centre should undertake an independent assessment of the</p>	<p>Noted. Traffic Management Solutions has been engaged to prepare site specific Traffic Management Plans (TMPs) to support the RTS. Refer Appendix O.</p>

Category of Issue	Issue(s) Raised <i>In some cases content from submissions has been abridged or edited for brevity.</i>	Response/ Action
	potential impacts given venue access, parking conditions and event management processes specific to their site.	
	5.Assumptions from the MJS Major TMP matrix have been referenced and applied to the Hunter Indoor Sports Centre, which is not appropriate. In addition, it is likely that there will be events at HISC which coincide with events at McDonald Jones Stadium, the surrounding precinct and the Hockey Centre. The assessment needs to use appropriate assumptions, consider concurrent events in the precinct, and prepare appropriate mitigations so that the HISC does not negatively impact Venues NSW operations, now and into the future.	Noted. Traffic Management Solutions has been engaged to prepare site specific Traffic Management Plans (TMPs) to support the RTS. Refer Appendix O . The TMPS consider the impact of events occurring at the same time within the precinct.
	Further, all plans should factor in scenarios when there is no access to the stadium overflow parking, when events are held at the stadium and/or new entertainment centre and how it will impact ingress and egress and the impact of parking for hockey events which regularly use nearby streets. Provide analysis of operation of overflow parking when parking at McDonald Jones Stadium is not available and potential clashes during events at the McDonald Jones Stadium precinct.	Refer TMP provided at Appendix O . The Traffic Impact Assessment (Appendix L) identifies that there is sufficient on street parking in combination with the 240 spaces in the carpark to accommodate parking demand for day to day operations, low impact events (up to 1,100 people) and medium impact events (up to 1,700 people). In a high impact event scenario (over 1,700-2,500 people in attendance) off-site parking will be utilised, however there are multiple off site parking alternatives available in proximity to the site and the project does not rely on use of McDonald Jones Stadium car park.
	The Traffic Impact Assessment (TIA) does not include reference to the shuttle bus operation at McDonald Jones Stadium. Recommendation: The impact on the shuttle bus operations and shuttle bus drop-off locations needs to be analysed.	Section 5.1.1 of the TIA - Appendix L addresses this. This space to the north of the pedestrian crossing currently provides shuttle bus parking during larger events in the precinct. This space will be relocated to the north in consultation with stakeholders including McDonald Jones Stadium and Keolis Downer
	2. The proposed parking supply relies solely on overflow parking at MJS without considering clashes or future development on this site. Recommendation:	Refer response above- the proposal does not rely on McDonald Jones stadium car park.
	Consultation The Traffic Event Management Plan comments that discussions were undertaken with Venues NSW. Consultation did take place; however, to be clear, no approval was provided by Venues NSW to utilise McDonald Jones Stadium for overflow parking.	Noted. It is understood that no approval was provided and equally none was assumed. BANL will continue to engage with Venues NSW.