

While I support the need for a new Basketball Stadium, **I object to the development as proposed** as it is an inappropriate use of current limited green space and the limited sporting/recreational resources in the Newcastle LGA. The more detailed grounds for my objection, together with some comments on the development assessment, are provided below.

Poor future planning for recreational resources in the Newcastle LGA.

Clearly, nobody involved with junior and senior sport within the Newcastle LGA would suggest that we currently have an overabundance of available fields for current requirements. The Council has to juggle many competing priorities for the current resources. With NSW Planning data projecting a 20% increase in Newcastle's population over just the next 17 years (with a disproportionate increase in younger age groups), it should be assumed that more than 20% more pressure will be placed on current sporting field resources. The NCC Strategic Sports Plan (2020) found that the current supply of playing areas (133.3 ha) is barely enough to meet the modelled demand assessment in 2031 (132.6 ha). The plan identified the site of this proposed development, the Wallarah precinct, for "potential to increase usage". This must only have been meant for outdoor sports as the NCC report explicitly states that "Indoor sports and indoor facilities are out-of-scope for this project". ***The short-sightedness of proposing the loss of currently well-resourced sporting assets (e.g. lights, new amenities block, drainage, turf wicket) when the NCC's own reports suggest that current stocks will be barely sufficient for the immediate future, is astounding.***

Public benefit noted in the assessment is site agnostic

There will be significant public benefit to Newcastle Basketball having new facilities to support the sport in the region. However, most (if not all) of the benefits highlighted in the report do not specifically relate to the development needing to be on the proposed site. They relate to the benefits of having a new modern facility in which the sport can grow and thrive. ***These benefits should not be considered as being linked to this specific site and could equally be applied to other sites that were supposedly offered by NCC to Newcastle Basketball*** i.e., the underutilised Shortland precinct. Just because they want a site close to the existing facility and central to the Newcastle CBD, doesn't mean that other impacted resource users and local residents should be penalised

NCC project support.

The EIS suggests, as part of their Option 2 assessment (pg 9), that "*NCC support through the provision of a site for the HISC is fundamental to the feasibility of the project*". I believe that as a result of recent council meetings that this ***supposedly vital support for the proposal from NCC is no longer available***. This means that either the proposed project is now untenable, or at the very least, that the "Option 2 - Alternative Site" assessment outcome that there is no alternative site is now null and void.

Impact of staged development with no secured funding.

This proposal, as defined in the EIS, has a total cost of over \$90 million, leaving a significant, publicly available funding shortfall for the project by the proponent of approximately \$70 million. Given that the development will require significant public funding to proceed and there being absolutely no indication from either State or Commonwealth governments that they are willing to contribute to the shortfall, it is unclear how much, if any, of the approved development could proceed. The likelihood of the full development proceeding appears very low. Should the full development not proceed, then the relative benefits to the basketball and broader community significantly decrease, while the impacts on the local residents relatively increase in relation to the benefits. ***If the assessment is considering the balance of benefit to the broader community compared to the***

impact on local residents, then the significant possibility of not getting the full derived public benefit from the development should be carefully considered. During the assessment, the impacts and benefits of only partially completing the development should be considered.

Even if only Stage 1A proceeds, all other sporting amenities of the site are lost. There is no proposal in the assessment documents for maintaining shared use should the required funding for stages 1B and 2 not be forthcoming. Sporting fields and green space could be lost for very little benefit to the basketball community if the full development stalls due to insufficient public funding.

The staging also has a significant increase in the impacts on local residents during the construction phase. The EIS indicates that the total construction period will be 2.5 years. Assuming staging, with minor (6-12 month) gaps in the construction phases, this could easily blow out to local residents having to put up with significant construction activities for at least 4 years. This possibility has not been considered in the Appendix II Social and Economic Assessment where the SEARs required the proponent to properly assess how the development would "affect people's way of life." Having the likelihood of a significant construction site in an urban area for up to 4 years should have been taken into account, rather than the 2.5 years of the estimated build time.

Development Contribution plan exemption

I strenuously oppose the suggestion that the development be exempt from the NCC Contributions Plan. The development, as proposed, results in a significant loss of council and NSW Government-funded infrastructure at the site (lights, amenities block, sports field drainage). The ***development has already cost NCC ratepayers at least \$8 million in commitments*** required to offset the impact of losing the cricket and football sporting infrastructure (Appendix II pg 51). There will also be council costs required to manage and maintain the local road infrastructure resulting from the increased modelled traffic in local streets, should the development proceed.

Event management plan

While the overlapping of major events at both the HISC and the McDonald Jones Stadium has been considered, there appears to be a very ad-hoc approach to managing these. ***The major impact not assessed has been the regular 24/7 use of the HISC and its intersection with any McDonald Jones Stadium events.*** As detailed in the EIS, approval is sought for up to 15 non-sporting events annually plus all the Knights (~12) and Jets (~13) games, so potentially 40+ events that will impact normal daily use of the HISC. There has been no assessment of how this will be managed to enable HISC users to access the facility during these times. This suggests that having a heavily utilized 7-day facility across the road from a site that is proposed to have extreme visiting almost weekly, will lead to conflicts for not only the HISC users but also local residents.

Cumulative impacts of proposed/planned developments

The Broadmeadow Strategy considered the impact of flooding in its released documents. This proposal considers the impacts of flooding resulting from the HSIC development. Neither considers the cumulative impacts of both significant developments within the floodplain. Further local development has been proposed within the local vicinity that may significantly impact the current proposal. The most significant is the possible redevelopment of the forecourt of the McDonald Jones Stadium that will impact flooding and parking for both the current proposed development as well as surrounding residents.

When, in the planning process, will the cumulative impacts of these developments on an urban floodplain be taken into consideration, particularly when they are potentially out for public comment almost at the same time (Broadmeadow Strategy and HSIC SSD)? And what about the next proposed development, and then the next? The significant NCC Flood Study that was commissioned after relatively recent urban flooding did not factor in the impacts on local residents of significant additional floodplain development. It is the local residents who will be faced with the burden of both more extreme and more common flooding, and the inability to secure flood insurance. While this development suggests a 1 cm impact on maximum flooding at my residence, the Broadmeadow strategy predicted a 1-2 cm as well. Where will the cumulative impacts be seen as significant when each new development is allowed to increase the impact just by a little bit each time? At some point, the impact from the 2020 benchmark will be significantly more. Will development be stopped then?

General comments on the Development Application, EIS and Appendices

- Numbering/lettering of the appendices throughout the report was inconsistent and occasionally wrong. Does this suggest the rushed nature of the proposal or was it a deliberate obfuscating tactic to make assessing the full proposal (including all Appendices) more challenging than it needed to be?
- Community engagement has been very poor. There has been a lack of willingness by the proponents to fully engage with the impacted local community to understand and address their issues. It is almost like they thought they didn't need to because they had some local politicians on their side and they thought that the development approval was pre-determined.
- The construction noise modelling is very difficult to interpret, but the report suggests that noise levels above 43 dB are disruptive to an active classroom. In many phases of construction, the modelled levels in R8 (Lambton High) well exceed this benchmark, e.g., 50 dB construction west build, 60 dB construction excavation west, etc. I suggest that DPHI take a very close look at the noise impact on Lambton High to confirm that the report's assessment that "*construction assessment indicate construction will comply with the relevant noise management levels (NMLs) with the exception of minor exceedances to some receivers depending on work location, work activity and proximity to receivers*" (EIS, pg 93) is accurate.
- The CPTED Report is flawed as it assesses an outdated site plan/proposal that excludes the external courts at the rear of the facility. By excluding the one publicly accessible external activity site, they have omitted the most significant risk of nuisance crime in the whole development. These external facilities are the furthest they could possibly be from any site management and are also close to surrounding residents. This CPTED report should be considered inappropriate/incomplete until it fully considers the final submitted proposal design.