

Objection Letter – Hunter Indoor Sports Centre (SSD-65595459)

To: NSW Department of Planning, Housing and Infrastructure

Re: Objection to the Hunter Indoor Sports Centre SSD-65595459

The Hunter Indoor Sports Centre (HISC) proposal at Turton and Monash Roads, New Lambton **cannot satisfy SSD requirements**. Its own technical appendices confirm failures in **flood management, traffic and access, contamination, biodiversity, cultural engagement, and sustainability**.

The SSD system requires projects to:

1. Demonstrate **statutory compliance** with DCPs, LEPs, SEPPs and State policy.
2. Ensure **life-safety risks are eliminated at source**.
3. Prove the **site is suitable for the intended use**.
4. Deliver clear **public interest outcomes**.

The HISC fails every one of these tests.

1. Flooding – Statutory and Safety Breach

- *Appendix I – Flood Impact & Risk Assessment* admits flood storage is reduced to **64–71%** of baseline, contravening Newcastle DCP Condition C-1.
- *Appendix K – Flood Peer Review* endorses **shelter-in-place** as the primary emergency strategy. SSD and SES policy reject this approach; evacuation is the mandated standard.
- *Appendix JJ – Staging Plan* reveals funding gaps; Stage 2 includes a refuge for 2,500 patrons, but no guarantee it will ever be built. Stage 1 leaves the site operating with inadequate flood safety provision.
- *RTS Report* reframes flooding as an “operational challenge,” not a statutory failure. This contradicts SSD assessment principles.

SSD breach: fails statutory DCP compliance, fails to eliminate life-safety risks, fails site suitability.

2. Traffic, Parking, and Access – Systemic Failure

- *Appendix L – Traffic & Accessibility* confirms **single Turton Road access (left-in/left-out)**.
- *Appendix M – SIDRA Modelling* shows **queues of 175–400m** at nearby intersections.
- *Appendix O – Traffic Management Plans* admit events over 1,700 patrons require **road closures, police control, and shuttle buses**.
- *TfNSW concerns* about bus manoeuvres remain unresolved; swept paths require buses to block all lanes of Turton Road.

SSD breach: SEARs require safe and efficient access/egress. A stadium-scale SSD with one vehicular access point is unacceptable.

3. Contamination and Groundwater – Unsafe and Unresolved

- *Appendix R – Groundwater Statement* admits **no quantified groundwater take**; relies on exemption claims rather than entitlement.
- *Appendix W – Remediation Action Plan* identifies contamination with heavy metals, hydrocarbons, PAHs; relies on off-site disposal and capping.
- *Appendix X – Long-Term Environmental Management Plan* requires indefinite restrictions, dust suppression, capped layers, and controlled excavation.

SSD breach: EP&A Act and SSD policy require certainty and permanent remediation. Indefinite site management is inconsistent with SSD consent.

4. Biodiversity and Tree Loss

- *Appendix LL – Biodiversity Assessment* confirms a **BDAR was required** (waiver refused). Nine mature trees removed, with indirect impacts on Ker-rai Creek.
- *Appendix U – Arboricultural Impact Assessment* identifies removal of trees of local significance.

SSD breach: SSD requires avoidance and minimisation first. This proposal relies on offsets and post-hoc mitigation.

5. Cultural and Community Engagement – Tokenism

- *Appendix AA & BB – Aboriginal Heritage Reports* rely solely on “unexpected finds” procedures; no proactive mitigation.
- *Appendix G – Connecting with Country Report* reduces Aboriginal contribution to artwork and landscaping gestures. No Engagement with Awabakal Local Aboriginal Land Council due to Land Claim – ignoring the voice of the Leading Aboriginal organisation in the Newcastle area and focusing on Aboriginal basketball members who are not members of the Land Council nor prominent people in community.
- *RTS Report* frames engagement as “sufficient” despite clear gaps.

SSD breach: SEARs require early, substantive Aboriginal engagement; not demonstrated.

6. Amenity and Safety Impacts

- *Appendix P – Acoustic Assessment* confirms construction and operational **noise exceedances**.
- *Appendix GG – Lighting Report* admits spill to residential areas.
- *Appendix FF – Wind Statement* concedes no wind tunnel testing, relying on desktop analysis.
- *Appendix S – CPTED* ignores incompatibility between 24/7 events and neighbouring school/residences.

SSD breach: failure to protect neighbourhood amenity and health.

7. Sustainability – Superficial

- *Appendix V – ESD Report* outlines generic compliance, no substantive measures.
- *Appendix KK – Embodied Emissions* identifies significant material use, no offset strategy.
- *Appendix Y – EV Readiness* describes technical installation but no funding or guaranteed delivery.

SSD breach: fails SSD requirement to integrate climate resilience and sustainability into design.

8. Waste and Construction – Deferred Certainty

- *Appendix Z – Waste Management Plan* defers enforcement to future conditions.
- *Appendix Q – Civil/Soil & Water* remains conceptual, not determinative.

SSD breach: SSD requires determinative, not indicative, management at consent stage.

9. RTS & Amendment Report – Contradictory and Misleading

- Flooding reframed as “operational.”
- Traffic framed as “manageable” despite systemic failures.
- Engagement described as “integrated,” while tokenistic and failing with local residence.
- Contamination described as “legacy” despite indefinite controls.

This is not resolution but repackaging of failings.

10. Community Engagement Failures and Impacts on Lambton High School

Lack of Genuine Engagement with Local Residents

- The *RTS and Amendment Report* states that community concerns were “noted” and “mitigated”, but the proposed amendments are cosmetic (minor landscaping, footpath upgrades) rather than addressing residents’ central objections: flooding, traffic congestion, loss of greenspace, and safety.
- The *Waste Management Plan (Appendix Z)* confirms staging will see heavy demolition, excavation, and construction occurring beside residential areas. Residents will be exposed to dust, noise, traffic diversions, and reduced amenity for years, yet no binding mitigation framework has been committed.
- The *Acoustic Assessment (Appendix P)* and *Lighting Report (Appendix GG)* both concede operational impacts on surrounding homes. Instead of resolving these, the documents defer to “management plans” — abnormal under SSD where certainty is required at consent.

Impacts on Lambton High School

- The site directly adjoins Lambton High School. *Appendix JJ (Staging Plan)* and *Appendix Q (Civil/Soil & Water)* confirm construction will encroach on open space used for recreation and evacuation

- *Appendix P – Noise and Vibration* predicts exceedances during construction and events, exposing students and staff to harmful levels
- *Appendix I – Flood Impact Risk Assessment* shows the school perimeter sits within the flood storage catchment. By reducing storage volume, the project worsens residual flood risk for the school site
- *RTS Report* frames this as “coordination with the school”, yet no enforceable plan exists for evacuation, temporary recreation space, or flood/emergency safety. In fact, the HISC notes that Lambton High School can evacuate to Arthur Eden Oval, which is a fully fenced and inaccessible area for the Community other than the District Soccer Club that is the user.

SSD Breach

SSD principles require:

- **Early and meaningful engagement** with affected communities. Instead, engagement was perfunctory, tokenistic, and reduced to post-design mitigation.
- **Protection of sensitive receivers** (schools, residences). Instead, Lambton High School faces higher risks of flooding, noise, loss of green space, and traffic congestion.
- **Public interest alignment.** The SSD framework recognises schools and residential areas as critical land uses requiring priority protection. This project demonstrably fails to meet that test.

11. Land Claim and Displacement of Existing Users

The RTS and Amendment Report confirms that Aboriginal land claim applications over the site were denied on the grounds that the land was already being 'utilised' for sporting and educational purposes. The claim was rejected because the land was in active use by Lambton High School (relying on the site for open space, recreation, and emergency evacuation areas) and by local sporting teams and community groups using the site as part of the broader Broadmeadow sporting precinct.

However, this justification is now directly contradicted by the development itself. The HISC proposal will remove or displace these existing users:

- Lambton High School loses direct green space and safe evacuation zones, with no credible mitigation.
- Local sporting teams and grassroots users are displaced entirely, with their access permanently removed and relocated to Tarro Reserve, Tarro (
- No enforceable arrangements or replacement facilities are guaranteed in the proposal or staging plans.

This inconsistency is deeply problematic:

- Land claim rights were dismissed on the basis of community use.
- Those same community users are now excluded to enable a private development.

This not only demonstrates inequity but also breaches SSD principles of public interest and fairness. SSD assessment requires clear demonstration of community benefit and site suitability. Here, the project has used the presence of existing users to block Aboriginal land rights, only to then displace those users for private gain. This undermines both the public interest and statutory integrity of the SSD process.

Relocation of Local Sporting Clubs – Wallarah to Tarro

The proposal displaces local sporting clubs currently based at **Walarah Oval, New Lambton**, forcing relocation to **Tarro Reserve**, approximately **18 km** (25 minutes away).

Key Impacts:

- **Loss of Local Access:** Clubs historically embedded in the New Lambton precinct have already been be pushed out of their community base. Families, youth, and elderly supporters who walk or cycle to Wallarah Oval will now face an 18 km journey to Tarro.
- **Travel Burden:** Increased travel time imposes significant cost and logistical barriers, particularly for young families and Aboriginal players who often rely on proximity for participation.
- **Equity and Inclusion:** Disadvantaged communities are disproportionately impacted. Relocation reduces access for players without private transport and undermines opportunities for girls' and Aboriginal participation programs that are locally established in Soccer and Cricket that both have a larger Aboriginal participation than Basketball in the Newcastle area.
- **Further displacement due to Tarro relocation:** Beresfield Touch has been the Primary user of Tarro Reserve for 40 years, they have now been displaced from many of their fields, now sharing with Newcastle Football as a result of the relocation from Wallarah & Blakely ovals. Beresfield Touch has a 55% Aboriginal registrations, with over 75 teams.

SSD Breach:

- **Public Interest:** SSD determinations must demonstrate community benefit. Displacing existing users to a distant suburb reduces community accessibility, participation, and inclusion.

Conclusion

The Hunter Indoor Sports Centre proposal is fundamentally incompatible with the statutory framework and guiding principles of Significant State Development. It fails statutory compliance through breaches of flood storage, unresolved contamination, and inadequate traffic and parking arrangements.

It endangers public safety by placing thousands of people in a flood-prone site with only one access road and by displacing Lambton High School's open space and evacuation capacity. It contradicts SSD's public interest requirement by removing existing users — residents, schools, Aboriginal stakeholders, and grassroots sporting clubs — after having relied on their presence to deny an Aboriginal land claim. It diminishes neighborhood amenity through increased noise, light spill, traffic congestion, and permanent loss of greenspace. **Above all, it demonstrates that this site is unsuitable for stadium-scale development.**

No conditions can cure these systemic flaws. To approve this proposal would not only endanger the community but also undermine the integrity of the SSD system itself. On these grounds, the only justifiable outcome is outright refusal of SSD-65595459.