



New South Wales

# **State Environmental Planning Policy (Planning Systems) Amendment (Broadmeadow Precinct) 2025**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP  
Minister for Planning and Public Spaces

## **State Environmental Planning Policy (Planning Systems) Amendment (Broadmeadow Precinct) 2025**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of policy**

This policy is *State Environmental Planning Policy (Planning Systems) Amendment (Broadmeadow Precinct) 2025*.

### **2 Commencement**

This policy commences on the day on which it is published on the NSW legislation website.

### **3 Repeal of policy**

This policy is repealed at the beginning of the day following the day on which this policy commences.

### **4 Maps**

The maps adopted by the following environmental planning instruments are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this policy—

- (a) *State Environmental Planning Policy (Planning Systems) 2021*, Chapter 2,
- (b) *Newcastle Local Environmental Plan 2012*.

## **Schedule 1      Amendment of Newcastle Local Environmental Plan 2012**

**[1]    Clause 7.5 Design excellence**

Insert “other than a key site to which a provision of Part 9, Division 2 applies,” after “Key Sites Map,” in clause 7.5(4)(c).

**[2]    Clause 7.5(7)**

Omit the subclause.

**[3]    Part 9**

Insert after Part 8—

### **Part 9      Additional local provisions—Broadmeadow Precinct**

#### **Division 1      General**

##### **9.1    Definition**

In this part—

***Broadmeadow Place Strategy*** means the *Broadmeadow Place Strategy* published by Newcastle City Council in March 2025.

##### **9.2    Application**

- (1) This part applies to land identified as “Broadmeadow Precinct” on the Broadmeadow Precinct Map.
- (2) If there is an inconsistency between this part and another provision of this plan, whether made before or after the commencement of this part, this part prevails to the extent of the inconsistency.

##### **9.3    Broadmeadow Place Strategy and environmental sustainability**

- (1) Development consent must not be granted for development on land to which this part applies unless the consent authority—
  - (a) has considered the Broadmeadow Place Strategy, and
  - (b) is satisfied of the matters specified in subclause (2).
- (2) For subclause (1)(b), the following matters are specified—
  - (a) the development will incorporate planning and design measures to minimise the impact of urban stormwater, and
  - (b) the development will incorporate planning and design measures to reduce urban heat island effects, for example by—
    - (i) maximising green infrastructure, and
    - (ii) retaining water in the landscape, and
    - (iii) using design measures to ensure the thermal performance of buildings achieves a high degree of passive cooling, and
    - (iv) using building, paving and other materials that minimise heat impacts, and
    - (v) reducing reliance on mechanical ventilation and cooling systems, to conserve energy and to minimise heat sources.

- (3) In this clause—

**green infrastructure** means a network of green spaces, natural systems and semi-natural systems, including waterways, bushland, tree canopy, green ground cover, parks and open spaces, that—

- (a) supports sustainable communities, and
- (b) is strategically designed and managed to support a good quality of life in an urban environment.

**urban heat island effect** means a result of conditions that contribute to higher temperatures in urban areas, including—

- (a) the use of roads, car parks, pavements, roofs, walls and other hard and dark surfaces, and
- (b) activities that generate heat, including waste air from mechanical cooling systems, and
- (c) a reduction in green infrastructure.

#### 9.4 Design excellence

- (1) This clause applies to the following development on land to which this part applies—
  - (a) the erection of a new building,
  - (b) additions or external alterations to an existing building that, in the opinion of the consent authority, are significant.
- (2) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (3) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (c) whether the development detrimentally impacts on view corridors identified in the *Newcastle City Development Control Plan 2023*,
  - (d) how the development addresses the following matters—
    - (i) heritage issues and streetscape constraints,
    - (ii) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other existing or proposed towers on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
    - (iii) bulk, massing and modulation of buildings,
    - (iv) street frontage heights,
    - (v) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
    - (vi) the achievement of the principles of ecologically sustainable development,
    - (vii) pedestrian, cycle, vehicular and service access, circulation and requirements,
    - (viii) the impact on, and any proposed improvements to, the public domain.

- (4) Development consent must not be granted for the following development to which this clause applies unless a competitive design process has also been held in relation to the proposed development—
  - (a) development for which a competitive design process is required as part of a concept plan approved by the Minister for a transitional Part 3A project,
  - (b) development involving a building that has, or will have, a building height of more than 30m,
  - (c) development with an estimated development cost of more than \$5,000,000,
  - (d) development for which the applicant has chosen to have a competitive design process.
- (5) Subclause (4) does not apply if—
  - (a) the consent authority certifies in writing that a competitive design process is not required, and
  - (b) a design review panel reviews the development, and
  - (c) the consent authority takes into account the advice of the design review panel.
- (6) If a design review panel reviews the development for the purposes of subclause (5)(b), the resulting building may have—
  - (a) a building height of up to 10% more than the building height allowed under clause 4.3, and
  - (b) a gross floor area of up to 10% more than the gross floor area allowed under clause 4.4.

## **9.5 Active street frontages**

- (1) The object of this clause is to ensure that buildings resulting from development on land to which this part applies have active street frontages that encourage the presence and movement of people.
- (2) This clause applies to land identified as “Active frontage” on the Active Frontages Map.
- (3) Development consent must not be granted for the erection of, or change of use of, a building on land to which this clause applies unless the consent authority is satisfied that all of the part of the ground floor of the building facing the street or a public space will have an active frontage.
- (4) An active frontage is not required for a part of the building used for one or more of the following—
  - (a) entrances and lobbies, including as part of mixed use development,
  - (b) access for fire services,
  - (c) electrical services,
  - (d) vehicular access.

## **Division 2 Development on key sites**

### **9.6 Development of certain land on Cameron Street, Broadmeadow and Kings Road, New Lambton—locomotive depot**

- (1) This clause applies to land identified as “Key Site 1” on the Key Sites Map.

- (2) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—
- (a) at least 10% of the total gross floor area that will be used for the purposes of residential accommodation on the land to which this clause applies will be used for affordable housing, and
  - (b) the affordable housing will be owned and managed by a registered community housing provider in perpetuity, and
  - (c) a site-specific development control plan has been prepared for the land and the plan provides for the following matters—
    - (i) the compatibility of the proposed development with the desired future character of the area, having regard to the future vision and strategic directions of the Broadmeadow Place Strategy,
    - (ii) a staging plan for the timely and efficient release of development, making provision for necessary infrastructure and sequencing,
    - (iii) detailed urban design controls, including the following—
      - (A) building envelope and built form controls,
      - (B) bulk, massing and modulation of buildings,
      - (C) street frontage and podium heights,
      - (D) appropriate interfaces at ground level between buildings and the public domain,
      - (E) pedestrian and through site links,
    - (iv) heritage conservation, including both Aboriginal and European heritage, with prioritisation for protection and adaptive reuse of State heritage items based on assessed levels of heritage significance,
    - (v) environmental impacts, including the application of the principles of ecologically sustainable development, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
    - (vi) stormwater and water quality management controls and opportunities to apply integrated natural water cycle design,
    - (vii) amelioration of natural and environmental hazards, including flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any affected land,
    - (viii) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
    - (ix) encouragement of sustainable transport, including increased use of public transport, walking and cycling, road access and circulation networks, car parking provision and integrated options to reduce car use,
    - (x) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, and landscaping requirements for both the public and private domain,
    - (xi) measures to encourage higher density living around transport, open space and service nodes, and to increase housing diversity.

**9.7 Development of certain land on Young Road, Broadmeadow—Newcastle Basketball Stadium and Newcastle PCYC**

- (1) This clause applies to land identified as “Key Site 2” on the Key Sites Map.
- (2) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—
  - (a) at least 5% of the total gross floor area that will be used for the purposes of residential accommodation on land to which this clause applies will be used for affordable housing, and
  - (b) the affordable housing will be owned and managed by a registered community housing provider in perpetuity, and
  - (c) the development will include a single community facility with a floor area of at least 5,000m<sup>2</sup>, and
  - (d) a site-specific development control plan has been prepared for the land and the plan provides for the following matters—
    - (i) the compatibility of the proposed development with the desired future character of the area, having regard to the future vision and strategic directions of the Broadmeadow Place Strategy,
    - (ii) a staging plan for the timely and efficient release of development, making provision for necessary infrastructure and sequencing,
    - (iii) detailed urban design controls, including the following—
      - (A) building envelope and built form controls,
      - (B) bulk, massing and modulation of buildings,
      - (C) street frontage and podium heights,
      - (D) appropriate interfaces at ground level between buildings and the public domain,
      - (E) pedestrian and through site links,
    - (iv) environmental impacts, including the application of the principles of ecologically sustainable development, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
    - (v) stormwater and water quality management controls and opportunities to apply integrated natural water cycle design,
    - (vi) amelioration of natural and environmental hazards, including flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any affected land,
    - (vii) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
    - (viii) encouragement of sustainable transport, including increased use of public transport, walking and cycling, road access and circulation networks, car parking provision and integrated options to reduce car use,
    - (ix) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, and landscaping requirements for both the public and private domain,
    - (x) measures to encourage higher density living around transport, open space and service nodes, and to increase housing diversity.

**9.8 Development of certain land on Griffiths Road, Broadmeadow—Newcastle Showground**

- (1) This clause applies to land identified as “Key Site 3” on the Key Sites Map.
- (2) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—
  - (a) at least 5% of the total gross floor area that will be used for the purposes of residential accommodation on land to which this clause applies will be used for affordable housing, and
  - (b) the affordable housing will be owned and managed by a registered community housing provider in perpetuity, and
  - (c) a site-specific development control plan has been prepared for the land and the plan provides for the following matters—
    - (i) the compatibility of the proposed development with the desired future character of the area, having regard to the future vision and strategic directions of the Broadmeadow Place Strategy,
    - (ii) a staging plan for the timely and efficient release of development, making provision for necessary infrastructure and sequencing,
    - (iii) detailed urban design controls, including the following—
      - (A) building envelope and built form controls,
      - (B) bulk, massing and modulation of buildings,
      - (C) street frontage and podium heights,
      - (D) appropriate interfaces at ground level between buildings and the public domain,
      - (E) pedestrian and through site links,
    - (iv) heritage conservation, including both Aboriginal and European heritage, with prioritisation for protection and adaptive reuse of State heritage items based on assessed levels of heritage significance,
    - (v) environmental impacts, including the application of the principles of ecologically sustainable development, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
    - (vi) stormwater and water quality management controls and opportunities to apply integrated natural water cycle design,
    - (vii) amelioration of natural and environmental hazards, including flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any affected land,
    - (viii) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
    - (ix) encouragement of sustainable transport, including increased use of public transport, walking and cycling, road access and circulation networks, car parking provision and integrated options to reduce car use,
    - (x) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, and landscaping requirements for both the public and private domain,



- (xi) measures to encourage higher density living around transport, open space and service nodes, and to increase housing diversity.

#### **9.9 Development of certain land on Turton Road, New Lambton—Go Karts and stadium forecourt**

- (1) This clause applies land identified as “Key Site 4” on the Key Sites Map.
- (2) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that a site-specific development control plan has been prepared for the land and the plan provides for the following matters—
  - (a) the compatibility of the proposed development with the desired future character of the area, having regard to the future vision and strategic directions of the Broadmeadow Place Strategy,
  - (b) a staging plan for the timely and efficient release of development, making provision for necessary infrastructure and sequencing,
  - (c) detailed urban design controls, including the following—
    - (i) building envelope and built form controls,
    - (ii) bulk, massing and modulation of buildings,
    - (iii) street frontage and podium heights,
    - (iv) appropriate interfaces at ground level between buildings and the public domain,
    - (v) pedestrian and through site links,
  - (d) the building envelope for the multipurpose indoor arena in Zone SP1 Special Activities, including building height and floor area,
  - (e) environmental impacts, including the application of the principles of ecologically sustainable development, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
  - (f) stormwater and water quality management controls and opportunities to apply integrated natural water cycle design,
  - (g) amelioration of natural and environmental hazards, including flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any affected land,
  - (h) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
  - (i) encouragement of sustainable transport, including increased use of public transport, walking and cycling, road access and circulation networks, car parking provision and integrated options to reduce car use,
  - (j) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, and landscaping requirements for both the public and private domain.

#### **9.10 Exclusion of Housing SEPP**

The following provisions of *State Environmental Planning Policy (Housing) 2021* do not apply in relation to development on a land identified as a key site under this division—

- (a) Chapter 2, Part 2, Divisions 1, 2, 3 and 5,
- (b) Chapter 3, Parts 3 and 4.

**[4] Dictionary**

Insert in alphabetical order—

***Active Frontages Map*** means the Newcastle Local Environmental Plan 2012 Active Frontages Map.

***Broadmeadow Precinct Map*** means the Newcastle Local Environmental Plan 2012 Broadmeadow Precinct Map.

***competitive design process*** means a design competition held in accordance with the *Design Competition Guidelines* published by the Department in September 2023.

***design review panel*** means a panel of at least 2 persons established by the consent authority.

***estimated development cost*** has the same meaning as in the *Environmental Planning and Assessment Regulation 2021*.

***transitional Part 3A project*** has the same meaning as in the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, Schedule 2.

## **Schedule 2      Amendment of State Environmental Planning Policy (Planning Systems) 2021**

### **Schedule 2 State significant development—identified sites**

Insert at the end of the schedule, with appropriate section numbering—

#### **Development in Broadmeadow Precinct**

Development with an estimated development cost of more than \$30 million on land identified as being within any of the following sites on the State Significant Development Sites Map—

- (a) locomotive depot site,
- (b) Newcastle Basketball Stadium and Newcastle PCYC site,
- (c) Newcastle Showground site,
- (d) Go Karts and stadium forecourt site.