



Byron Shire Development Control Plan 2014

Chapter B12 Social Impact Assessment



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Chapter B12 – Social Impact Assessment

Contents

- B12.1 Introduction.....5**
- B12.1.1 Background to Social Impact Assessment in Byron Shire.....5
- B12.1.2 Aims of this Chapter5
- B12.1.3 Application of this Chapter.....5

- B12.2 Qualifications for Conducting a Social Impact Assessment.....7**

- B12.3 Conducting the Social Impact Assessment.....7**

Tables

- Table B12.1 – Elements for Consideration8

Appendices

- Appendix B12.1 Proposals with Minimal Social Impact.....11



Document History

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B12.1 Introduction

B12.1.1 Background to Social Impact Assessment in Byron Shire

Council is committed to the implementation of Social Impact Assessment (SIA). On 21 June 2005 Council resolved a commitment to social impact assessment as a means of considering social issues more comprehensively and consistently.

Council has a statutory obligation under Section 79C of the *Environmental Planning and Assessment Act 1979* to consider the social impacts of Development Applications. Demand for a stronger focus on social impacts is being driven in the Byron Shire through:

1. The need to generate data in order to measure and manage social impacts;
2. High levels of unemployment in the Shire;
3. Lack of affordable housing;
4. Significant impacts on community 'way of life' as a consequence of tourism development;
5. The need to recognise the value of 'way of life' to sustainable tourism; and
6. A strategic move towards triple bottom line accounting.

Social Impact Assessment (SIA) utilises measurable social variables plus community consultation processes to assess the potential social impacts of change. It includes plans for managing those impacts, whether positive or negative.

B12.1.2 Aims of this Chapter

1. To assist in achieving cohesive, sustainable and resilient communities within the Shire.
2. To enhance consistency, certainty and transparency in Council's assessment of the positive and negative social impacts of proposed development.
3. To maximise the positive social impacts of development such as improved access, amenity, affordable housing provision, employment opportunity and safety.
4. To minimise the negative social impacts of development such as: increased traffic congestion; restriction of access to facilities; services and transport; loss of employment opportunity; loss of existing affordable housing stock; and loss of public safety or perceived public safety.

B12.1.3 Application of this Chapter

1. This Chapter applies to Development Applications that seek consent pursuant to Byron LEP 2014.



2. A Social Impact Assessment (SIA) will be required for the following:
 - a) residential developments or subdivisions comprising more than 50 **dwellings** or lots;
 - b) affordable housing accommodating more than 40 residents, or greater than 20 **dwellings** in all stages, excluding individual **secondary dwellings** ;
 - c) **caravan parks, camping grounds** or **manufactured home estates** with 20 or more sites;
 - d) **boarding houses** , accommodating 20 or more residents;
 - e) **seniors' housing** comprising 40 **dwellings** or more in all stages;
 - f) **business premises, office premises** or **retail premises** in any zone with a **gross floor area** of more than 3000m²;
 - g) industrial development with a **gross floor area** of more than 3000m²;
 - h) **tourist and visitor accommodation** for 50 or more persons;
 - i) **entertainment facilities, recreation facilities,** or **function centres** for 100 or more persons ;
 - j) **sex services premises** ;
 - k) **restricted premises** ;
 - l) **pubs and registered clubs** ;
 - m) **retail premises** (not including licensed **restaurants**) that sell alcohol or that offer or display alcohol for the purpose of sale by retail;
 - n) designated development;
 - o) any development proposal deemed by Council to have likely significant social impacts.
3. This Chapter does not apply to applications where the owner of the land and the applicant is the NSW Department of Housing (or its equivalent) or its nominated community housing provider.
4. For developments not listed in 2. above a Social Impact Assessment will not be required, however potential social impact will need to be considered in the Statement of Environmental Effects. For a list of considerations see Appendix B12.1.
5. Where an SIA has been provided and endorsed by Council for an LEP amendment or rezoning application, a new SIA is not required for a resultant Development Application unless more than 5 years have elapsed, or unless the project has changed in a way that Council considers is likely to result in different social impacts.
6. Where land has been zoned for commercial or industrial purposes including B1, B2, B4, B7, IN1 and IN2 by way of amendment to Byron LEP 2014 an SIA is not required for **business premises, office premises, retail premises** or industrial development as prescribed in 2(f) and 2(g) above.

B12.2 Qualifications for Conducting a Social Impact Assessment

Objectives

1. *To ensure that social impact assessments are prepared and certified by persons with appropriate qualifications and experience.*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

1. If a proposal requires a Social Impact Assessment, this must be conducted and certified by a suitably qualified person. Qualified persons are persons who:
 - a) have social science training and/ or extensive experience in the field of community needs analysis and community consultation; and
 - b) are familiar with the types of information required; and
 - c) may work in a range of fields including town planning, social planning, sociology, anthropology, human geography.
2. Where stakeholder consultation is required as part of the Social Impact Assessment, specialist skills may be required to consult with particular groups such as Aboriginal people, older people, youth, people with a disability or people who use English as a second language.

B12.3 Conducting the Social Impact Assessment

Objectives

1. *To ensure that social impact assessments are prepared systematically and contain the information required to enable objective evaluation of social issues, impacts and management measures.*

Performance Criteria

1. The Social Impact Assessment (SIA) must be conducted by a suitably qualified person employed by the proponent. The SIA must be included as part of the Development Application for the proposal and should be prepared in four steps as follows:
 - a) Determine the **social impact assessment scope**

A **social impact assessment scope** is the first stage of the SIA. This must be prepared by a suitably qualified person on behalf of the proponent, in collaboration with relevant Council staff. The aim of the Social Impact Assessment Scope is to establish the range of potential issues that need to be considered and the geographical area of possible social impacts. This allows formulation of measures to mitigate adverse impacts.

The **social impact assessment scope** will:

- i) nominate the data collection methods and the measurement techniques, including the scale and size of the social catchment and geographical area to be considered (for example, Shire wide, town centre, village, hamlet or neighbourhood);
- ii) nominate how the data will be analysed;
- iii) provide preliminary identification of the potential important issues relating to a proposal, (both positive and negative);
- iv) nominate the Community Consultation Strategy; and
- v) identify the relevant elements for consideration as listed in Table B12.1:

Table B12.1 – Elements for Consideration

The Social Impact Assessment Scope will draw on the following list of elements for consideration but will not be limited to it.		
Elements for Consideration	Outcomes	Information required
Transport Access to employment and recreation opportunities by way of public and private transport has a significant bearing on social cohesion, economic development and regional education.	Access to recreation and training and employment via public and private transport.	Map showing accessibility of site to public transport, pedestrian and private transport networks linking to local commercial, recreation, tourism and industrial areas.
Safety The minimisation of potential security risks to persons and properties.	Design that addresses and responds to local crime statistics and conforms with CPTED Principles, consistent with Chapter B11 Planning for Crime Prevention.	Identify crime prevention strategies in relation to local crime statistics and address CPTED Principles, consistent with Chapter B11 Planning for Crime Prevention.
Diversity Nurturing and maintaining respect for points of cultural and demographic difference within the population	Maintain housing affordability to ensure community diversity.	Address increased demand for essential worker housing.
Amenity Quality of attractiveness experienced in a place as a result of the environmental, social/cultural and economic factors.	<i>Traffic:</i> <ul style="list-style-type: none"> • minimise increase in traffic congestion; • maximise pedestrian and cycle access routes from proposed development to local attractors. <i>Noise:</i> <ul style="list-style-type: none"> • minimise noise emanating from proposed development. <i>Facilities:</i> <ul style="list-style-type: none"> • provide facilities for parents with young children, people with disabilities, young people and the elderly. 	<i>Traffic:</i> <ul style="list-style-type: none"> • show expected increase in traffic due to proposed development and existing and proposed pedestrian and cycle routes linking to local attractors. <i>Noise:</i> <ul style="list-style-type: none"> • show design and management strategies to minimise noise from proposed development. <i>Facilities:</i> <ul style="list-style-type: none"> • show facilities provided.
Employment and Training Opportunities for paid	Generation of local employment and training opportunities.	Show employment generated by proposed development. Detail any training opportunities to be

The Social Impact Assessment Scope will draw on the following list of elements for consideration but will not be limited to it.		
Elements for Consideration	Outcomes	Information required
employment and paid training positions within award requirements.		generated from the proposed development. Identify likely local economic impact of proposed development.
Culture Communities are complex and multi-layered, meaning that a particular community is made up of many 'cultures'. Community culture includes expressions of identity such as language, dress, cuisine, sporting activities and more, in addition to what is narrowly termed 'arts'.	Development to be compatible with local identity and cultural goals as identified in key Council policies.	Address cultural goals of the Shire relevant to the proposed development.

b) Pre-lodgement Meetings with Council

For all types of development identified in this DCP that require a SIA, a pre-lodgement meeting must take place with Council staff during the initial stages of a development. This can be done by organising a meeting with Council's Development Assessment Panel, which is subject to Council's adopted fees and charges. The aim of this meeting is to discuss the proposed development with Council staff and the likely social impacts arising from the proposal. It also provides the opportunity for Council to advise the proponent as to what groups or people are potentially affected by the proposal that may need to be consulted.

c) Undertake Research, Consultation and Analysis

The research and consultation must be in accordance with the **social impact assessment scope** as determined in consultation with Council. Following from this, the research, consultation and analysis must include at least the following components:

- i) community profiling – this provides an overview and analysis of current social and historical trends;
- ii) formulation of alternatives – examination and comparison of options for change based on the projection and estimation of effects;
- iii) projection and estimation of effects – detailed examination of the potential impacts of one or more options against decision criteria;
- iv) community consultation – identification of community consultation methods and justification for the methods used and analysis of outcomes. Community consultation methods may include:
 - meeting(s) with the community and stakeholders carried out to identify issues. which may need to be run by a facilitator to achieve meaningful community input;

- survey of adjoining and surrounding residents;
- letterbox drop identifying/ describing proposal, details on web site and asking for comments/ issues to be provided to applicant via mail, email or telephone;
- group discussions with community/ interested members of the public and stakeholders.

The research, consultation and analysis must be conducted by a suitably qualified practitioner and in accordance with professional standards.

d) Preparation of the Social Impact Assessment

Documentation and certification of the research, consultation and analysis must be in the form of a Social Impact Assessment Report and must include at least:

- i) the **social impact assessment scope**;
- ii) community profiling;
- iii) identification of issues (both positive and negative);
- iv) the methodologies employed by the study to measure impacts;
- v) the primary and secondary data collection methods;
- vi) the primary and secondary data collected;
- vii) method of analysis employed and a discussion and analysis of the issues;
- viii) identification and measurement of likely impacts;
- ix) range of options for proceeding with the proposal; and
- x) recommendations including suggested mitigation measures for negative impacts that have been identified and/or strategies to monitor and manage negative impacts over time.

Prescriptive Measures

There are no Prescriptive Measures.

Appendix B12.1 Proposals with Minimal Social Impact

It is recognised that some Development proposals will only have a limited impact and a full Social Impact Assessment will not be required. For those proposals not identified in B12.1.3 above the following matters should be considered in the preparation of the Statement of Environmental Effects and addressed where relevant.

1. Housing Stock

Will the proposal will have an impact on:

- the availability and affordability of low income housing;
- The average cost of housing rent;
- The choice of housing; and
- The provision of special needs housing.

2. Human Service Facilities

Will the proposal will have an impact on the provision of:

- community support/welfare services;
- child care, health or educational services;
- special services for high need/disadvantaged groups;
- the choice of local shopping facilities; and
- local recreation or leisure facilities.

3. Access

Will the proposal will improve access to:

- local community facilities and services;
- public transport services;
- disabled access to local facilities; and
- cycling and pedestrian paths.

4. Public Realm Safeguards or threatens heritage sites or buildings, or archaeological sites

Does the proposal:

- enhance or embellish public places and public open space;
- provide for public facilities; and
- respect heritage values and character of the neighbourhood.

5. Community Networks

Will the proposal once completed:

- Provide opportunities for social interaction;
- Improve community identity and cohesion;
- Impact on disadvantaged social groups; and
- Consolidate existing social or cultural networks

6. Economic Impacts

Will the proposal:

- Generate employment opportunities (short and long term, direct and indirect);
- Generate investment in the local economy;
- Provide for opportunities for skilled employment;
- Make better use of existing infrastructure;
- Increase retail and commercial opportunities within the local area; and
- Create a land use conflict and potentially affect the operations of an existing commercial or industrial land use on surrounding land.