
PART C: General development controls

Section C8 Social impact

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1.0 Introduction

Social considerations are an integral part of the development assessment process. Changes to people's way of life, culture and community may be impacted by a development.

Social impacts of a proposal will be considered under the objects of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*. Social Impact Assessment is the systematic process of understanding these impacts. Where adverse consequences are identified through the Social Impact Assessment, they inform decisions about whether to proceed or install measures to minimise or ameliorate negative impacts. Where there are positive impacts, Social Impact Assessment may also consider ways to maximise these. Its primary purpose is to bring about a more sustainable and equitable biophysical and human environment.

Social impacts are not private interests and are considered as a change to one or more of the following concepts: people's way of life, culture, community, accessibility, surroundings, health and wellbeing, political systems, personal and property rights, fears and aspirations.

2.0 Application

This section applies to all development listed in the application requirements.

3.0 Additional information

- *Social Impact Assessment Guideline, Social Impact Assessment Technical Supplement and Social Impact Assessment Scoping Worksheet 2023*, NSW Department of Planning, Industry and Environment
- *Social Strategy 2030*, City of Newcastle
- *Disability Inclusion Action Plan 2022-2026*, City of Newcastle
- (Draft) *Social Infrastructure Strategy 2023-2027*, City of Newcastle

4.0 Objectives

1. Ensure development applications are accompanied by sufficient evidenced information to allow adequate assessment of social impacts arising from a development.
2. Ensure a clear, consistent and rigorous approach informed by social research methodology to identify, assess, respond and monitor the social impacts of a development.
3. Improve development outcomes by early identification of social impacts and installation of supportive measures, proportionate with the type of development and level of impacts.
4. Maximise opportunity for stakeholders who may be impacted by a development to participate in meaningful social impact assessment consultation.
5. Ensure that adverse consequences of a development are identified to inform decisions about whether to proceed or install measures to minimise or ameliorate those negative impacts.
6. Maximise opportunity for development to occur in locations supported by adequate services and facilities to meet the locality's current and projected social needs.
7. Ensure inclusion and equity are achieved by maximising accessibility and universal design.
8. Maximise the retention of existing affordable housing stock and proportionate mitigation of losses.

5.0 Definitions

A word or expression has the same meaning as it has in *Newcastle Local Environmental Plan 2012* ([LEP 2012](#)), unless otherwise defined.

6.0 Application requirements

There are two types of reports required: a Social Impact Comment and a Social Impact Assessment.

Social Impact Comment

A Social Impact Comment is generally required for the developments identified in **Table C8.01** unlikely to result in significant social impacts. A Social Impact Comment can be undertaken by a qualified and experienced urban planner and can form part of the Statement of Environmental Effects (SEE), where social impacts are discussed to address s1.3 of the *EP&A Act 1979*.

Social Impact Assessment

A Social Impact Assessment is required for developments that are:

- a. large in scale
- b. of a large and/or sensitive nature
- c. in a sensitive or constrained setting
- d. likely to have an impact on the community not able to be mitigated by normal conditions of consent.

A Social Impact Assessment is a stand-alone report to accompany the submitted development application. It is a comprehensive assessment typically required for developments likely to result in significant social impacts and/or large developments or developments where significant social impacts are anticipated.

These must be prepared by a suitably qualified Social Impact Assessment professional who:

- a. has qualifications in the fields of community/social planning, social science or demonstration of relevant significant professional body of work training
- b. has/or extensive experience in the field of social impact assessment community needs analysis and community consultation
- c. is familiar with the types of information required.

Note: For proposals requiring a Social Impact Assessment, applicants are encouraged to seek a pre-development application meeting to ensure relevant social aspects of their proposal are properly addressed. Requests for a Social Impact Comment instead, accompanied by detailed written justification, will be considered by City of Newcastle (CN) and decided accordingly given the circumstances of the development.

The list of development types is not definitive and will be considered alongside the table, **Table C8.02**. CN will use its discretion under the *EP&A Act 1979* to request a Social Impact Assessment for any development application (DA) if it believes it is likely to have a significant social impact on the community.

Development types - Land use / development type / activity	Social Impact Comment	Social Impact Assessment
affordable housing	With 20-49 dwellings and/or lots	Results in a reduction of affordable housing and/or With 50 or more new dwellings and/or lots
attached dwellings		With 50 or more dwellings and/or lots
multi dwelling housing		
residential flat buildings		
residential subdivision		
residential uses within mixed use developments		
shop top housing		
seniors housing, residential care facility		
build-to-rent housing		
group homes		
boarding houses	N/A	Any size or capacity
tourist and visitor accommodation	With capacity for 49 or less customers	With capacity for 50 or more customers
backpacker's accommodation		
hotel motel accommodation		
serviced apartments		
entertainment facilities	With capacity for 149 or less customers	With capacity for 150 or more customers
amusement centres		
function centres		
retail, commercial, industrial premises (excluding trading past 12am, extension of trading hours, liquor licences, gaming machines, hazardous & heavy industry)	19,999m ² or less floor space	20,000m ² or more floor space
food and drink premises	Trading up to midnight	Trading past 12am
service stations		
educational establishments	With capacity for 49 or less places/ customers	With capacity for 50 or more places/ customers
centre-based childcare facility		

places of public worship		
community centres, recreation facilities, recreation areas		With capacity for 50 or more places/ customers and/or results in a reduction of publicly accessible community centre, recreation facility, recreation area space
community land, as classified by the <i>Local Government Act 1993</i>	N/A	Results in a reduction of community land
restricted premises (e.g. sex shops)	N/A	Any size or capacity
sex service premises (e.g. brothels)		
gun shop		
extension of trading hours for licensed premises		
hotels (bars, pubs, taverns), nightclubs and registered clubs	With capacity for 149 or less customers	With capacity for 150 or more customers
Other liquor licenses and gaming machines	With capacity for 149 or less customers and/or With capacity for 30 or less gaming machines	With capacity for 150 or more customers and/or With capacity for 31 or more gaming machines
gambling outlet	N/A	Any size or capacity
offensive or hazardous industry		
heavy industrial storage establishment		
waste facilities		
drug rehabilitation services, methadone clinics and the like		
hospitals, medical centres, community health services and similar with five or more consulting rooms		
corrective institution		
major transport, including freight transport facility		

Table C8.01: Development categories

Application requirement provisions provide two categories of assessment. Both must examine the social impact considerations and have an assessment process; however, the extent of research, assessment and author of assessment varies. The length and detail provided should be commensurate with the scale of the development and significance of the likely social impacts.

		Social Impact Comment	Social Impact Assessment
Introduction	Describe the proposed development.	✓	✓
Site context	Describe the site locality, patterns of use, those that may be affected, topography of the site and its physical surrounds. Indicate if site visit (day/night) undertaken.	✓	✓
Social baseline analysis (pre-change)	Describe existing social conditions and trends and provide a benchmark against which potential social impacts can be assessed. Identify data collection and sourced literature.	✓	✓
Community and stakeholder consultation	Describe appropriate, justified and meaningful consultation undertaken at a reasonable period of time before submitting application.	Indicate if consultation undertaken.	✓
Impact assessment	Describe the methodology for assessment. Predict and assess the social impacts against social baseline. Evaluate likelihood and magnitude of each identified social impact (without measures applied) by giving a rating. Provide evidence to support rating. Overall assessment of the distribution of likely positive and negative impacts, including an <i>opinion</i> on the balancing of these impacts.	✓ Briefly describe. Depending on the type of development, the application may need to provide detailed examination of the relevant parts i.e. if the application is for a liquor & gaming license, crime & safety impacts should be focused on. If a housing related DA, should examination on local needs, accessibility etc. It is not sufficient to state that there will be no impact and that no mitigation or enhancement measures are required.	✓

<p>Impact mitigation and benefit enhancement (post-change)</p>	<p>Describe appropriate and justified measures applied to development to enhancement opportunities and remove, minimise or mitigate social risks (and demonstrate that the hierarchy of avoid and mitigate has been followed).</p> <p>Provide management measures for all potentially significant negative impacts. Identify those that cannot readily be mitigated.</p> <p>Indicate predicted likelihood and magnitude of each identified social impact (with measures applied) by giving a rating. Provide evidence to support rating.</p> <p>Measures should be targeted and proportionate to the scale of likelihood and magnitude of social impacts as well as development scale. Proposed measures must be delivered by the applicant.</p>	<p>✓ Briefly describe.</p>	<p>✓</p>
<p>Monitoring, review and update</p>	<p>Measures identified through Social Impact Comment/ Social Impact Assessment process and how these will be managed over the life of the development must be documented.</p> <p>Where applicable, outline targets and actions for monitoring and reviewing progress of identified measures.</p> <p>Measures may also be included in the conditions of consent if a proposal is approved.</p>	<p>✓</p>	<p>✓</p>

Table C8.02: Considerations for a Social Impact Comment and Social Impact Assessment

Note: Refer best practice guidance on writing a Social Impact Assessment see Social Impact Assessment Guideline, Social Impact Assessment Technical Supplement and Social Impact Assessment Scoping Worksheet 2023, NSW Department of Planning, Industry and Environment

7.0 General requirements

Objectives	
1. Ensure potential social impacts are investigated using methods appropriate to the scale and context of development.	
Controls (C)	Explanatory notes
C-1. All developments and/or major changes to where significant social impacts are anticipated must provide either a Social Impact Comment or Social Impact Assessment, as per the application requirements.	At its discretion, CN may: <ol style="list-style-type: none"> a. seek independent expert advice about specific social impacts relevant to a development, b. obtain an independent external review of an applicant's social impact assessment or social impact comment, or c. commission its own social impact assessment or social impact comment.
C-2. All other developments must still consider and address arising social impacts in the Statement of Environmental Effects, as is required by s 1.3 of the <i>EP&A Act 1979</i> .	
C-3. Any measures to maximise the positive social impacts and eliminate or minimise negative impacts of the development are to be incorporated into the development and, where appropriate, illustrated on submitted DA plans.	
C-4. To reduce the cumulative impact of development, Social Impact Assessment's must identify the location and size of the same development type/land use within a 2km radius and evidence regarding cumulative impact. This applies to the following development types: <ol style="list-style-type: none"> a. hostel/boarding house/co-living/backpacker's accommodation b. sex services c. pubs/registered clubs/ extension of trading hours for licensed premises past 12am/ packaged liquor outlets d. gambling outlet e. offensive or hazardous industry. 	Offensive and hazardous industry is defined in the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .