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# Byron Shire Bioenergy Facility Social Impact Assessment Report 45 Wallum Place, Byron Bay

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**We declare that:**

The statement has been prepared in accordance with clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

The statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and the information contained in the statement is neither false nor misleading.

Report version	Authors	Date	Reviewer	Approved for issue	Date
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## Executive Summary

The Byron Shire Bioenergy Facility is proposed for 45 Wallum Place, Byron Bay (Lot 2/DP706286). The lot also contains the existing Byron Bay Sewage Treatment Plant. It is proposed that the Byron Shire Bioenergy Facility will process biosolids from the sewage treatment plant, in conjunction with other organic waste materials, to produce compost and energy for use within the sewage treatment plant and exported to the grid.

The proposed Byron Shire Bioenergy Facility will provide a major boost to organics recycling infrastructure for Byron Bay and the surrounding Region. It will also contribute towards the Byron Shire Council aiming to become the first Zero Emissions community in Australia achieving carbon neutrality by 2025.

The proposed development will provide a fully enclosed organics recycling and bioenergy facility for waste materials such as food, garden organics and biosolids. The facility will allow unloading of these materials and dispatch of recycled organic products by high-capacity trucks in an enclosed controlled environment.

This social impact assessment and consultation project has been performed as a sub-set of Council's broader community engagement plan. Specifically, this project will prioritise engagement with neighbours potentially affected by the project, Commonwealth and State Government Agencies that are set out in the SEARs 1471. We have worked closely with Council to ensure that this engagement is viewed as an integrated part of Council's overall strategy for community engagement.

Ongoing communication and engagement with the broader community is a priority of Council for this infrastructure project. This best practice approach to community engagement will greatly assist Council to build a social licence to operate for the plant, which is important in the pre- and post-approval phases of the project.

This report provides an assessment of potential social impacts from the proposed Byron Shire Bioenergy Facility. The social impact assessment and consultation program for the Byron Shire Bioenergy project documented in the report has been conducted in accordance with Council's *Social Impact Assessment Policy* (Policy No. 09/008) (the Policy).

Direct local engagement with neighbours comprising residents and business owners / operators within a 1km radius of the project site was done. Engagement via direct mail was considered the most appropriate method given the COVID-19 pandemic, with a letter of introduction to the project and a supporting information sheet provided. Further detailed information was made available on Council's project website supported by print and online advertising campaigns. The focus was to seek feedback from neighbours on key matters that need consideration in the environmental assessment phase of the project.

Direct engagement with key local community and environment groups was also done, with a letter of introduction to the project and a supporting information sheet provided. Face to face engagement included local market attendance and distribution of the information sheet. The focus was to seek feedback on issues of concern to community and environmental groups to help inform the environmental assessment phase of the project.

The principal issues of concern to the local community were found to be:

- Potential noise, traffic and safety impacts associated with residences and sensitive land uses along Bayshore Drive (main haul route into the project site);
- Risk of impacts on Council rates;
- Alternative uses of the lands; and
- Potential impacts of lighting on nocturnal wildlife associated with the wetlands and nearby areas.

In addition to the consultation program, we conducted a qualitative assessment of broader social impacts arising from the development. In reviewing these matters, we have highlighted further work that will need to be conducted as part of the EIS process to ensure that the proposed development does not impact the local community.

The study found that the proposed development is likely to have a low impact on the surrounding community. The development will be positioned alongside the Byron Bay Sewage Treatment Plant facility, and is surrounded by lands conserved as wetlands, which will act as a long-term buffer between the development and neighbouring land uses. Although areas south of the project site are important and growing industrial, arts and residential areas, the proposed development, if well managed, will have very low impact on the local environment and the surrounding community.

Recommendations have been made on matters that need to be addressed in the EIS phase to ensure that the proposed development will have minimal impacts on the local community.

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# 1. Introduction

## 1.1. Background

Byron Shire Bioenergy Facility (BEF) is proposed for 45 Wallum Place, Byron Bay (Lot 2/DP706286). The lot also contains the existing Byron Bay Sewage Treatment Plant (BBSTP). It is proposed that the BEF will process biosolids from the BBSTP, in conjunction with other organic waste materials, to produce compost and energy for use within the BBSTP and exported to the grid.

The proposed BEF will provide a major boost to organics recycling infrastructure for Byron Bay and the surrounding Region. It will also contribute towards the Byron Shire Council (BSC) aim to become the first Zero Emissions community in Australia achieving carbon neutrality by 2025.

The proposed development will provide a fully enclosed organics recycling and bioenergy facility for waste materials such as food, garden organics and biosolids. The facility will allow unloading of these materials and dispatch of recycled organic products by high-capacity trucks in an enclosed controlled environment.

## 1.2. Planning context

BSC is the proponent and is seeking to obtain development consent for the site to enable it to receive up to 28,000 tonnes of organic (carbon based) waste material for digestion each year. The proposed development is well located, being approximately 480 meters from the nearest mixed-use zone, and will be positioned alongside the existing BSC municipal wastewater treatment plant. At over 800 meters from the nearest low-density residential area, impacts on residents are expected to be low.

The BEF will be considered designated development under Schedule 3 of the *Environmental Planning and Assessment Regulation* 2000, as the following triggers are activated:

- Processing capacity is >5,000 tonnes per annum (Schedule 3, Clause 13(a)); and
- <100 m from coastal wetlands (Schedule 3, Clause 13(b)(i)).

As a result, an EIS will be required as part of the development application and planning approval for the development. The development is also considered to be an Integrated Development, requiring a licence from the NSW EPA under Schedule 1 of the *Protection of the Environment Operations Act* 1997. As a council related development with capital investment value of over \$5 million, the BEF will be Regional Development and will therefore be determined by the Northern Regional Planning Panel.

BSC is committed to complying with all laws that affect its operations and understands that development approval and appropriate licensing is required prior to the proposed development occurring. The Secretary's Environmental Assessment Requirements (SEARs) with respect to the proposed Environmental Impact Statement were issued by the Department of Planning, Industry and Environment on 3 August 2020 under SEARs 1471.

## 1.3. Guidelines to help inform the delivery of the social impact assessment

The social impact assessment and consultation program for the Byron Shire Bioenergy project documented in the report has been conducted in accordance with the BSC's *Social Impact Assessment Policy* (Policy No. 09/008) (the Policy).

The objective of the Policy are :



- To assist in achieving sustainable, resilient and cohesive communities within the Shire;
- To enhance consistency, certainty and transparency in Council's assessment of the positive and negative social impacts of proposed development and infrastructure;
- To maximise the positive social impacts of development such as improved access, amenity, affordable housing provision, employment opportunity and safety;
- To minimise the negative social impacts of development such as increased traffic congestion, restriction of access, loss of employment opportunity, loss of existing affordable housing stock, loss of public safety or perceived public safety; and
- To ensure that proposals that are likely to cause significant social impacts and that do not require a development application are guided by when and how to prepare social impact assessments.

The policy addresses six social elements for consideration, including transport, safety, diversity, amenity, employment and culture. A social impact assessment is a requirement under Clause 4.1(h) of the Policy.

The Social Impact Assessment as documented in this report includes:

- The Social Impact Assessment Scope;
- Community profiling;
- Identification of issues (both positive and negative);
- The methodologies employed by the study to measure impacts;
- The primary and secondary data collection methods;
- The primary and secondary data collected;
- Method of analysis employed and a discussion and analysis of the issues;
- Identification and measurement of likely impacts; and
- Range of options for proceeding with the proposal.

We have also considered the Department of Planning and Environment (2017) *Community and Stakeholder Engagement – Draft Environmental Impact Assessment Guidance Series June 2017* in conducting this study. Whilst this guideline applies to State Significant Development projects, we have used these guidelines to inform our community engagement strategy during the environmental impact and social impact assessment process.

## 1.4. Structure of the community consultation program

An overview of the community consultation done for this project is summarized in Figure 1.1. It is noted that the structure of the community consultation program has been delivered in accordance with the Department of Planning and Environment (2017) *Community and Stakeholder Engagement – Draft Environmental Impact Assessment Guidance Series June 2017*.



**Figure 1.1. Structure of the community consultation program to inform the social impact assessment.**



Section 4 of this report provides more detail in relation to methodology used for specific community engagement and consultation activities undertaken. Section 5 provides an overview of the feedback from the consultation process.

## 1.5. Byron Shire Council's Communication and Engagement Plan

Byron Shire Council prepared a Communication and Engagement Plan (CEP) for the Byron Shire Bioenergy project in November 2019. This plan has supported the delivery of the social impact assessment for the project. This detailed plan outlines a strategy for managing communications between Council and its stakeholders.

The engagement objectives will assist the Byron Shire Council project team to communicate with stakeholders and community through the various stages of the Bioenergy Facility project lifecycle, from construction and operations to future maintenance.

The engagement objectives as defined in the CEP are to:

- Identify key stakeholders that are affected, and/or able to influence the Bioenergy Facility project;
- Create an atmosphere of understanding that actively involves stakeholders in a timely manner;
- Identify the most effective communication methods to distribute project information to educate, inform and engage and ensure regular and transparent consultation;
- Consult with community and stakeholders to provide sufficient opportunity to voice their opinions and concerns that may influence project decisions;
- Incorporate feedback to develop or modify options to fit the purpose of the project and fulfil community needs;
- Improve and facilitate decision making to alleviate stakeholder related impacts and minimise risk;
- Secure and maintain social licence for the Byron Shire Bioenergy Facility project to proceed to construction stage;
- Manage stakeholder expectations and inform about how Council will use their feedback in the decision making process;
- Build mutually respectful and beneficial stakeholder relationships that are based on longevity;
- Aim for mutually beneficial outcomes where possible;
- Establish formal conflict/resolution processes; and

- Work as a team to manage issues.

The CEP identifies key stakeholders and includes a detailed stakeholder analysis to help structure the communication and engagement activities during the life cycle of the project.

This social impact assessment and consultation project has been performed as a sub-set of Council's broader community engagement plan. Specifically, this project will prioritise engagement with neighbours potentially affected by the project, Commonwealth and State Government Agencies that are set out in the SEARs 1471. We have worked closely with Council to ensure that this engagement is viewed as an integrated part of Council's overall strategy for community engagement.

Ongoing communication and engagement with the broader community is a priority of Council for this infrastructure project. This best practice approach to community engagement will greatly assist Council to build a social licence to operate for the plant, which is important in the pre- and post-approval phases of the project.

## 2. Scoping of matters and identification of issues

To help assess the range of matters that need to be considered in the Social Impact Assessment process for the Byron Bioenergy project, and the broader Environmental Impact Assessment, a range of matters were reviewed in consultation with Byron Shire Council. This included:

- What is the nature of the project and the extent of its environmental impacts?
- Who will be interested in the outcomes of the project?
- Who may have information that could be of value to the project i.e. through previous involvement?
- Who is directly affected by the project or might think they are affected by the project and in what way?
- Who is likely to be upset if they are not informed or invited to participate?
- Who might be a person that others will look to for their opinions?

This section reviews these matters and outlines how the matters were framed to seek community feedback.

### 2.1. Review of matters to inform the community consultation process

To help inform the community engagement and consultation process for the project, we prepared a Preliminary Environmental Assessment Report for the project, which was used as a basis for consulting the planning team within Byron Shire Council and the Department of Planning, Industry and Environment on the requirements for the development application.

The report outlined a range of matters for review by Byron Shire Council and the Department of Planning, Industry and Environment, including an introduction to the project, about the proponent, site description, history and approvals. The report also provided an overview of the proposed development, power and water requirements. The report provided a summary of planning and legislative requirements, including a project justification considering local and state planning policies and strategies. The report also provided an overview of the existing environment, key environmental issues that will require management as part of the development, a stakeholder and community consultation strategy.

The pre-lodgement meeting was held with Byron Shire Council on 29 April 2021.

The key matters to consider in the Environmental Impact Assessment, including social impacts are summarised as follows:

- Noise and vibration impacts;
- Visual impacts;
- Air quality (dust and odour) impacts;
- Traffic impacts;
- Aboriginal and cultural heritage impacts;
- Biodiversity impacts;
- Livelihoods (economic impacts);
- Biodiversity impacts;
- Site contamination;
- Water quality impacts; and
- Bushfire impacts.

## 2.2 Secretary's Environmental Assessment Requirements

Following the completion of consultation with Byron Shire Council, an application for the Secretary's Environmental Assessment Requirements (SEARs) was made to the Department of Planning, Industry and Environment on 31<sup>st</sup> March 2020.

The Preliminary Environmental Assessment Report helped inform the assessment and consultation required to support the EIA process for the project.

The SEARs for the project was issued by the Department of Planning, Industry and Environment on 23<sup>rd</sup> August 2020. These are provided as an attachment to the EIS and are not repeated here. The SEAR's required the following consultation to be performed:

- Commonwealth Department of Agriculture, Water and Environment;
- Department of Planning, Industry and Environment, specifically the:
  - Biodiversity and Conservation Division;
  - Environment Protection Authority;
  - Crown Lands Division;
- Transport for NSW;
- Fire & Rescue NSW;
- NSW Rural Fire Service;
- Tweed Byron Local Aboriginal Land Council;
- Byron Shire Council;
- The surrounding landowners and occupiers that are likely to be impacted by the proposal; and
- Details of the consultation carried out and issues raised must be included in the EIS.

## 2.3 Scope of the social impact assessment

To help inform the delivery of the project, a planning workshop was held with Byron Shire Council to ensure that the project is delivered as an integrated component of Council's CEP. For this workshop, we reviewed:

- a) The methodology for the social impact assessment, including the proposed consultation and engagement activities;
- b) Timelines for delivery of Council's communication and engagement activities;
- c) Coordination of communications, review and approval processes;
- d) Scope of the social impact assessment, and key issues for consideration;
- e) Scale of the social catchment for analysis for the purposes of the social impact assessment;
- f) Review of our proposed community consultation strategy, focusing on neighbours likely to be affected by the development;
- g) Proposed engagement approach with the Commonwealth and required NSW Government Agencies.

As a result of the workshop, the following approaches were recommended and agreed to help inform the delivery of the social impact assessment:

### 2.3.1 The methodology for the social impact assessment, including the proposed consultation and engagement activities

Direct local engagement with neighbours comprising residents and business owners / operators within a 1km radius of the project site was considered to be important. Engagement via direct mail would be most appropriate given the COVID-19 pandemic, with a letter of introduction to the project (Attachment 1) and a supporting information sheet

(Attachment 2). The focus was to seek feedback from neighbours on key matters that need consideration in the environmental assessment phase of the project.

Direct engagement with key local community and environment groups was also recommended, with a letter of introduction to the project and a supporting information sheet provided. The focus was to seek feedback on issues of concern to community and environmental groups to help inform the environmental assessment phase of the project.

We encouraged respondents to provide feedback via Council's 'Have Your Say' web page<sup>1</sup>.

### 2.3.2 Timelines for delivery of Council's communication and engagement activities

Following the issue of the letter of introduction and the information sheets to neighbours, community and environment groups, feedback was requested within a four week period via Council's 'Have Your Say' web page<sup>1</sup>.

### 2.3.3 Coordination of communications, review and approval processes

Byron Shire Council would be the central point of contact for communications and collating feedback on the proposal.

### 2.3.4 Scope of the social impact assessment, and key issues for consideration

Key matters considered to be of importance to neighbours and the community include mainly impacts relating to amenity:

- Odour and local air quality;
- Traffic;
- Noise from trucks and operations;
- Visual impacts;
- Impacts on local biodiversity.

These matters were addressed in the information sheet prepared for the project. Whilst these matters were considered to be the main issues likely to be of importance to neighbours and the community, the consultation process also sought to seek feedback on other matters to be considered in the environmental assessment phase of the project. Other matters considered in the social impact assessment included:

- Transport;
- Safety;
- Diversity;
- Employment and training, and
- Culture.

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<sup>1</sup> Byron Shire Council (2021). Bioenergy facility – Have Your Say web site. Internet publication: <https://www.byron.nsw.gov.au/Services/Major-projects/Bioenergy-facility>

### 2.3.5 Scale of the social catchment for analysis for the purposes of the social impact assessment

It was considered that the social impact assessment and consultation should be as inclusive as possible. In doing so, we sought feedback from neighbours comprising residents and business owners / operators from a wide consultation area, within a 1km radius of the development.

As a result, the following neighbours were prioritised for inclusion in the consultation program:

- Business neighbours

The following businesses located within approximately 1km of the project site will be consulted to seek their views on the proposed development. This includes:

- Habitat retail precinct;
- Elements;
- Byron Bay Fair (IGA and other businesses);
- Bayshore Drive and Centennial Circuit businesses; and
- Other Arts and Industry Estate businesses.

- Residential neighbours

The following residential areas located within approximately 1km of the project site will be consulted to seek their views on the proposed development. This includes:

- Bayshore Drive; and
- Sunrise residential estate.

- Community and environment groups:

- North East Forest Alliance
- Belongil Catchment Drainage Board;
- Byron Environment Centre; and
- Community Alliance for Byron Shire (CABS).

### 2.3.6 Review of our proposed community consultation strategy, focusing on neighbours likely to be affected by the development

The consultation strategy needed to consider approaches that would help to genuinely engage and brief the community on the project, and seek feedback on key issues of concern in relation to the project. The preparation of a letter of introduction to the project, and a detailed information sheet was considered to be an appropriate strategy to engage and seek feedback on the project.

The background on the project provided to neighbours, community and environmental groups was also supported through the provision of a more detailed report on the project. The 'Preliminary Environmental Assessment Report' for the project was hosted on Council's Bioenergy Facility web site. This report was also referred to in the information sheet.

Whilst feedback was preferred through Council's 'Have Your Say' web page, feedback was also received via a submissions e-form, Q&A and community survey, email, phone and in writing. This feedback was documented and provided to the project team for review.

### 2.3.7 Proposed engagement approach with the Commonwealth and required NSW Government Agencies.

Consultation with a number of different Commonwealth and NSW Government agencies was a requirement of the SEARs. The purpose of this consultation was to determine if there were any additional matters that required assessment as part of the development application being prepared for the project.

To assist in this process, a letter of introduction to the project was provided, including a copy of the information sheet and a link to the Preliminary Environmental Assessment report on the Byron Shire Council web site.

Agencies were asked to respond to Council in writing on any additional feedback on the project.

The following agencies were consulted as part of the social impact assessment:

- Commonwealth Department of Environment and Energy;
- Department of Planning, Industry and Environment, specifically the:
  - Biodiversity and Conservation Division;
  - Environment Protection Authority;
  - Crown Lands Division;
- Transport for NSW;
- Fire & Rescue NSW;
- NSW Rural Fire Service;
- Tweed Byron Local Aboriginal Land Council; and
- Byron Shire Council.



## 3 Community profiling

The section provides an overview and analysis of current social and historical trends of the Byron Shire, and considers specific matters relating to the proposed site and locality of the Byron Bioenergy Facility, located in the north west corner of the township of Byron Bay.

### 3.2 Social and historical trends – Byron Shire

Byron Shire is located on the Far North Coast of New South Wales, about 800 kilometres north of the Sydney CBD and 200 kilometres south of the Brisbane CBD. Byron Shire is bounded by Tweed Shire in the north, the Coral Sea in the east, Ballina Shire in the south, and Lismore City in the west. The original inhabitants of Byron Shire were the Bundjalung (Arakwal and Minjungbal) Aboriginal people<sup>2</sup>.

European settlement dates from the late 1840s, with land used mainly for timber-getting and farming. Growth took place during the late 1800s and early 1900s, spurred by port activities, the opening of the railway line, and growth in the dairy industry. The population of the Shire grew from under 8,000 in 1911 to about 10,000 in 1921. The population fluctuated in the post-war years, with steady population growth during the 1970s and 1980s, aided by tourism. The Shire's population increased from about 11,000 in 1976 to over 15,000 in 1981, and then to over 18,000 in 1986. Growth continued from the 1990s, with the population rising to nearly 23,000 in 1991, to about 29,000 in 2001, and then to about 30,000 in 2011<sup>2</sup>.

Byron Shire encompasses rural areas, national parks, residential and rural-residential areas, and some commercial and industrial land use. The urban areas are concentrated along the coast, at Byron Bay, Brunswick Heads, New Brighton, Ocean Shores, South Golden Beach and Suffolk Park. Rural-residential areas are located in the hinterland, including the small townships of Bangalow, Ewingsdale and Mullumbimby. The Shire encompasses a total land area of about 560 square kilometres. Rural land is used largely for agriculture, particularly dairy farming, and sugar cane, fruit, nut and coffee growing. Tourism is also an important industry.

In 2020, the population of Byron Shire was estimated to be 35,773<sup>2</sup>. The NSW Department of Planning, Industry and Environment published a fact sheet on predicted population changes in the Byron Shire Council area between 2019 and 2041. The 2019 Population Projections indicate that the population of Byron is estimated to increase to about 37,950 by 2041<sup>3</sup>.

Byron is estimated to continue growing as people move into the area, particularly those around retirement age. The working age population (aged 15-64) is estimated to remain stable, moving from 22,350 in 2016 to 21,450 in 2041 – a change of 900. The number of children aged 14 and under is estimated to change by 50 children, from 5,650 in 2016 to 5,700 in 2041.

The number of people aged 65 and over is estimated to increase from 5,450 in 2016 to 10,800 by 2041 - a change of 5,350. The average annual growth in population is expected to be modest, at around 0.5% per annum. The total number of households in the Shire are predicted to increase modestly, from around 15,300 in 2021 to 17,350 in 2041. This is equivalent to an increase in housing stock by 14.6% between 2021 and 2041.

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<sup>2</sup> ID Community (2021). Byron Shire – Community Profile. Internet publication: <https://profile.id.com.au/byron/about?>

<sup>3</sup> NSW Department of Planning, Industry and Environment (2019). Byron Shire Council – 2019 NSW Population Projections. Internet publication: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Factsheets-and-faqs/Research-and-demography/Population-projections/2019-Byron-Bay.pdf>

In September 2020, 18,594 people living in Byron Shire were employed, with an unemployment rate of 5.3%. The unemployment rate of less than regional NSW (5.7%) and less than the overall NSW unemployment rate (5.7%)<sup>4</sup>.

The impacts on employment, demand for housing and services resulting from the COVID-19 pandemic are being observed. From April to September 2020 60% or more of Byron Bay businesses relied on JobKeeper<sup>5</sup>. As reported by Department of Planning, Industry and Environment in December 2020<sup>6</sup>, population growth has varied across the state, with vacancy rates falling substantially in some regional areas, suggesting that some people may be moving farther from the CBD during the COVID-19 pandemic. This may become a long-term shift, especially if businesses can maintain flexible work arrangements. If flexible working remains, population growth may increase in regional areas.

### 3.3 Social and historical trends – Byron Bay township

Byron Bay is a coastal town located on the far-north coast of NSW, Australia. Home to Australia's most easterly point and the iconic Cape Byron lighthouse, the region is known for its spectacular beaches, unique shopping and dining experiences, world-class festivals, and vibrant community spirit. Beyond the township of Byron Bay, the region includes many seaside villages, quaint hinterland towns, and large regional centres, all with their own unique character.

The Census usual resident population of Byron Bay in 2016 was 5,599, living in 3,224 dwellings with an average household size of 2.19. The estimated residential population in Byron in 2020 is 6,460.

The main occupations of people living in Byron Bay are 23.8% Professionals, 16.8% Managers, 13.4% Technicians & trades workers, 12.9% Community & personal service workers, 9.5% Sales workers, 9.7% Labourers, 8.8% Clerical & administrative workers and 3.2% Machinery operators & drivers<sup>7</sup>.

The main industries people from Byron Bay work in are 22.2% Accommodation and food services, 10.7% Retail trade, 10.2% Health care and social assistance, 8.6% Education and training, 6.9% Manufacturing, 6.6% Construction, 6.5% Professional, scientific and technical services, 4.0% Administrative and support services, 3.7% Other services.

The full extent of the COVID-19 pandemic in demographic shifts within the town are not fully known, though housing affordability and provision of affordable residential land for the community is a priority of Council. As part of Council's affordable housing initiatives, Council is proposing to rezone some of its land holdings on Stuart St, Mullumbimby to provide for additional residential development.

In May 2019, Byron Shire Council adopted the 'Our Byron Arts and Industry Estate Precinct Plan'<sup>8</sup> to deliver a shared vision that celebrates the rich history of the Byron Arts and Industry Estate, south of the proposed development, as a lively hub for innovation, industry and creativity. The Byron Arts and Industry (A&I) Estate was established in the early 1970s and by 1975 there were businesses operating out of what was then an isolated, industrial area well away from the heart of town.

<sup>4</sup> ID Community (2021). Byron Shire – Economic Profile. Internet publication: <https://economy.id.com.au/byron/unemployment>

<sup>5</sup> Taylor Fry. Internet Publication: <https://taylorfry.com.au/articles/where-are-the-businesses-most-reliant-on-jobkeeper-jan-2021/>

<sup>6</sup> NSW Department of Planning, Industry and Environment (2020). Population projections – 2020 population insights. Annual population insights supplement to the NSW population projections. December 2020. Internet publication: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Reports/Research-and-demography/Population-projections/population-projections-2020-annual-insights-2020-12-23.pdf?la=en>

<sup>7</sup> Australian Bureau of Statistics (2016). 2016 Census Quickstats. Internet publication: [https://quickstats.censusdata.abs.gov.au/census\\_services/getproduct/census/2016/quickstat/SSC10733](https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC10733)

<sup>8</sup> Byron Shire Council (2019). Precinct Plan – Byron Arts & Industry Estate. Internet publication: <https://www.byron.nsw.gov.au/Community/Place-planning/Byron-Arts-and-Industry-Estate>

The Estate has evolved from a local service centre to an eclectic mix of businesses and residential uses, moulded by its users. While this evolution has brought vitality to the place, it has also resulted in a number of significant functional issues, not the least of which is mobility and access. The Plan sets out a framework for supporting the development of the precinct, including:

- Initiatives to stimulate preferred economic activity;
- Transport changes that will improve access and getting around;
- Guidance for new or improved community infrastructure and public realm improvements (e.g. street trees, footpaths);
- Solutions that respond to natural site constraints and protect against climate change impacts;
- Appropriate land use and building types; and
- Guidance for Local Environmental Plan amendments and other.

Although the Arts & Industry Estate is located more than 500m from the Site, heavy vehicles entering the Byron Shire Bioenergy Facility will do so via Bayshore Drive, which also receives vehicular flows from Centennial Circuit that services the Arts & Industry Estate. This will need to be considered in the planning of the Byron Shire Bioenergy Facility.

It is noted that the West Byron Urban Land release area is located 2.5 km west of Byron Bay and is located approximately 1.08 km to the south of the project site (fronting Ewingsdale Road). The West Byron development application is for lands totalling 58 ha. The development application seeks approval to subdivide the land into 31 hectares zoned for conservation and 27 hectares to be for low- and medium-density housing, light industrial and a neighbourhood centre. Whilst the project site is located at significant distance from the proposed West Byron Urban Land release area, heavy vehicles will access the Byron Shire Bioenergy Facility via Ewingsdale Road. This will need to be considered in the planning of the Byron Shire Bioenergy Facility.

### 3.4 Specific social trends in the vicinity of the proposal locality

The proposed lot is located on the southern side of Wallum Place, west of Bayshore Drive, within the Byron Bay Sewage Treatment Plant (BBSTP). The development site is immediately to the south and west of existing infrastructure within the BBSTP. The site comprises a small 100 by 60 metre portion (approximately 0.6 ha) of the land contained in Lot 2, DP 706286.

The lot is irregular in shape and has:

- A frontage of some 600m to the constructed part of Wallum Place;
- A main body with dimensions of approximately 1,200m x 1,000m; and
- An area of some 104 hectares.

The lot includes three existing developments:

- A sewage treatment plant, owned and operated by BSC;
- A solar array and supporting infrastructure, owned and operated by BSC; and
- A herb nursery, operated by Byron Bay Herb Nursery which is a not-for-profit disability service charity;

The closest neighbours (not owned by Byron Shire Council) are located in a mixed-use development just under 500 meters east of the development that includes apartments and commercial premises. A large buffer is provided by a nature reserve to the north, and wetlands and playing fields to the south associated with the Cavanbah Sport and Recreation Centre. A light industrial estate around Centennial Circuit is around 600m to the south east. Nearby businesses and premises are listed in Table 3.1.

The site is in West Byron Bay, an area dominated by the Tyagarah Nature Reserve to the north and rural lands zoned RU2 Rural Landscape, which borders on light industrial, commercial and mixed-use development to the east and south east. The activities of the nearby businesses are summarised in Table 3.1.

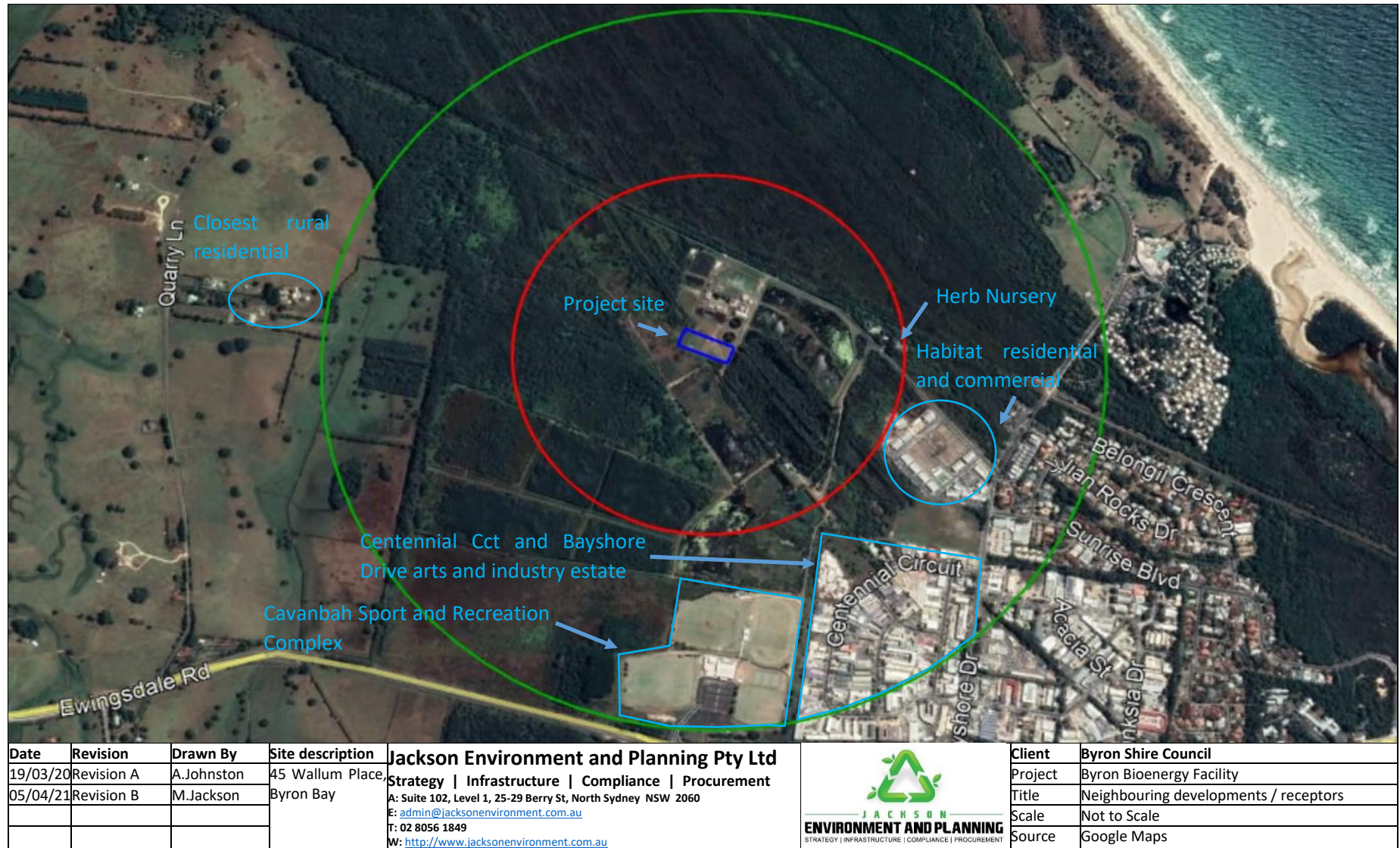
**Table 3.1. Adjoining and nearby businesses and residential receptors.**

Address	Business (500m-750m)	Description of Business
45 Wallum Place	Byron Bay Herb Nursery	Nursery
61 Bayshore Drive	The Sun Bistro	Restaurant and Bar
61 Bayshore Drive	Sunshine Cycles	Bicycle Retail
46 Bayshore Drive	A Perfect Stay Catalina's	Boutique Hotel
1 Porter Street	Barrio (Habitat)	Restaurant
1 Porter Street	Bende Byron Bay (Habitat)	Pilates Studio
1 Porter Street	Children of the Tribe Boutique (Habitat)	Clothing Retail
1 Porter Street	Tigmi Trading (Habitat)	Homewares Retail
1 Porter Street	Fusion Health (Habitat)	Offices
1 Porter Street	F45 Training (Habitat)	Gym
1 Porter Street	Florian Beck (Habitat)	Clothing Retail
1 Porter Street	Beautifora (Habitat)	Florist
1 Porter Street	Shackplace Rituals (Habitat)	Homewares Retail
1 Porter Street	Prae (Habitat)	Mixed Retail
1 Porter Street	Oneteaspoon (Habitat)	Clothing Retail
1 Porter Street	Nice Martin (Habitat)	Clothing Retail
1 Porter Street	Habitat Collective (Habitat)	Clothing Retail
1 Porter Street	Department of Simple Things (Habitat)	Clothing Retail
1 Porter Street	The Beach People (Habitat)	Clothing Retail
1 Porter Street	Annuikka (Habitat)	Clothing Retail
14 Centennial Cct	Byron Bay Smash Repairs	Smash Repairs
16 Centennial Cct	Bayshore Drive Motors	Mechanic
18 Centennial Cct	Moral Fibre	Clothing Manufacture
18 Centennial Cct	Mon Manabu	Gift Retail
20 Centennial Cct	Eastgate Christian Community Church	Church
46 Centennial Cct	Bodyworkz 24/7 Fitness Centre Byron Bay	Gym

The nearest rural residential dwellings are over 1 km to the west and the closest low-density residential area is approximately 800 meters away on the eastern side of Bayshore Drive. There are two childcare centres approximately 1km to the east and south east of the development.



Figure 3.1. Aerial view of the subject site showing neighbours and potential sensitive receptors. Red circle 500m, green circle 1,000m from site.



Given the mixed commercial, retail, residential and rural residential land uses around the proposed project site, consideration will need to be given to the specific factors that may impact on the surrounding area.

## 4 Methodology

### 4.1 The methodologies employed by the study to measure impacts

A key part of the environmental impact assessment process is to consider the potential impacts of the proposed development on a range of social, environmental and economic factors. In accordance with Byron Shire Council's Social Impact Assessment Policy, we have considered a range of qualitative factors to inform the overall social impact assessment. We have considered impacts on:

- Transport;
- Safety;
- Diversity;
- Amenity;
- Employment and training; and
- Culture.

### 4.2 The primary and secondary data collection methods

In conducting the social impact assessment, we have considered the findings of the Preliminary Environmental Assessment<sup>9</sup> for the proposed development, and have considered the potential social, environmental and economic impacts of the project.

Additional primary research data was obtained through consultation and analysis of feedback from neighbours within a 1km radius of the proposed development (169 property owners). This involved the preparation and issue of a letter to introduce the project (Attachment 1), together with an information sheet (Attachment 2) requesting owners to provide feedback on the proposed development.

The consultation area is shown in Figure 4.1.

Letters and information sheets were also issued to the three community and environment groups including Belongil Catchment Drainage Board, Byron Environment Centre and the Community Alliance for Byron Shire (CABS). Five NSW Government agencies were also notified through the same approach, and included DPIE, EPA, Transport NSW, NSW Fire and Rescue and Tweed Byron Local Aboriginal Land Council.

Feedback from the neighbours, community / environment groups and NSW Government agencies were compiled by Council, and have been analysed in this report. Due to the public health risks associated with public gatherings during the COVID-19 pandemic, a separate community meeting was not held.

### 4.3 Method of analysis employed

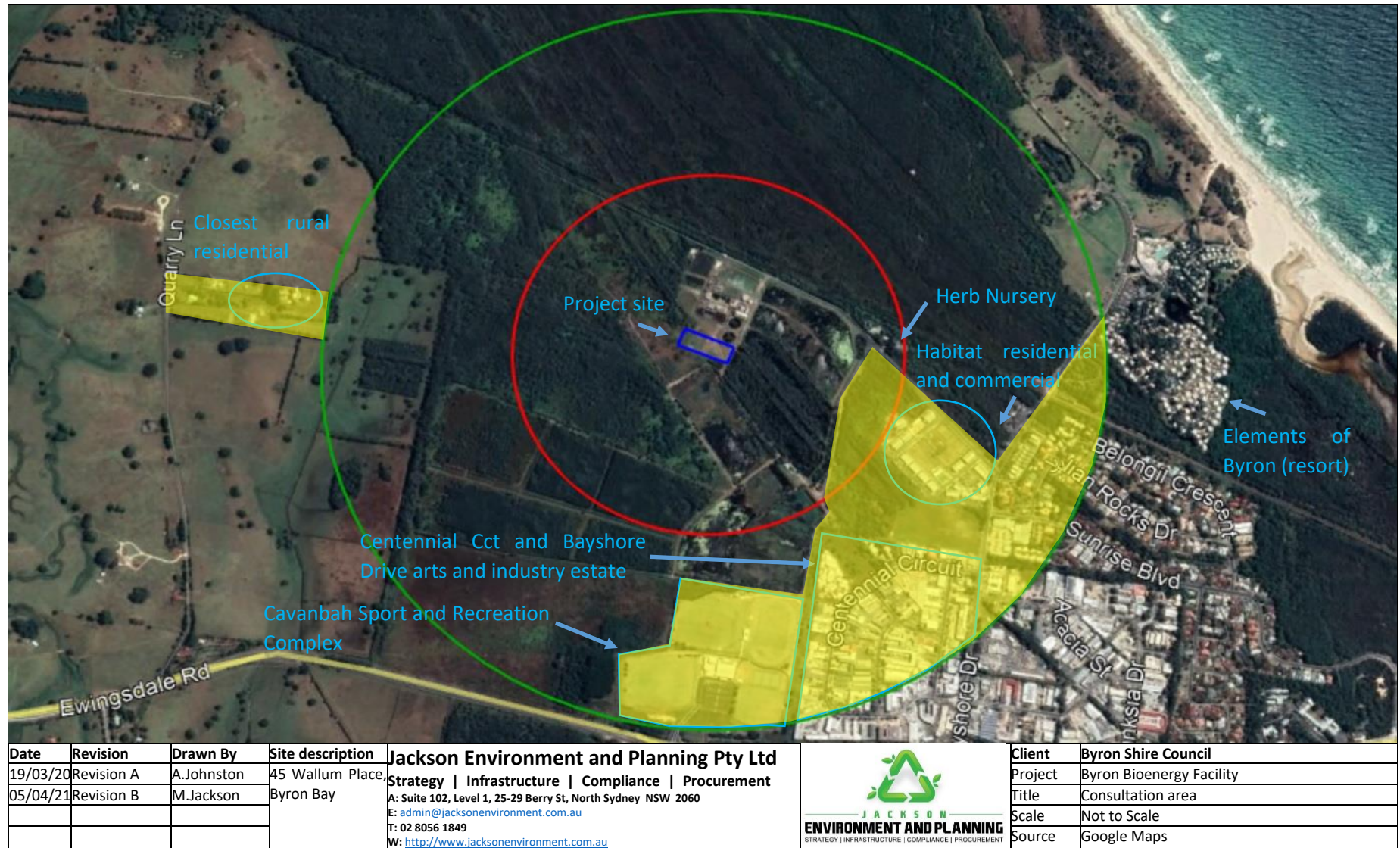
We have conducted a qualitative impact assessment, considering a range of social impact criteria as outlined in the Byron Shire Council Social Impact Assessment Policy. We have also considered quantitative data in relation to the environmental impact assessment process to help inform the social impact assessment. This has been done to assess the potential social impacts arising from amenity and transport impacts potentially caused by the proposal.

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<sup>9</sup> Jackson Environment and Planning Pty Ltd (2020). Byron Bioenergy Facility – SEAR's Preliminary Environmental Assessment Report. Internet publication: <https://www.byron.nsw.gov.au/Services/Major-projects/Bioenergy-facility>



Figure 4.1. Consultation area. Owners located within the yellow shaded area were invited by letter to provide feedback on the project.



## 5 Findings

### 5.1 The primary and secondary data collected

A summary of the findings from the social impact assessment is presented in Tables 5.1 and 5.2. Table 5.1 summarises the specific feedback from the community in relation to key matters of concern relating to the proposed development. This table also contains a summary of feedback from agencies.

The principal issues of concern to the local community relate to:

- Potential noise, traffic and safety impacts associated with residences and sensitive land uses along Bayshore Drive (main haul route into the project site);
- Risk of impacts on Council rates;
- Alternative uses of the lands; and
- Potential impacts of lighting on nocturnal wildlife associated with the wetlands and nearby areas.

We note that no feedback was received from NSW Government agencies.

The matters outlined above are detailed further in Table 5.1, along with suggested measures how these matters should be addressed within the Environmental Impact Statement (EIS).

**Table 5.1. Feedback from adjoining and nearby businesses and residential receptors.**

Neighbour / Organisation	Reason for consultation	Distance from project site	Issue	How issue has been addressed in EIS
26 Bayshore Drive	Within 1km consultation area	795m	Site includes 14 residential townhouse dwellings. Main concerns are noise from truck movements transporting organics wastes into and out of the facility.	Traffic and Parking Assessment Report and Noise Impact Assessment to consider potential impacts, mitigation measures and/or alternative access arrangements.
38, 40 and 42 Bayshore Drive	Within 1km consultation area	~803m	Residential dwellings associated with three separate lots. Main concerns are noise from truck movements transporting organics wastes into and out of the facility. Concern over cyclist and pedestrian safety, and sensitive businesses such as cafes, IGA supermarket and a medical centre.	Traffic and Parking Assessment Report and Noise Impact Assessment to consider potential impacts, mitigation measures and/or alternative access arrangements.  Majority of truck movements to occur via Bayshore Drive south, rather than north, meaning that impacts on these properties can be avoided.

Neighbour / Organisation	Reason for consultation	Distance from project site	Issue	How issue has been addressed in EIS
Not given	Within 1km consultation area	Not known	Resident concerned over the cost of the development and potential impact on rates.	Financial assessment of project and potential impacts on ratepayers is out of scope of the EIS.
Not given	Within 1km consultation area	Not known	Resident proposes to use land for an alternative community development purpose.	Use of the lands for an alternative purpose is not within the scope of the EIS.
Residential property located on Sunrise Blvd	Within 1km consultation area	Not known	Request that any existing infrastructure (sports centre) around the wetlands be modified to produce little to no light at night in order to protect nocturnal wildlife in the area and preserve the dark skies. Secondary outcome of reducing energy usage to save money and reducing the overall local carbon footprint, which are also documented council goals.	Lighting use around the Cavanbah Sports Centre is not within scope of the EIS for the proposed development. Visual Impact Assessment to consider minimum security lighting to prevent impacts on nocturnal fauna located on neighbouring wetlands and the surrounding area.
Not given – Individual on behalf of 6 residents	Within 1km consultation area	Not known	Concerns relate to traffic. The density of the arts and industry estate is increasing at a high rate. Bayshore Drive already carries a significant amount of traffic and despite the introduction of the roundabout on Ewingsdale Road, long traffic queues occur on weekdays. During heavy rain events, Bayshore Drive floods. Vehicles passing through flood water on Bayshore Drive create waves which have previously caused damage to retail tenancies fronting Bayshore Drive. The Wallum Place, Bayshore Drive, Bayshore Lane intersection is not easy to	Traffic and Parking Assessment Report to evaluate suitability of proposed access route into the facility via Bayshore Drive then Wallum Place.  Alternative access routes to mitigate against impacts on Bayshore Drive to be considered.

Neighbour Organisation	Reason for consultation	Distance from project site	Issue	How issue has been addressed in EIS
			navigate and near misses are common. Council's own Arts & Industry Precinct Plan calls for a reduction in vehicle movements throughout the estate in order to support businesses and transition to a low carbon precinct. Is it not possible to provide access to the Sewerage Treatment Plant via the Cavanbah Centre?	
Commonwealth Department of Environment, Water and Energy	SEARS Requirement	N/a	A potential matter of National Environmental Significance under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> was identified during filed surveys.	Biodiversity assessment to note potential MNES and related mitigation measures to avoid significant impact. Referral to Commonwealth to confirm that it is not a controlled action.
NSW Department of Planning and Environment	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS
NSW EPA	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS
Transport for NSW	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS
Rural Fire Service	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS
NSW Fire and Rescue	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS
Tweed Byron Local Aboriginal Land Council	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS
Byron Shire Council	SEARS Requirement	N/a	No further feedback beyond SEARS requirements	SEARS requirements to be addressed in EIS



## 5.2 Identification and measurement of likely impacts

In addition to consultation feedback, we have conducted a qualitative assessment of broader social impacts arising from the development. In reviewing these matters, we have highlighted further work that will need to be conducted as part of the EIS process to ensure that the proposed development does not impact the local community.

This analysis is presented in Table 5.2.

The assessment of broader potential social impacts suggests that the proposed development is likely to have a low impact on the surrounding community. The development will be integrated within the Byron Bay Sewage Treatment Plant facility, and is surrounded by lands conserved as wetlands, which will act as a long term buffer between the development and neighbouring land uses. Although areas of the south of the project site are important and growing industrial, arts and residential areas, the proposed development, if well managed, will have very low impact on the local environment and the surrounding community.

**Table 5.2. Identification and measurement of likely impacts associated with the development across a range of social impact criteria.**

Social impact criterion identified	Outcomes from the assessment	Measurement of impacts required
<b>Transport</b>	<p>Access to the site via public transport is of minor importance as the site is not subject to high visitation by the community.</p> <p>There are currently two bus services that operate within 800m walking distance of the site, with the closest bi-directional bus stop located along Julian Rocks Drive.</p> <p>Number of employees at the facility is low (~3), with private transport likely to be the dominant mode of transport to/from the facility by staff.</p>	<p>Impact of the proposed development on need for public transport in the area is likely to be low.</p> <p>Matter to be assessed further in the Traffic and Parking Assessment study.</p>
<b>Safety</b>	<p>The potential for security risks to persons or property as a result of the proposed development is considered to be very low.</p> <p>Site to be secured through security fencing to prevent unauthorised access after-hours when facility is not staffed.</p>	<p>The potential for security risks to persons or property as a result of the proposed development is considered to be very low.</p> <p>Appropriate security fencing as part of the Byron Bay Sewage Treatment Plant to be considered to ensure that unauthorised access is prevented.</p>
<b>Diversity</b>	<p>The impacts of the proposed development on cultural or demographic differences in the local community is expected to be low.</p>	<p>The potential for transport impacts, particularly along Bayshore Drive needs to be assessed as part of the Traffic and Parking Assessment study</p>

Social impact criterion identified	Outcomes from the assessment	Measurement of impacts required
	The proposed development is not likely to impact housing affordability or community diversity as long as the project has negligible impact on local air quality and local traffic.	to avoid any diversity impacts on the local community, including the Arts & Industry Estate along Centennial Circuit.
<b>Amenity</b>	<p><i>Traffic:</i> Movement of heavy vehicles on Bayshore Drive into Wallum Place appears to be the main concern relating to the proposed development. Potential for impacts on residential dwellings along this route. Whilst the West Byron Urban Land Release Area is not yet approved, residential and commercial development in this area will increase traffic on Ewingsdale Rd, which will also be used by heavy vehicles transporting organics into the facility.</p> <p><i>Noise:</i> The proposed development will involve recycling operations that will occur indoors, however, there is potential for some noise impacts from truck movements along Bayshore Drive.</p> <p><i>Odour:</i> The proposed development will involve treatment of all process air through a biofilter prior to discharge. Whilst odour impacts are not expected, this is to be confirmed through modelling of worst case conditions.</p> <p><i>Pedestrian safety:</i> Whilst additional truck movements along Bayshore Drive are low, consideration should be given to measures that may assist in improving pedestrian and cyclist safety for people that live and use community facilities associated with the Habitat precinct.</p>	<p>Traffic and Parking Assessment study has considered the additional traffic generation by the development, which will involve up to 10 trucks and 5 light vehicles per day accessing the facility. The Study has found that there will be no unacceptable impact on road network capacity.</p> <p>Noise study to consider noise impacts from truck movements during the day.</p> <p>Air quality impact assessment to consider worst case scenario conditions to ensure no impacts on local air quality.</p> <p>Pedestrian and cyclist safety on main haul route to be considered in the Traffic and Parking study.</p>
<b>Employment and training</b>	The project will create up to 25 jobs in construction over a 6-month period and 5 new full-time jobs during the operational phase. The project will also generate potential training opportunities for the local community in facility operations.	Impacts are not likely to be significant, and further measurement is not required.
<b>Culture</b>	The proposed development is to be co-located within the existing Byron Bay Sewage Treatment Plant, which has a long history of successful operation with no complaints from the local community. The proposed development is surrounded by wetlands, which will act as a buffer between the	Impacts are not likely to be significant, and further measurement is not required.

Social impact criterion identified	Outcomes from the assessment	Measurement of impacts required
	<p>development and existing / future development within the area.</p> <p>The proposed development is unlikely to have any impact on the emerging and vibrant arts and mixed industrial precinct associated with Centennial Cct and Bayshore Drive arts and industry estate.</p>	

### 5.3 Range of options for proceeding with the proposal

The social impact assessment has found that the potential for social impacts from the development are likely to be low. However, further assessment of the following matters needs to be taken into consideration to minimise the potential for impact on the local community. These matters include:

- Consideration of potential noise and traffic impacts on residential properties along the haul route into project location;
- Review potential impacts on pedestrian and cyclist safety along the haul route, particularly around the Habitat retail precinct;
- Consider whether an alternative haul route along a new road alongside the Cavanbah Sports Centre may be viable, which could potentially divert truck traffic away from Bayshore Drive;
- Consider the impacts of lighting associated with the project, and potential impacts on the local area and nocturnal wildlife.



## 6 Recommendations

The report provides an assessment of potential social impacts from the proposed Byron Bioenergy facility. The social impact assessment and consultation program for the Byron Shire Bioenergy project documented in the report has been conducted in accordance with the BSC's *Social Impact Assessment Policy* (Policy No. 09/008).

The objective of the Policy are:

- To assist in achieving sustainable, resilient and cohesive communities within the Shire;
- To enhance consistency, certainty and transparency in Council's assessment of the positive and negative social impacts of proposed development and infrastructure;
- To maximise the positive social impacts of development such as improved access, amenity, affordable housing provision, employment opportunity and safety;
- To minimise the negative social impacts of development such as increased traffic congestion, restriction of access, loss of employment opportunity, loss of existing affordable housing stock, loss of public safety or perceived public safety; and
- To ensure that proposals that are likely to cause significant social impacts and that do not require a development application are guided by when and how to prepare social impact assessments.

To minimise the potential for social impacts on the local community, the following recommendations are proposed. These matters need to be considered in the Environmental Impact Assessment process:

1. Traffic and Parking Assessment Report and Noise Impact Assessment to consider potential impacts, mitigation measures and/or alternative access arrangements into the proposed development. Consideration should be given to alternative access routes to mitigate against potential impacts on Bayshore Drive;
2. Visual Impact Assessment to consider minimum security lighting to prevent impacts on nocturnal fauna located on neighbouring wetlands and the surrounding area;
3. Appropriate security fencing as part of the Byron Bay Sewage Treatment Plant to be considered to ensure that unauthorised access is prevented;
4. Air quality impact assessment to consider worst case scenario conditions to ensure no impacts on local air quality; and
5. Pedestrian and cyclist safety on the main haul route to be considered in the Traffic and Parking study.

## 7 Conclusions

This report provides an assessment of potential social impacts from the proposed Byron Bioenergy facility. The social impact assessment and consultation program for the Byron Shire Bioenergy project documented in the report has been conducted in accordance with Council's *Social Impact Assessment Policy* (Policy No. 09/008).

Direct local engagement with neighbours comprising residents and business owners / operators within a 1km radius of the project site was done. Engagement via direct mail was considered the most appropriate method given the COVID-19 pandemic, with a letter of introduction to the project and a supporting information sheet. Further detailed information was made available on Council's project website. The focus was to seek feedback from neighbours on key matters that need consideration in the environmental assessment phase of the project.

Direct engagement with key local community and environment groups was also done, with a letter of introduction to the project and a supporting information sheet provided. The focus was to seek feedback on issues of concern to community and environmental groups to help inform the environmental assessment phase of the project.

The principal issues of concern to the local community were found to be:

- Potential noise, traffic and safety impacts associated with residences and sensitive land uses along Bayshore Drive (main haul route into the project site);
- Risk of impacts on Council rates;
- Alternative uses of the lands; and
- Potential impacts of lighting on nocturnal wildlife associated with the wetlands.

In addition to consultation feedback, we conducted a qualitative assessment of broader social impacts arising from the development. In reviewing these matters, we have highlighted further work that will need to be conducted as part of the EIS process to ensure that the proposed development does not impact the local community.

The assessment of broader potential social impacts found that the proposed development is likely to have a low impact on the surrounding community. The development will be integrated within the Byron Bay Sewage Treatment Plant facility, and is surrounded by lands conserved as wetlands, which will act as a long-term buffer between the development and neighbouring land uses. Although areas of the south of the project site are important and growing industrial, arts and residential areas, the proposed development, if well managed, will have very low impact on the local environment and the surrounding community.

Recommendations have been made on matters that need to be addressed in the EIS phase to ensure that the proposed development will have minimal impacts on the local community.

## Attachment 1: Letter of introduction to the project

## Attachment 2: Information Sheet

## Attachment 3: Consultation letters issued to agencies

# Attachment 4: Consultation Statutory Declaration