

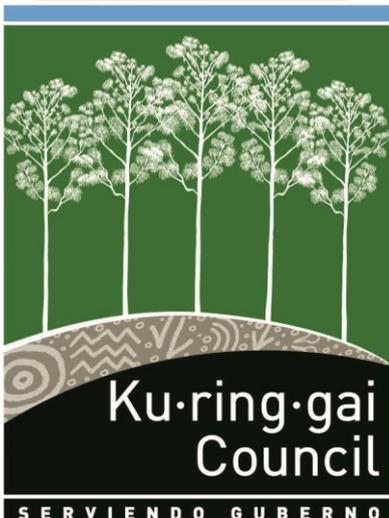


Ku-ring-gai Council

Social Impact Assessment Policy

Version Number 1

23 June 2015



Ku-ring-gai Social Impact Assessment Policy

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Related Legislation:	Section 252 of the Local Government Act 1993	This section requires Council to have such a Policy and to re-adopt the Policy within five months after the end of each year.
Related Policies (Council & Internal)	<ul style="list-style-type: none"> Ku-ring-gai Development Control Plan 2015 Ku-ring-gai Local Centres Development Control Plan 2012 	Social Impact Assessments are referred to within these documents.

Version History

Version Number	Version Start Date	Version End Date	Author	Details and Comments
1	23/06/2015		Antony Fabbro	Original

PART 1 - PRELIMINARY

1.1 Definitions and Abbreviations

Precautionary Principle

Where there are threats or potential threats of serious social impact, lack of full certainty about those threats should not be used as a reason for approving the planned intervention or not requiring the implementation of mitigation measures and stringent monitoring.

*International Association for Impact Assessment, International Principles for Social Impact Assessment, 2003:
www.iaia.org/publicdocuments/document-search.aspx*

Social Impact Assessment

The assessment of actions which may affect human welfare, including changes to the lifestyle, health or opportunities available to different sectors of society.

Term / Abbreviation	Definition
ABS	Australian Bureau of Statistics
AHURI	Australian Housing and Urban Research Institute
APO	Australian Policy Online
BOCSAR	NSW Bureau of Crime Statistics and Research
DA	Development Application
PP	Planning Proposal
REF	Review of Environmental Factors
SIA	Social Impact Assessment
SSI	Statement of Social Impact

1.2 Introduction

Ku-ring-gai Council recognises the importance of social sustainability and aims to contribute towards this by ensuring that social issues are given due consideration within any proposed development, plan or policy (from hereon referred to as a 'proposal') that is passed through Council.

All individuals benefit from an inclusive, supportive and stable social environment and Council strives to make Ku-ring-gai a place where people want to live, work, play and visit.

Impact assessment is used to predict and assess the consequences of a proposal before a decision is made. Impact assessment is most often used for assessing environmental and economic impacts, but it is imperative that social matters are passed through a similar anticipatory process.

Social Impact Assessment (SIA) therefore refers to the assessment of actions which may affect human welfare, including changes to the lifestyle, health or opportunities available to different sectors of society.

The demand for a greater focus on social impacts has been driven through:

- Increasing awareness of the need for planning authorities to apply social criteria in making decisions about development and land use;
- Pressures arising from increasing densities and a changing demographic profile;
- Increasing emphasis by Council and the community on sustainability; and
- The goal to promote a cohesive, connected, caring, safe, and equitable community.

Including SIA in its decision-making enables Ku-ring-gai Council to provide democratic and responsible government, as well as develop the commitment, systems and practices for Ku-ring-gai to be a leader in social sustainability.



Figure 1: SIA ensures that different sectors of society are considered.

1.3 Legislative and Policy Context

Council's requirements to consider social impacts are guided by legislation and Council policy. The Federal and State legislative framework ranges from general requirements to specific obligations, and includes:

- The Environmental Planning and Assessment Act 1979 (the Act) s.79C(1)(b) specifying the matters Council should take into consideration when assessing Development Applications (DAs):

“The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality”;

- Part 5 of the Act;
- Commonwealth and State legislation and policy such as the
 - NSW Local Government Act 1993,
 - NSW Disability and Services Act 1993, and
 - Federal Disability Discrimination Act 1992;
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
- State Environmental Planning Policy (Affordable Rental Housing) 2009;
- NSW Department of Planning & Infrastructure:
 - *‘A Guide to Preparing Planning Proposals’: Under Section C, the proponent is required to provide justification as to how has the planning proposal adequately addresses any social and economic effects.*

Council may also be requested to comment on applications for licences sought under the following:

- *The Liquor Act 2007* which specifies circumstances under which an application or amendment to a liquor licence require a Community Impact Statement (CIS) and notification to the local council; and
- *The Gaming Machines Act 2001* which specifies the conditions under which clubs and hotels are required to lodge a Local Impact Assessment (LIA) with the Casino, Liquor and Gaming Control Authority and with Council.

Council's legislative and policy framework in relation to developing SIA policies and guidelines includes, but is not limited to:

- Ku-ring-gai Local Environmental Plan (Local Centres) 2012
- Ku-ring-gai Local Environmental Plan 2015
- Ku-ring-gai Local Centres Development Control Plan;
- Ku-ring-gai Development Control Plan 2015

PART 2 – POLICY

2.1 Purpose and Objectives

The purpose of this Policy is to ensure that social impacts are effectively assessed as part of Council decision-making. It will support Council to deliver a social environment that:

- is fair for all sectors of society;
- meets the needs of the present without compromising the ability of future generations to meet their needs.

It also provides a guide as to when SIA is required in response to a social consequence that may occur as a result of a proposal.

The objectives of this Policy are to:

- Support the delivery of the Community Strategic Plan 2030 vision of a creative, healthy and liveable place where people respect each other and conserve the environment for the benefit of future generations;
- Ensure social impacts are considered in Council decision-making and planning;
- Ensure consistency and transparency in Council's assessment of the social impacts of new proposals;
- Consider relevant policy, policy priorities and legislation in the assessment of proposals (for example: affordable housing, equitable access to services, integrated community facilities and sustainable transport);
- Ensure the inclusion of effective and timely public involvement; and
- Maximise the positive social impacts of a proposal and minimise the negative impacts.

2.2 Scope

The adoption of this policy will affect the applicants/ proponents in the social impact information required to accompany planning proposals/ development applications, and Council in adequately fulfilling its range of legislative requirements in the assessment of proposals, both from private proponents and for Council's own works.

2.3 Responsibilities

Ku-ring-gai Council assumes the overall responsibility for ensuring compliance with this policy.

2.4 Principles

Effective SIA complies with the following principles. These principles must be considered by Council in assessing whether or not an SIA is satisfactory. The SIA must:

- i) Support socially sustainable development and decision-making, contributing to the determination of best policy, planning or development alternatives;
- ii) Acknowledge the values of different sectors of society;
- iii) Adopt the precautionary principle;
- iv) Assess the distributional equity of impacts in regard to both intra-generational equity and inter-generational equity;
- v) Identify impacts that are directly related to the proposal (demonstrate the connection between the intervention and the likely impact);
- vi) Address how net social benefit can be enhanced through the proposal and how negative social outcomes can be ameliorated and managed through mitigating and monitoring measures; and
- vii) Demonstrate rigour and a social science base in presenting evidence for the assessment and recommendations.

2.5 Managing Social Impacts

When managing social impacts and conducting a social impact assessment the proponent should adopt a similar approach to an environmental impact statement.

For negative impacts:

- take action to avoid or minimise negative impacts for the project, host community or affected region
- take balancing actions to improve outcomes for affected stakeholders according to type, severity, longevity and location.

For positive impacts:

- identify the potential to capitalise on or maximise positive impacts in order to achieve optimum benefits for the community.

2.6 Levels of Assessment

An assessment of social impact is required in accordance with Table 1.

Type of proposal	Where comment is required	Who is responsible?
Development application	Statement of Environmental Effects or Environmental Impact Statement Report to Council	Applicant Council
Planning proposal (e.g. rezoning, change in land use)	Planning Proposal	Proponent
Council policies, plans or projects	Report to Council	Council
Certain development or activity permitted under Part 5 of the EP&A Act 1979	Review of Environmental Effects or Environmental Impact Statement	Proponent

Table 1. When is a comment on social impact required?

The level of social impact assessment required varies with the type and scale of the proposal:

- i) For most purposes, a comment (in the proposal and in Council's assessment) outlining the social impacts is all that is required.
 - This basic assessment briefly addresses social impacts (positive, neutral, and negative).
 - It need not be long but must contain sufficient information for Council to be satisfied that the social impacts of a proposal are reasonable.
 - This level of assessment should not require specialist technical assistance to complete.
- ii) Consideration of social impacts is not required for exempt or complying development or for any other minor or very small-scale proposals which are unlikely to have any negative social impacts.
- iii) For some proposals, a formal Statement of Social Impact will be required. See Section 2.7 of this Policy.

2.7 Statement of Social Impact

What is a Statement of Social Impact?

A Statement of Social Impact (SSI) is a document containing a description and analysis of social impacts with recommendations. The recommendations may (and frequently do) contain management and mitigation measures to address identified impacts. A specialist consultant will usually be required to complete an SSI. Refer to the Guidelines at the end of this policy for more information.

An SSI conducted under this policy will be part of the supporting documentation for a proposal. It is a public document. It should not duplicate other issues being addressed, eg in a Statement of Environmental Effects or a Planning Proposal, but the key outcomes should be summarised within these documents.

When is an SSI required?

An SSI will only be required in the case of proposals which are likely to have a significant social impact because they are likely to:

- contribute to social inequity;
- increase risk to public safety or welfare
- threaten the existing sense of community identity or cohesiveness.

Table 2 provides some examples of when an SSI may be required.

Note: It is important that the proponent discusses the potential need for an SSI with Council, early in the design stage of a proposal.

Type of proposal	Example	Who is responsible?
Development application*	Types of developments: <ul style="list-style-type: none"> • Major public transport facilities; • Retail complexes; • Major health or education institutions; • Hotels; or • Sex Services Premises (depending on factors such as size and location); • Demolition or conversion of low cost residential accommodation or boarding houses 	Applicant
Land use plans	Planning Proposal for a Local Environmental Plan, change in permitted use, or rezoning.	Proponent
Council policies, plans or projects	Community Infrastructure, such as outdoor sports facilities	Council

Table 2. When might an SSI be required?

* Final determination as to whether an SSI will be required in support of a proposal should be made in consultation with the relevant department of Council.

When an SSI is not required?

Common proposals will not require an SSI. These include proposals for dwelling houses, residential flat buildings, commercial alterations and additions, community buildings, changes to floor space or height, development control plans and traffic policies.

2.8 Development Applications and Planning Proposals

Council may require a statement of social impact for planning proposals lodged with Council that seek to change land uses or zones, or development applications for major or controversial proposals.

An SSI may be necessary to support Council and the applicant to:

- Identify the potential impacts of the changes proposed;
- Guide land use change and development;
- Identify opportunities to manage both positive and negative impacts; and
- Gather information about potential residents/users and their needs;
- Estimate potential demand for community facilities and services.

Consideration of social impacts should be undertaken well prior to the lodgement of the Development Application or Planning Proposal, to ensure there is an opportunity to modify the proposal to ensure social implications are addressed.

2.9 Council Policies, Plans and Projects

Council requires the consideration of social impacts for new or revised Council proposals that may bring about significant social change. Analysis of social issues forms an increasingly important part of Council reporting and decision-making.

The key benefit from considering social impacts in this way is that Council develops a better understanding of the impacts of change on communities. It also supports the implementation of key Council policies, plans, or projects, such as the Affordable Housing Strategy, Disability Discrimination Act Action Plan, or the redevelopment of a community centre.

It is not Council's policy to require the consideration of social impacts for projects, policies, or plans that trigger only minor social change, such as, minor works, erection of signage, or road or park maintenance. Social impact assessment is being integrated into key Council reporting processes to expand the social impact information available for decision-making.

Some proposals may require an SSI, for example for some major community infrastructure located close to residential development.

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PART 3 – GUIDELINES FOR PREPARING A STATEMENT OF SOCIAL IMPACT

3.1 Introduction

To facilitate the implementation of this Policy, Council has prepared guidelines on the preparation of a SSI for applicants and council officers.

The objective of these guidelines is to assist applicants, the community and Council to identify and address potential positive and negative social impacts of any proposed development.

In order to realise this objective, the guidelines:

- Provide clear guidelines as to how statements of social impact should be prepared; and
- Describe common errors and a more appropriate alternative.

3.2 Preparing a Statement of Social Impact

Process

1. Begin by scoping
2. Collect data and inputs iteratively
3. Identify the key impact issues
4. Review data to confirm the issues / collect more data
5. Assemble the data in what will become a series of attachments
6. Write the analysis which explains the identification of key issues - refer to the data/sources in your attachments
7. Write your assessment
8. Make your recommendation

Suggested Report Structure

1. Description of proposal
2. Identification of key impact issues
3. Assessment
4. Recommendation
5. Attachments: containing data and consultation inputs etc.

Measuring social impacts

Social impacts must be measured from an existing baseline of social conditions, established by quantitative and qualitative data.

- Impact measurements include:
 - positive (desirable)
 - negative (adverse)
 - scale (size) - e.g. 5 or 1000 jobs
 - time duration - e.g. short or long-term
 - intensity or severity
 - cumulative effects of impacts
 - social equity or distribution of impacts across different groups - e.g. vulnerable groups such as the underprivileged, aged, youth, unemployed, minority groups
 - meaning, perceptions of social significance of proposed changes

3.2 Preparing a Statement of Social Impact (continued)

Criteria for determining if an impact is significant or not involves estimating how likely it is for an impact to occur and calculating how severe that impact may be, considering:

- number of people likely to be affected
- duration
- economic impact of benefits and costs to affected groups
- extent of multiple or consequent impacts
- level of certainty about the possible effect of the impacts
- presence of controversy over the issue

Data Sources

The SSI should have a strong foundation in evidence gathered from a range of data sources such as:

- reputable research findings (usually academic research)
- previous social impact assessments
- systematic literature reviews (e.g. for evidence-based health and education issues)
- grey literature (public agency reports on social policy issues)
- alerts e.g.:
 - APO (www.apo.org.au)
 - ABS (www.abs.gov.au)
 - AHURI (www.ahuri.edu.au)
 - BOCSAR (www.bocsar.nsw.gov.au)
 - Joseph Rowntree Foundation (www.jrf.ork.uk)
 - Pew Research Centre (www.pewresearch.org)

3.3 Common Errors and Best Practice

SSIs often contain a mix of the problems outlined in the table below, as well as being the product of certain shortcuts in regards to the Principles (see Part 2.1 of this Policy). A satisfactory SSI must achieve the following

- Disclosure of pecuniary and non-pecuniary interests and professional disinterest achieved
- Adequate timeframes for completion of the SSI
- Application of the precautionary principle*
- Public disclosure of the SSI

Common Errors and Difficulties	Correct Procedure
<p>Shortage of directly relevant information</p> <p>Information on a particular social issue most likely relates to a different location and context.</p> <p>Non-professionals may have difficulty locating the best available comparative data, and difficulty in assessing whether it is reliable or valid.</p>	<p>Apply an array of data</p> <p>The application of an array of data to the proposal to be assessed requires extrapolation, requiring professional expertise.</p>
<p>Biased inputs</p> <p>Selective use of inputs can lead to inaccurate description of impacts and potential mitigation measures and an inaccurate assessment.</p>	<p>Applicable and relevant inputs</p> <p>Where certain relevant references have been used and others have not, explain the reasons for omitting these documents.</p> <p>Consult relevant stakeholders or a representative sample of stakeholders.</p> <p>Boundaries on maps should reflect all potential affected areas and maps should be at a meaningful scale.</p>
<p>Biased assessment</p> <p>Bias in assessment happens commonly when likely outcomes that are unfavourable to the proposal are assessed as unlikely or unimportant or are omitted, and when likely outcomes favourable to the proposal are reported favourably in lengthy detail.</p> <p>Bias can easily result from the cumulative effect of methodological errors during research and analysis. The issues mentioned above, such as selective use of references, assumptions underpinning demographic or other projections, double counting and treating unsupported promises as committed deliverables of the proposal can lead to this bias.</p>	<p>Balanced assessment</p> <p>A balanced assessment can be performed when the professional preparing the SSI has maintained professional disinterest and put in place measures to ensure all data is accurate and relevant.</p>

3.3 Common Errors and Best Practice (continued)

Common Errors and Difficulties	Correct Procedure
<p>Before and after</p> <p>Making an assessment of social conditions “before” and “after” the proposed change.</p> <p><u>Example:</u> A hotel applies for another 80 gaming machines, stating that:</p> <ul style="list-style-type: none"> • The population of its local government area will grow by 2% in 5 years; • With the additional gaming machines, the number of adults per gaming machine in 5 years will be the same as now. 	<p>With or without</p> <p>Assessment should be made in terms of “with” or “without” the proposed change.</p> <ul style="list-style-type: none"> • The comparison should be against the ‘no gaming machine change’. • Without the additional gaming machines, in 5 years the number of adults per gaming machines will be less, i.e. a positive social outcome.
<p>Double Counting</p> <p>Double Counting occurs when the value of a cost or benefit is counted twice.</p> <p><u>Example:</u> An SSI for a pub states:</p> <ul style="list-style-type: none"> • There will be people under the influence of alcohol who become aggressive or violent. • This will be offset/neutralised by a security and guard dog patrol of the premises and providing an escort for people to their cars on request. • The proponent will donate \$50,000p.a for the next 5 years toward the running of the service. <p>The proponent summarises the net position as:</p> <p>Costs: Decreased safety will be offset by the security service = no net cost</p> <p>Benefits: \$50,000 donation p.a for the next 5 years towards the running of the service.</p> <p>Net Benefit: \$50,000 per annum.</p>	<p>Proper calculations of net benefits</p> <p>A more accurate summary would be:</p> <p>Costs: Increase in personal injury (by x%)</p> <p>Benefits: Cost of security guard and dog patrol (wages for 1 guard and dog upkeep for 3 days a week) provided for 5 years. Estimated to reduce injuries by x%.</p> <p>Net Cost/Benefit: Short term: Nil for first 5 years Long term: ?</p>

3.3 Common Errors and Best Practice (continued)

Common Errors and Difficulties	Correct Procedure
<p>Over-reliance on consultation inputs</p> <p>Some problem areas in consultation practice include:</p> <ul style="list-style-type: none"> • Consultation is substituted for research and/or expert advice and/or professional assessment. Social planning does not mean solely relying on community consultation. • The consultation is undertaken regarding proposal A when the proponent is already putting options C and D to the consent authority. • The consultation is actually a public relations exercise - invitations are vetted, dissenting views do not appear in the report. • The consultations relate to a portion of the proposal and not the proposal as a whole. 	<p>Combination of data and expert opinion</p> <ul style="list-style-type: none"> • A considered combination of consultation, academic literature, statistics and expert opinion needs to inform the assessment. • The SIA must cover the relevant proposal and consultation is to be a transparent process. • Consultation involves collecting all stakeholder feedback where possible and cannot be selective.
<p>Mitigations that are not effective</p> <p>'Mitigations' that do not really ameliorate the social impacts of the proposed change, or those that lack supporting literature or empirical data.</p> <p><u>Example:</u> The proponent suggests funding the monitoring of acoustic levels.</p> <p>This does nothing to reduce any noise impacts, only identify them.</p>	<p>Mitigations backed by research and results</p> <p>A proposed mitigation should be likely to be effective in reducing adverse impacts.</p> <p><u>Example:</u> The proponent lodges a bond to cover the cost of additional soundproofing treatment of the facility and purchase of noise limiters. The proponent agrees that the noise limiters shall be locked and council will have the key. The proposed noise limiters have been proven to be effective.</p>
<p>Mitigations that are not guaranteed</p> <p>A mitigation is not a suggestion.</p> <p>Aside from Conditions of Consent in a development application, once consent is given, there is no mechanism to make these happen or ensure their quality.</p> <p>These kinds of 'mitigations' may also not be within the role, responsibility or capability of the proponent to deliver.</p> <p><u>Example:</u> A recommendation that another party (bus company, library) carries out a measure (re-route services, opens longer hours). This is not a mitigation measure but a suggestion.</p>	<p>Mitigations deliverable by the proponent</p> <p>A recommended mitigation must be deliverable by the proponent, and can be enforced through Conditions of Consent (for a DA).</p> <p>A proposed mitigation needs to be delivered in some way that indicates that it will happen.</p> <p><u>Example:</u> In the Voluntary Planning Agreement the proponent agrees to dedicate a portion of their land to Council for community use.</p>

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