



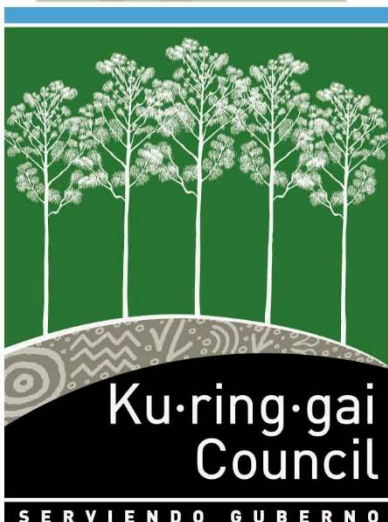
Ku-ring-gai Council

Social Impact Assessment Policy

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PART 1 - PRELIMINARY

1.1 Definitions

Impact assessment	is a method for predicting and assessing the consequences of a proposed action or initiative on affected people before a decision is made.
Social impact	<p>is a consequence experienced by people due to change associated with a planned intervention (project, development, policy, program etc.) Social impacts can involve changes to a person's:</p> <ul style="list-style-type: none"> • <i>way of life</i>: how they live (including access to housing), work (access to employment or working conditions/practices), play (access to recreation activities), and interact with one another on a daily basis; • <i>culture</i>: shared beliefs, customs, values, language/dialect and connections to land, places, and buildings; • <i>community</i>: cohesion, stability, character, services, facilities; • <i>political systems</i>: extent to which a person can participate and be heard; • <i>decision-making</i>: the extent to which people can have a say in decisions that affect their lives, and have access to complaint, remedy and grievance mechanisms; • <i>the environment</i>: quality of the air and water that people use; the availability and quality of the food they eat; level of exposure to hazards, risk, dust and noise; the adequacy of sanitation; physical safety; access to and control over resources; • <i>health and wellbeing</i>: including physical, mental, social and spiritual wellbeing - not merely the absence of disease or infirmity; • <i>personal and property rights</i>: whether people are economically affected, or experience personal disadvantage which may include a violation of their civil liberties; • <i>fears and aspirations</i>: perceptions about safety, fears about the future of their community, and their aspirations for their future and the future of their children; • <i>access and use of infrastructure, services and facilities</i>: provided by local, state, or federal governments, or by for-profit or not-for-profit organizations or volunteer groups.
Social Impact Assessment	includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions (policies, programs, development, plans, projects, proposals) and any social change processes invoked by those interventions. Its primary purpose is to bring about a more sustainable and equitable biophysical and human environment. (International Association for Impact Assessment)

the assessment of the social consequences of a proposed decision or action (such as development and planning proposals, plans, policies, and projects) on affected groups of people and on their way of life, life chances, health, culture and capacity to sustain these.

The following are taken to be interchangeable terms and to have a similar intent within this document:

- Social Impact Assessment
- Community Impact Assessment
- Health Impact Assessment

Social issues cover all aspects of human life including how we live, our culture, our community, our health and wellbeing, and our aspirations.

Statement of Social Impact is the result of conducting a Social Impact Assessment. It is a report that describes the social impacts arising out of a proposal, and how they will be treated.

1.2 Abbreviations

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

1.3 Legislative Requirements

Social impact assessment requirements are guided by the following legislation and policy:

- *Environmental Planning and Assessment Act 1979* (EP&A Act):

This guides Council's land-use planning including assessment of Development Applications and Planning Proposals. The EP&A Act seeks:

- a. To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.
- b. To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.
- c. To promote the orderly and economic use and development of land.
- d. To promote the delivery and maintenance of affordable housing.
- e. To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.
- f. To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- g. To promote good design and amenity of the built environment.
- h. To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.
- i. To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.
- j. To provide increased opportunity for community participation in environmental planning and assessment.

Council is to take the following Parts of the EP&A Act into consideration:

- o Part 4 - s4.15 matters when assessing a Development Application:
 - The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.
 - The suitability of the site for the development.
 - Any submissions made in accordance with this Act or the Regulations.
 - The public interest.
- o Part 5 when assessing activities that do not need development consent (such as transport and utility works):
 - Identify environmental assessment requirements.
 - Mitigate and avoid unintended construction-related conflicts.

The sensitivities of communities to a particular land use may be so significant that they render a site unsuitable for the proposed development – for example, a large discount bottle shop, brothel or gambling premises near a school or child-related service premises; a major roadway requiring removal of heritage, biodiversity or riparian land features.

- *The Liquor Act 2007*

Council may be requested to comment on applications for licences sought under this Act.

This Act specifies circumstances under which an application or amendment to a liquor licence requires a Community Impact Statement (same as a Social Impact Assessment) and notification to Council.

- *The Gaming Machines Act 2001*

Council may be requested to comment on applications for licences sought under this Act.

This Act specifies the conditions under which clubs and hotels are required to lodge a Local Impact Assessment (same as a Social Impact Assessment) with the Casino, Liquor and Gaming Control Authority and with Council.

- *NSW Local Government Act 1993,*

Section 8A Guiding Principles for Councils states:

- a. Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- b. Councils should act fairly, ethically and without bias in the interests of the local community.
- c. Councils should consider social justice principles.
- d. Councils should consider the long term and cumulative effects of actions on future generations.
- e. Council decision-making should be transparent, and decision-makers are to be accountable for decisions and omissions.
- f. Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g. Councils should work with others to secure appropriate services for local community needs.
- h. Councils should act fairly, ethically and without bias in the interests of the local community.

- Requirements under other Commonwealth and State legislation

Social Impact Assessments are to consider equitable rights for all sectors of the community as described in the following:

- *NSW Disability and Services Act 1993*
- *Federal Disability Discrimination Act 1992*
- Requirements under State policy and guidelines:
 - *State Environmental Planning Policy (Housing) 2021*

This SEPP considers equitable housing provision for all sectors of the community including appropriate and affordable housing for seniors, people with a disability, and lower income groups. It also seeks to limit impacts of new housing on neighbouring residents and the environmental, community and character context of any new housing development.
 - NSW Department of Planning & Environment: *Local Environmental Plan Making Guideline:*

Part 3, Section C of the Guideline requires the proponent to provide justification as to how their planning proposal addresses any social and economic impacts resulting from their proposal.
- Requirements under Council’s policy and guidelines:

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 2015*
 - *Ku-ring-gai Development Control Plan 2015*

1.4 Application

This Policy has been prepared for any individual or organisation submitting a proposal related to land related use or activity within the Ku-ring-gai Local Government Area.

It serves as a guide only, and provides general information to assist in understanding:

- what a Social Impact Assessment is, and its benefits;
- when a Social Impact Assessment is required; and
- suggestions on the content and process for completing a Social Impact Assessment.

PART 2 – POLICY

2.1 Background

Ku-ring-gai Council recognises the importance of social sustainability – ensuring the continued well-being and longevity of communities and societies. Council seeks to ensure social issues are given due consideration in the decision making process for any proposed development, plan or policy that is passed through Council.

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

Impact assessments are most often used for assessing environmental impacts and economic impacts. It is imperative that social matters are passed through a similar anticipatory process and given due consideration in any decision making process.

A Social Impact Assessment (SIA) is used to predict and assess the consequences of a proposal before a decision is made. The SIA looks 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 for planning authorities to apply social criteria in development and land use decision making;
- 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.

The inclusion of SIA in land use and development decision-making enables Ku-ring-gai Council to develop the commitment, systems and practices that provide a greater democratic and responsible government.



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

2.2 Purpose

The purpose of this Policy is to ensure social impacts are effectively assessed in any land related proposal, with the positive and negative consequences clearly presented to enable Council to make informed decisions.

The Policy will support Council's delivery of a social environment that:

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

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 properly considered in decisions relating to land-use planning, development and activities;
- ensure consistency and transparency in Council's assessment of the social impacts of proposals;
- consider relevant policy, policy priorities and legislation in the assessment of proposals, such as 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 any negative impacts.

2.3 Scope

The Policy guides applicants/proponents on the type of social impact information required to accompany their development applications and other land-related proposals, so that Council is able to fulfill its legislative requirements in the assessment of proposals, both from private proponents and for Council's own works.

2.4 Responsibilities

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

2.5 Principles

Certain principles must be considered by Council in assessing whether or not a SIA is satisfactory. An effective SIA must comply with the following principles:

- 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 (see note below).
- 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.
- vii) Demonstrate rigour and a social science base in presenting evidence for the assessment and recommendations.

Note: *Precautionary Principle*

Where there are threats or potential threats of serious social impact, lack of full certainty about those threats is not to be used:

- as a reason for approving the planned intervention; and
- 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)

2.6 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 social impact comment is required	Who is responsible for preparation of the comment?
Development application	Statement of Environmental Effects or Environmental Impact Statement	<ul style="list-style-type: none"> • Applicant • Council
Planning proposal (e.g. rezoning, change in land use)	<ul style="list-style-type: none"> • Planning Proposal 	<ul style="list-style-type: none"> • Proponent
Council policies, plans or projects	<ul style="list-style-type: none"> • Report to Council 	<ul style="list-style-type: none"> • Council
Certain development or activity permitted under Part 5 of the EP&A Act 1979	<ul style="list-style-type: none"> • Review of Environmental Effects or Environmental Impact Statement 	<ul style="list-style-type: none"> • Proponent

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 2.8 of this Policy.

2.8 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. It is a record, analysis and recommendations arising from the Social Impact Assessment (SIA).

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 (for example, 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 a proposal which is likely to have a significant social impact because it is likely to:

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

It is important that the proponent discusses the potential need for an SSI with Council, early in the design stage of a proposal. Table 2 provides some examples of when an SSI may be required and who is responsible for its preparation.

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

2.9 Development Applications and Planning Proposals

Council may require a SSI for planning proposals that seek to change land uses or zones, and for 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;
- gather information about potential residents/users and their needs; and
- 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 address any social implications.

2.10 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 on its own land.

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 *Access and Disability Inclusion 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.

PART 3 – GUIDELINES: 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 SIA 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.

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 (for example: 5 or 1000 jobs);
- time duration (for example: short or long-term);
- intensity or severity;
- cumulative effects of impacts;
- social equity or distribution of impacts across different groups (for example: vulnerable groups such as the underprivileged, aged, youth, unemployed, minority groups);
- meaning, perceptions of social significance of proposed changes.

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. The considerations include:

- 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 evidence-based foundation 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 including from
 - 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 2.5 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 (as described at 2.5 of this document).
- Public disclosure of the SSI.

TABLE 3: Common Errors and Best Practice	
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>
<p>Before and after</p> <p>Making an assessment of social conditions “before” and “after” the proposed change.</p> <p><u>Example:</u></p>	<p>With or without</p> <p>Assessment should be made in terms of “with” or “without” the proposed change.</p>

<p>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. 	<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></p> <p>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 \$50,000 pa 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 pa 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 – (covered by 5 year donation) Long term: \$x per annum for x time</p>
<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 backed by research and results</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></p> <p>The proponent suggests funding the monitoring of acoustic levels.</p> <p>This does nothing to reduce any noise impacts, only identify them.</p>	<p>A proposed mitigation should be likely to be effective in reducing adverse impacts.</p> <p><u>Example:</u></p> <p>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></p> <p>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></p> <p>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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