

Guidelines: Social Impact Assessment

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1. APPLICATION

These guidelines are relevant for applicants preparing a Development Application identified Table 1: Development Type and Social Impact Assessment Form within the Cessnock Local Government Area.

2. OBJECTIVES

- To provide a clear, consistent and rigorous framework to identify, analyse and manage potential and actual social impacts of planning proposals or development applications.
- To improve development outcomes by the early identification of potential and actual social impacts.
- To manage or mitigate negative social impacts and enhance positive social impacts of development.
- To encourage meaningful, equitable and effective community engagement that informs social impact assessments and management strategies, mitigation and enhancement measures.
- To consider the social impacts of planning proposals or development applications in Council's decision making processes.

3. WHAT IS SOCIAL IMPACT ASSESSMENT?

Social impacts are the consequences of actions on groups of people and on society. Social impacts can be positive or negative. Social impact assessment is the identification and appraisal of likely social impacts, whether intended or unintended, short or long term, of a proposed event such as a projects, a development, or a policy¹.

4. WHY ARE SOCIAL IMPACT ASSESSMENTS NECESSARY?

Undertaking a Social Impact Assessment assists the proponent to identify and understand the potential and actual social impacts associated with a proposed development and provides an opportunity to manage or mitigate negative social impacts and enhance positive social impacts prior to Council determination.

The preparation of a Social Impact Assessment Report assists Council to assess the social impacts that will likely occur as a result of a planning proposal or development application and whether community wellbeing will be negatively impacted.

4.1 LEGISLATION AND POLICIES

Council has a statutory obligation under the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* to consider:

- The likely impacts of a proposed development (submitted via a development application), including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, and
- The public interest.

The *Local Government Act 1993* Section 8A sets out guiding principles for councils and includes recognising diverse local community needs and interests, the consideration of social justice principles and the effects of actions on future generations and transparent decision-making.

¹ Ziller, A. (2021), Social Impact Assessment: the good, the bad and the unbelievable

Relevant Commonwealth legislation, along with NSW legislation including State Environmental Planning Policies is required to be considered in the development of relevant Social Impact Assessments.

5. FORMS OF SOCIAL IMPACT ASSESSMENT

5.1 SOCIAL IMPACT COMMENT

A Social Impact Comment is a basic level assessment that considers and addresses the positive and negative implications associated with a development application.

5.1.1 MINIMUM STANDARDS FOR A SOCIAL IMPACT COMMENT

A Social Impact Comment can be incorporated in a Statement of Environmental Effects and must include:

- A brief description of how the proposed development will impact the local area.
- Details of any community engagement undertaken and feedback received.
- A list and description of potential social (including crime) impacts, both positive and negative.
- A plan of how identified impacts will be managed, mitigated or enhanced.

5.2 SOCIAL IMPACT ASSESSMENT REPORT

A Social Impact Assessment is required to identify, analyse and manage potential and actual social impacts (positive, negative, perceived and cumulative) associated with a proposed development.

A Social Impact Assessment is required to be a standalone report accompanying the submitted development application. The Social Impact Assessment Report is required to be prepared by a suitably qualified and experienced person and must detail the credentials of the person responsible for its preparation. The Social Impact Assessment Report must contain sufficient information for Council to make a decision.

5.2.1 MINIMUM STANDARDS FOR A SOCIAL IMPACT ASSESSMENT REPORT

A Social Impact Assessment must include the following level of information and analysis:

- A brief description of the proposal.
- A community profile which presents baseline demographic data.
- Audit and mapping of social infrastructure (if applicable).
- A description of the community that will be affected by the proposal.
- Community engagement methodology and findings.
- A description and analysis of potential social (including crime) impacts, both positive and negative.
- Management strategies, mitigation and enhancement measures.

6. WHEN IS A SOCIAL IMPACT ASSESSEMENT REQUIRED?

The table below lists the type of developments requiring a Social Impact Comment or Social Impact Assessment. Council may require a Social Impact Comment or Social Impact Assessment for a planning proposal or development application not detailed in the table below if:

- There are likely social impacts.
- There is a modification, extension or expansion of an existing development that could result in likely social impacts.

- There is a perceived conflict between the proposal and its locality.
- It is anticipated the proposal will generate significant public objection.

Table 1: Development Type and Social Impact Assessment Form

Development Type	Social Impact Comment	Social Impact Assessment
Dwellings and Accommodation		
Affordable rental housing* (either new or proposed removal) including boarding houses, group homes and hostels that have the capacity to accommodate fewer than 20 people	•	
Affordable rental housing* (either new or proposed removal) including boarding houses, group homes and hostels that have the capacity to accommodate 20 or more people		•
Seniors' housing that has the capacity to accommodate fewer than 20 people	•	
Seniors' housing that has the capacity to accommodate 20 or more people		•
Manufactured home estates, caravan parks and camping grounds of any size or capacity*		•
Tourist and visitor accommodation that has the capacity to accommodate 50 or more people		•
Social Infrastructure		
Centre-based child care facilities and educational establishments with fewer than 100 places	•	
Centre-based child care facilities and educational establishments with 100 or more places		•
Health consulting rooms with three or fewer consulting rooms	•	
Hospitals and health services facilities with four or more consulting rooms		•
Correctional centres of any size or capacity		•
Recreation areas and recreation facilities (indoor and outdoor) of any size or capacity*	•	
Community facilities and information and education facilities of any size or capacity	•	
Entertainment facilities, function centres and recreation facilities (major) that have the capacity to hold 1000 or more people*		•
Commercial and Industrial		
New commercial premises with an estimated cost of development of \$5 million or more*		•
New specialised retail premises with an estimated cost of development of \$5 million or more*		•
New industrial premises with an estimated cost of development of \$5 million or more		•
Food and drink premises and shops trading between 12.00am and 5.00am*		•
Service stations and highway service centres trading between 12.00am and 5.00am*		•
New licensed premises (cellar doors, hotels, registered clubs, pubs, small bars, packaged liquor outlets) of any size or capacity*		•
Extension of licensed premises trading hours past 12.00am*		•
Other Development		
Restricted premises and sex services premises of any size or capacity*		•
Temporary events with an expected attendance of 5000 or more people*	•	
Amusement centres of any size or capacity*	•	
Cemeteries and crematoriums of any size or capacity	•	
Self-storage units of any size or capacity	•	
Places of public worship of any size or capacity	•	

*development types that also require a Crime Prevention through Environmental Design (CPTED) Assessment Report. CPTED Assessment Reports should be undertaken in accordance with Cessnock City Council Crime Prevention Through Environmental Design Guidelines.

7. ELEMENTS OF SOCIAL IMPACT ASSESSMENT REPORTS

7.1 COMMUNITY PROFILE

Community profiling assists in understanding the community in which the proposed development is located. A community profile can include:

- Population data.
- Any relevant characteristics of the population including age distribution, health profile, levels of disadvantage and housing, employment or education outcomes.
- Crime data and trends.
- An estimated size of the intended population or user group.
- Audit and mapping of social infrastructure (if applicable).

The social baseline data presents the social context without the proposed development. It becomes a benchmark against which impacts can be predicted or analysed.

A community profile should include an estimated size of the intended population or user group associated with the proposed development and any foreseeable changes to the social baseline resulting from the proposed development.

If the proposed development is residential, social or commercial infrastructure and the intended population or user group will likely place an increased demand on existing services, an audit and mapping of social infrastructure should be undertaken.

Social infrastructure is comprised of the facilities, spaces, services and networks that support the quality of life and wellbeing of our communities². Social infrastructure can include community, cultural, education, recreation, health, emergency and public transport services.

An audit should list available social infrastructure and map its distance from the proposed development. Any foreseeable need for social infrastructure expansion or adaption to service the intended population or users should be identified in the Social Impact Assessment Report.

7.2 COMMUNITY ENGAGEMENT

Community engagement is a process of involving people that are affected by or interested in a decision. It enables good governance, problem solving and decisions that are balanced and informed, resulting in better outcomes. It supports transparency, builds trust in the decision making process and an understanding of decisions³.

Communities that could be affected as result of a development have an important role in identifying potential social impacts and explaining how these impacts may be experienced. It is important that community engagement is meaningful and undertaken early enough in the planning process that responses can be planned for or implemented prior to lodgement of the Development Application. The purpose of community engagement is not to gain consent from the affected community but to provide an opportunity to identify potential and actual social impacts associated with the proposal.

Individuals and groups who could be affected by a proposed development include:

² Australian Government (2019) Australian Infrastructure Audit 2019 – Social Infrastructure

³ Cessnock City Council (2020) Community Engagement Strategy

- a. Those who live or work near the development.
- b. Those who will hear, smell or see the development or its impacts.
- c. Those who have an interest in or are likely to be affected by the development, but may not live in close proximity (for example: traditional owners, service providers, local committees and community groups).
- d. Those who may normally use the land/space where the development is to be located.

If a development proposal requires submission of a Social Impact Assessment in conjunction with a development application, Council requires some form of community engagement with the affected community to be carried out during preparation of the Social Impact Assessment. The level of engagement required will depend on the proposal, i.e. the more significant the potential social impacts, the greater the engagement requirements.

Community engagement methods can vary but must encourage active contribution from the affected community. The demographic makeup of the affected community must be considered when designing community engagement tools, and information must be presented in a format that can be clearly understood. Providing multiple methods for individuals to provide feedback is encouraged.

The community engagement methodology and engagement findings must be detailed in the Social Impact Assessment Report and include:

- A list of the individuals and groups that were invited to participate in consultation.
- A list of the individuals and groups that participated in consultation.
- The consultation methods used and the options presented to individuals and groups for providing feedback.
- Copies of any surveys, letters or flyers used during community engagement.
- The social impacts identified by individuals and groups through consultation.

7.3 POTENTIAL SOCIAL IMPACTS

A Social Impact Assessment Report must identify and provide an analysis for both the positive and negative social impacts associated with the planning proposal or proposed development. The identified social impacts should be informed by an evidence based approach that considers community profile data and trends, relevant comparative studies or literature, and community engagement findings.

The analysis should consider the nature and extent of potential social impacts against the social baseline data presented in the community profile.

Social impacts can be experienced outside of the immediate vicinity of the development site and can be direct and indirect, long term and short term, positive, negative and cumulative. Social impacts can affect different sections of the community in different ways. If it is likely that particular groups or individuals will be advantaged or disadvantaged as a result of the planning proposal or proposed development, it should be identified in the Social Impact Assessment Report.

Individuals and groups may perceive that there are potential social impacts or risks associated with a planning proposal or proposed development (for example: health, environmental, safety and crime impacts). These perceived impacts should be considered as valid social impacts that require management or mitigation.

The following categories can be used to assist in identifying potential social impacts:

- **Way of life**, including how people live, how they get around, how they work, how they play, and how they interact each day.
- **Community**, including composition, cohesion, character, how the community functions and people's sense of place.
- **Accessibility**, including how people access and use infrastructure, services and facilities, whether provided by a public, private or not-for-profit organisation.
- **Culture**, both Aboriginal and non-Aboriginal, including shared beliefs, customs, values and stories, and connections to Country, land, waterways, places and buildings.
- **Health and wellbeing**, including physical and mental health especially for people vulnerable to social exclusion or substantial change, psychological stress resulting from financial or other pressures, and changes to public health overall.
- **Surroundings**, including ecosystem services such as shade, pollution control, and erosion control, public safety and security, access to and use of the natural and built environment, and aesthetic value and amenity.
- **Livelihoods**, including people's capacity to sustain themselves through employment or business, whether they experience personal breach or disadvantage, and the distributive equity of impacts and benefits.
- **Decision-making systems**, particularly whether people experience procedural fairness, can make informed decisions, can meaningfully influence decisions, and can access complaint, remedy and grievance mechanisms⁴.

7.4 MANAGEMENT STRATEGIES, MITIGATION AND ENHANCEMENT MEASURES

The Social Impact Assessment Report must propose measures that manage and mitigate the negative social impacts and enhance the positive social impacts that have been identified through the assessment process. The report must detail any project refinements or approaches that will be undertaken in response to actual and perceived social impacts prior to the planning proposal being implemented.

Some social impacts will be need to be managed after development consent is granted and appropriate management strategies will need to be developed to ensure social impacts are managed over the life of the project. If ongoing management strategies are proposed, supporting documents are required to be submitted that demonstrate how strategies will be managed operationally. Supporting documents could include Plans of Management, Complaints Procedures, Community Engagement Plans, Memoranda of Understanding or support letters.

Council requires Crime Prevention through Environmental Design (CPTED) Assessment Reports for developments that carry an increased crime risk, as detailed in Table 1: Development Type and Social Impact Assessment Form. However, CPTED Principles should be considered in the planning and design of all development. CPTED treatments, measures and strategies should be considered as management and mitigation measures when addressing potential social, safety and crime impacts for development types that don't require a formal CPTED Assessment Report. Further guidance on CPTED can be found in <Cessnock City Council Crime Prevention Through Environmental Design Guidelines>.

8. THE ROLE OF COUNCIL IN THE SOCIAL IMPACT ASSESSMENT PROCESS

Council staff will review the submitted documents and consider the following aspects in the assessment of planning proposals and development applications:

⁴ NSW Department of Planning, Industry and Environment (2021) Social Impact Assessment Guideline for State Significant Projects

- Whether the Social Impact Comment or Social Impact Assessment meets the requirements and minimum standards outlined in these guidelines.
- The validity of data and research presented.
- Whether the community engagement was sufficient and equitable.
- Whether social impacts have been adequately identified and analysed.
- Whether the mitigation and monitoring measures are appropriate.
- Whether the proposed development supports positive social outcomes for the community.
- Any recommended conditions of consent.

9. DATA SOURCES

Source	Type of Data Available
Cessnock Local Government Area	
Cessnock City Community Profile www.profile.id.com.au/cessnock	Population data, demographic statistics and mapping
Cessnock City Economic Profile app.rempln.com.au/cessnock/economy	Employment and business data
Cessnock City Council Population Forecast www.forecast.id.com.au/cessnock	Population forecasts and mapping including age structure and household types
Community Directory https://www.cessnock.nsw.gov.au/Residents/Community-services-support/Community-Directory	Listing of community services, organisations and groups
Cessnock City Council website www.cessnock.nsw.gov.au	Reports, publications and strategic documents
NSW Government	
NSW Bureau of Crime Statistics and Research www.bocsar.nsw.gov.au	Crime statistics, mapping and trend analysis
NSW Health www.health.nsw.gov.au	Emergency department performance, alcohol and other drugs, chronic disease and mental health statistics
Department of Communities and Justice www.facs.nsw.gov.au	Domestic and Family Violence, Social Housing, Homelessness, Employment and Income, Health and Safety statistics
NSW Department of Education www.education.nsw.gov.au	Enrolment numbers, student diversity, attendance data
NSW Fair Trading www.fairtrading.nsw.gov.au	Compliance and enforcement and rental bond lodgement data
Transport for NSW www.transport.nsw.gov.au	Journey to work and mode of transport data, public transport networks
NSW Department of Planning, Industry and Environment www.planning.nsw.gov.au	Population projections, demographic trend analysis, employment lands, housing data and market analysis
Destination NSW www.destinationnsw.com.au	Visitor profiles and tourist expenditure data
NSW Valuer General www.valuergeneral.nsw.gov.au	Land values and property sales
Commonwealth Government	
Australian Bureau of Statistics www.abs.gov.au	Census data, economic, labour, industry, social and health statistics
Services Australia www.servicesaustralia.gov.au	Centrelink, Medicare and child support statistics
Labour Market Information Portal lmip.gov.au	Employment and labour force mapping and statistics

11. CONTACT INFORMATION

If you require further information about these guidelines or Social Impact Assessment requirements please contact Council's Community Planning and Development Team on 02 4993 4100 or council@cessnock.nsw.gov.au