



## LPP/06 SOCIAL IMPACT ASSESSMENT

### 1.0 Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). This Policy may be cited as *Local Planning Policy 06 – Social Impact Assessment* (LPP/06).

### 2.0 Purpose

The purpose of this Policy is to describe when a Social Impact Assessment (SIA) is required for a planning proposal, what it should address, and the ongoing management and implementation of a Social Impact Management Plan (SIMP).

This Policy will assist applicants, the community and industry to identify and address the potential social impacts of specific developments and support the Town making informed decisions on planning proposals.

### 3.0 Objectives

The objectives of this Policy are:

1. To encourage early identification and assessment of positive and negative social impacts of a planning proposal, through the development of a Social Impact Assessment and Social Impact Management Plan to mitigate the adverse effects and maximise positive social outcomes for the impacted community.
2. To outline the Town's expectations concerning the key elements of a Social Impact Assessment, including genuine engagement with stakeholders
3. To support informed decision-making through the incorporation of quality, evidence-based information, and management measures monitored through key performance indicators.

### 4.0 Applications subject of this Policy

#### 4.1 Application Area

This Policy applies to the entire municipality of the Town of Port Hedland and must be read in conjunction with the *Town of Port Hedland Local Planning Scheme No. 7* (Scheme) and the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). If this Policy is inconsistent with the Scheme and the Regulations, the Scheme and Regulations prevail to the extent of any inconsistency.

#### 4.2 Requirement for a Social Impact Assessment

- 4.2.1 In accordance with Clause 67(zf) of the Scheme, a SIA shall be prepared for:
  - (a) Development falling within the use class of 'Workforce Accommodation';
  - (b) Development or land use that the Town considers would result in significant social impact;
  - (c) An amended or updated SIA where an amendment to an aforementioned proposal is submitted to the Town.



- (d) The Town may recommend an SIA be submitted for proposals that do not require development approval under the provisions of the Scheme and Regulations but are required to be referred to the Town for comment, such as:
  - o Proposals under the *Mining Act 1978*; and/or
  - o Proposals covered by a State Agreement ratified by Acts of Parliament.

#### 4.3 Other proposals

Where the Environmental Protection Authority (EPA) has determined that a proposal is to be assessed under Part IV of the *Environmental Protection Act 1986* (EP Act), the EPA prepares an Environmental Scoping Document to define the form, content, timing and procedure of the environmental assessment. The Town may put forward its position to the proponent and EPA that any Environmental Scoping Document also address (amongst other matters) the preliminary key environmental factor ‘Social Surroundings’, and preparation of a Social Impact Assessment be included as required work (amongst other work) for that factor.

The Town may accept a relevant SIA for a proposal that has been prepared under the *Environmental Protection Act 1986* or *Environmental Protection and Biodiversity Conservation Act 1999* and review this information considering the Town’s own requirements for an SIA.

It is not intended for this Policy to be applied retrospectively to existing approved development, except where development applications are made to vary existing approvals, and these are not considered by the Town to be minor variations.

#### 4.4 Mining Proposals

Proponents may be exempted from the requirement to obtain development approval pursuant to State Agreements ratified by Acts of Parliament and the *Mining Act 1978* (WA) (**Mining Act**).

In any case, the Town requires proponents carrying out works in accordance with the Mining Act to provide benefits to community infrastructure where necessary to offset potential social impacts. Works under the Mining Act are broad-ranging, however may include development of roads, mine site workforce accommodation, administration facilities, and airports.

Subject to the Town’s discretion, and dependent on community needs, such benefits may include:

<u>Community need</u>	<u>Benefit</u>
(a) affordable housing	<ul style="list-style-type: none"> <li>• offset cost pressures for residents and effects of demand created from mine construction or operations workers;</li> </ul>



	<ul style="list-style-type: none"> <li>increased costs of living and local amenity from economic pressure created by mining projects</li> </ul>
(b) community infrastructure	<ul style="list-style-type: none"> <li>for remote access or fly-in, fly-out workers not resident within the Town, to seek to recover lost contribution to Town for local amenity;</li> <li>including community buildings, sport and leisure facilities;</li> </ul>
(c) healthcare facilities	<ul style="list-style-type: none"> <li>underprovision of healthcare facilities;</li> <li>addressing healthcare limitations in regional Western Australia (including shortage of medical personnel, to offset regional location and cost of living pressures that makes recruitment difficult);</li> <li>for services regarding catastrophic or serious injuries and ambulances or patient air transport as may relate to mines;</li> <li>for services related to mine sites, to address sexual assault, domestic violence or mental health for fly-in fly-out workers;</li> </ul>
(d) healthcare initiatives for Indigenous Australians	<ul style="list-style-type: none"> <li>addressing disadvantage in communities where substantial business operations are conducted</li> </ul>
(e) cultural heritage	<ul style="list-style-type: none"> <li>measure required to address Aboriginal cultural heritage impacted by mining</li> </ul>
(f) Town infrastructure and expense	<ul style="list-style-type: none"> <li>footpaths, crossings, safety measures and streetscapes in proximity to roads, mines and workforce accommodation proposals;</li> <li>underprovision of additional Town services needed because of mining in remote locations within the Town.</li> </ul>

The requirement to contribute to benefits can include contributions to infrastructure as defined in State Planning Policy 3.6 – Infrastructure Contributions (**SPP 3.6**). The levying of any contribution will be in accordance with the principles underlying development contributions (see paragraph 6.1 of SPP 3.6), and imposed in the manner identified at paragraph 6.7 of SPP 3.6, through conditions of approval or other legal mechanisms, or voluntary legal agreements. Conditions as to the above matters can be imposed after notification, consultation and submission, including in relation to sections 71, 75, 84, 86, 89, 90, 91, 92, 94 and 120 of the *Mining Act 1978* (WA).

## 5.0 Submission requirements

### 5.1 Policy Principles

5.1.1 The following principles are to inform the development and submission of an SIA and SIMP:

- (a) **Lifespan** – should consider the full lifecycle of the proposal.



- (b) **Reasonable** – should be commensurate with the nature and scale of the proposal and the likely significance of the resultant social impacts.
- (c) **Participatory** – engagement to be inclusive, respectful, meaningful and tailored to the needs of potentially impacted individuals or groups.
- (d) **Rigorous** – should be based on objective, comprehensive social impact analysis and incorporate the most up to date information on communities affected.
- (e) **Effective management** – should include effective social management measures that enhance benefits and mitigate negative impacts.
- (f) **Adaptive** – management measures should be monitored, reviewed, and adjusted to ensure ongoing effectiveness.

## 6.0 Policy provisions

6.0.1 Phases of the SIA process are explained in the sections below and include:

- Scope
- Baseline analysis
- Community and stakeholder engagement,
- Impact assessment
- Social Impact Management Plan
- Monitoring and review.

6.0.2 The outcomes of the SIA process are to be documented in an SIA report, along with an explanation of the approach and methods used for each phase of the SIA. Early consultation with the Town is recommended to confirm the requirements at each stage of an SIA. These phases should be well-documented and contain references to data sources and best-practice guidance.

6.0.3 The amount of effort invested should be commensurate with the scale of development and the likely impacts and risks of the proposal and must address the following key matters: community and stakeholder engagement, workforce management, housing and accommodation, local business and industry procurement, health and community wellbeing. The Town may, at its discretion, require modifications and/or a peer review of the social impact assessment at the proponent's cost.

### 6.1 Phase 1: Scoping

6.1.1 The scoping phase allows for the early identification of the likely SIA issues and ensures that the SIA is appropriately scaled and consistent with regulatory requirements. The SIA should be undertaken using rigorous social science methodologies and should be undertaken by a suitably qualified and experienced person/organisation.

6.1.2 Scoping phase activities include describing the proposal, determining the regulatory context, identifying and profiling affected communities, identifying stakeholders, identifying relevant social indicators, conducting a preliminary review of potential social impacts and benefits and considering potential proposal design alternatives.



- 6.1.3 The SIA study area is to be determined during this phase in consultation with the Town. The SIA study area identifies the social and geographical boundaries for the SIA, and takes into account the following:
- (a) the nature and scale of the proposal, including associated infrastructure
  - (b) the scope of the potential social impacts throughout the proposal lifecycle
  - (c) the location and characteristics of potentially affected communities (including nearby regional communities)
  - (d) infrastructure, urban/rural centres, and land use patterns
  - (e) native title rights and other interests held by Aboriginal and Torres Strait Islander peoples
  - (f) location of other proposals in the region which may contribute to cumulative social impacts over time

- 6.1.4 Potentially affected communities are those local and/or regional communities that may be affected by a proposal, whether negatively or positively. A more detailed understanding of the characteristics of potentially affected communities, and possible social impacts of the proposal, are obtained as the SIA process progresses, which will allow for the identification of potentially impacted communities. Multiple study areas may be required in order to assess potential proposal impacts at differing geographic scales or locations (for example, a local and regional study area).

## 6.2 Phase 2: Baseline analysis

- 6.2.1 A social baseline describes the existing social conditions and trends within the SIA study area and provides a benchmark against which potential social impacts can be assessed. The baseline (pre-change) situation, must be adequately researched and documented. Early consultation with stakeholders and community is recommended to support this, and the level of consultation will vary according to the proposal. Consultation should be recorded and reported. The social baseline should include:
- (a) a demographic profile of potentially affected communities
  - (b) an analysis of community characteristics such as community culture and values,
  - (c) community history, community wellbeing, land/property ownership and utilisation of natural resources
  - (d) details of the capacity of those potentially affected to participate in the community and stakeholder engagement
  - (e) an overview of land use and key industries in the region, as well as relevant local and state government plans
  - (f) the capacity and accessibility of infrastructure, facilities and services, including education, health and emergency services
  - (g) an analysis of the existing housing and accommodation market, including availability, capacity and affordability
  - (h) a profile of the local and regional labour market, including an assessment of the likely availability of personnel with skills relevant to the proposal
  - (i) details of other resource and infrastructure proposals in the area, both planned and currently operating, based on publicly accessible information.



6.2.2 The scope, context, scale and level of detail in the social baseline is to reflect the nature of the proposal and the scope of the potential social impacts. Social baseline data must be as reliable as is reasonably possible and include both desktop and field studies. Desktop data must be up to date and obtained from reputable sources (for example, census data, local government reports, and peer-reviewed research publications).

6.2.3 Prior to undertaking any field studies, the proponent will evaluate the quality and completeness of the data obtained through desktop research and identify any gaps to determine the requirements for additional data collection. Any required field data collection and analysis must be based on statistically sound methodologies. Where relevant, data for Aboriginal and Torres Strait Islander peoples must be incorporated into the social baseline.

### 6.3 Phase 3: Community and stakeholder engagement

6.3.1 A consultative and inclusive engagement program should commence at an early stage in the SIA process, and is to consider the nature of the proposal and the needs of the different stakeholder groups. Stakeholders should include local residents and landholders, State government agencies and local government authorities, non-governmental organisations, Traditional Owners, unions, industry groups and businesses, community groups, and traditionally underrepresented stakeholders such as Aboriginal and Torres Strait Islander peoples, women, youth, and vulnerable groups.

6.3.2 Stakeholders should be provided with timely and relevant information about the proposal, which presents an accurate indication of potential impacts and benefits. Stakeholder input should inform the development of the SIA through the following phases, including the baseline analysis, impact assessment, and development of management measures in the SIMP.

### 6.4 Phase 4: Impact assessment

6.4.1 The purpose of the impact assessment is to identify and assess the potential social impacts associated with the proposal. This includes the associated infrastructure for the proposal, such as roads and utilities. At this stage of the SIA process, the assessment will identify potentially affected communities that are likely to be impacted (referred to as “potentially impacted communities”).

6.4.2 Identification should include the direct and indirect, positive and negative, impacts over the life of the proposal for different sections of the community, having regard to the matters categorised in Table 1. Consultation with stakeholders should support this. Impacts should be described in terms of being: direct, indirect or cumulative; positive or negative; long-term or short-term; tangible or intangible; and whether they would be experienced differently by different individuals, groups and communities.



6.4.3 Table 1 - Categories to be considered as part of a social impact assessment.

Matter	Description
Way of life	How people live, work, play, and interact with one another on a day-to-day basis.
Culture	People’s shared beliefs, customs, values, and language or dialect (including Aboriginal culture and connection to country).
Community	Its cohesion, stability, character, services, and facilities.
Political systems	The extent to which people are able to participate in decisions that affect their lives, and the resources provided for this purpose.
Environment	The quality of the air and water people use, the availability and quality of the food they eat, the level of hazard or risk, dust and noise they are exposed to, the adequacy of sanitation, their physical safety, and their access to and control over resources.
Health and wellbeing	People’s physical, mental, social, and spiritual wellbeing.
Personal and property rights	Particularly whether people are economically affected, or experience personal disadvantage which may include a violation of their civil liberties.
People’s fears and aspirations	Their perceptions about their safety, their fears about the future of their community, and their aspirations for their future and the future of their children.

Table 1: Matter categories to consider when identifying social impacts (Source: Vanclay, F. 2003. International Principles for Social Impact Assessment. *Impact Assessment & Proposal Appraisal* 21(1), 5-11.)

The impact assessment must also consider impact significance. An impact significance assessment is an analysis of the extent to which potentially impacted communities and stakeholders, may be affected, whether positively or negatively. Factors such as the probability, scale, duration and intensity of the impact, as well as the characteristics of the community or stakeholders which may be affected, should be considered. Where a potential impact is found to be significant, a residual significance assessment (extent of impact after management measures have been applied) may also be required. Consideration should also be given to potential cumulative impacts that could result from the combined effect of similar actions by multiple ‘known’ proposals. In many instances, mitigation of these cumulative impacts may not be within the proponent’s direct control, but an assessment nonetheless provides essential context regarding the likely consequences that would be experienced by potentially impacted communities.

6.5 Phase 5: Social impact management plan

6.5.1 Once potentially significant social impacts have been identified, the proponent, in consultation with potentially impacted communities and other stakeholders, must develop and document social impact mitigation and benefit enhancement measures (collectively referred to as “management measures”) within the SIA report.



6.5.2 Management measures must be provided for all potentially significant adverse impacts and must demonstrate that the hierarchy of avoidance and mitigation has been followed. Options to mitigate social impacts must only be proposed where all reasonable measures relating to project design, location, consultation and implementation have been explored to avoid negative social impacts. Proposed management measures must include the following for each:

- (a) the potential impact
- (b) a description of the management measure, and an assessment of its adequacy
- (c) defined outcomes and performance indicators
- (d) residual impacts and how these will be addressed
- (e) monitoring and reporting framework.

6.5.3 Management measures should be outcomes-focused, reasonable, relevant, transparent and monitorable. The management measures that are developed through the SIA process are to be embedded within the proponent's internal social management systems and will inform the development of the SIMP. The SIMP should establish the roles and responsibilities of the proponent, stakeholders and potential partnerships, throughout the life of a proposal in mitigating and managing social impacts and opportunities during construction, operation, and de-commissioning of proposals (if required).

6.5.4 The following aspects should be covered by a SIMP:

- (a) Outline the actions, responsibilities, and timeframes required;
- (b) The cost of the actions and how costs will be met;
- (c) Outline any ongoing engagement with stakeholders/community for the monitoring of social impacts; and
- (d) Governance and administration regarding feedback, review and updates.

## 6.6 Phase 6: Monitoring and review

6.6.1 Management measures should be outcomes-focused, reasonable, relevant, transparent and monitorable. The management measures that are developed through the SIA process are to be embedded within the proponent's internal social management systems and will inform the development of the SIMP. The SIMP should establish the roles and responsibilities of the proponent, stakeholders and potential partnerships, throughout the life of a proposal in mitigating and managing social impacts and opportunities during construction, operation, and de-commissioning of proposals (if required).

6.6.2 The potential social impacts identified in the project's SIA report reflect the existing social conditions and trends within the SIA study area at the time of the assessment. Changes to social conditions and trends can occur over time. The proponent may be required to update the SIA report, which would inform an updated SIMP, if more than two years have elapsed between the Town's evaluation of the SIA report and the commencement of construction or if the social conditions





within the SIA study area change significantly from those evaluated in the SIA report.

- 6.6.3 To ensure that the project's social management measures remain current and effective, the proponent is required to monitor the implementation of their SIMP throughout the project lifecycle. Stakeholder feedback and field data collection will play a role in this process. The purpose of monitoring is to:
- (a) track the progress and assess the appropriateness and effectiveness of the management measures
  - (b) evaluate the actual project impacts against the potential impacts and social indicators identified in the SIA
  - (c) capture information with which to advise potentially impacted communities and the Town on progress and achievements
  - (d) facilitate engagement, consultation and collaboration with stakeholders.
- 6.6.4 The key components of a monitoring program are:
- (a) a list of identified impacts, issues and benefits
  - (b) targets and outcomes sought
  - (c) description of how management measures will be monitored and reported
  - (d) the party responsible for monitoring
  - (e) timing and frequency of monitoring
  - (f) key performance indicators
  - (g) mechanisms to update management measures, if required.
- 6.6.5 The Town may condition a proposal to specify how often the project's SIA report and SIMP should be updated. There should be a continuous improvement approach throughout the project lifecycle involving the review and adaptation, where required, of potential impacts, management measures, and outcomes.

## 7.0 Consultation

- 7.0.1 Consultation with the community and stakeholders should occur from Phase 2 to Phase 5 of an SIA, in accordance with clause 6.3. Council may require additional consultation with the affected community and stakeholders, at the proponent's cost.
- 7.0.2 The Town should be involved and consulted in the following phases of an SIA as follows:
- (a) Pre-lodgement: to advise applicants as to whether an SIA is required and provide advice on the scoping phase of the SIA including confirming the SIA study area and for identifying groups/stakeholders for the applicant to consult with;
  - (b) Once an SIA is lodged: to consider and evaluate the potential impacts of a proposal, including social impacts to be satisfied the effects are reasonably identified and addressed;
  - (c) Formally advertise, inform and respond to submissions lodged during an advertising period for the proposal. The SIA should be made available during advertising; and



- (d) Consider the submitted SIA as part of its assessment and determination, including monitoring. The Town may apply conditions to give effect to the recommendations of the SIA.

## 8.0 Definitions

For the purposes of this Policy, the following definitions apply:

**“Proposal”** in the context of this Policy can be a referral for workforce accommodation pursuant to a State Agreement which is ratified by an Act of Parliament or the *Mining Act 1978*, a development application for workforce accommodation, or a development application where the development or land use is considered by the Town to result in significant social impact.

**“Social Impact Assessment”** (SIA) means a process of identifying, anticipating, understanding and managing outcomes of a development that are likely to impact on community wellbeing. The fundamental objective of an SIA is to ensure that development maximises positive impacts and minimises negative impacts.

**“Social Impact Management Plan”** (SIMP) is a plan to guide the implementation of impact mitigation and enhancement strategies, identified in a social impact assessment report.

Relevant legislation	<i>Planning and Development Act 2005</i> <i>Town of Port Hedland Local Planning Scheme No. 5</i> <i>Draft Local Planning Scheme No. 7</i>
Delegated authority	
Business unit	Planning & Development
Directorate	Regulatory Services

<i>Governance to complete this section</i>			
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