

## ATTACHMENT 3

### Internal Review of SIA Scoping Report

#### Marulan Quarry Project (SSD-9750)

#### Internal review of Social Impact Assessment (SIA) Scoping Report

7 May 2019

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#### ***Context and approach to this review***

The *Environmental Planning and Assessment Act 1979* establishes the framework for assessing all types of development in New South Wales, including State significant development (SSD) projects. The Act requires the consent authority to consider social impacts of a proposed development.

To inform how social impacts should be considered, the Department of Planning and Environment (DP&E) adopted the *Social Impact Assessment (SIA) guideline for State significant mining, petroleum production, and extractive industry development* in September 2017. The guideline was informed by existing good practice, expert advice, and extensive stakeholder consultation, and thereby provides a benchmark against which to review SIA reports.

This review considers the SIA Scoping Report prepared for the Marulan Quarry Project (SSD-9750) (GHD, March 2019). The SIA Scoping Report was provided by GHD on behalf of Global Quarries Australia Pty Ltd with a request for SEARs.

The proposal involves the establishment of a new hard rock quarry.

This review evaluates the SIA Scoping Report's consistency with the principles and methodology set out in the SIA guideline, particularly in relation to the Review Questions 1, 2, and 8-14 in Appendix D of the guideline:

- **Q1 and 2** address the SIA principles and authorship.
- **Q8-11** relate to defining and describing the area of social influence.
- **Q12-14** relate to identification and description of social impacts.

This review is limited to desktop study only and has not independently sought the views of potentially affected people and groups.

## Review comments

### 1. Has the applicant applied the principles in Section 1.3? How?

Table 1 of the Scoping Report identifies the principles underpinning good practice SIA from the guideline. However the principles could be applied more consistently throughout the report.

<b>Principle</b>	<b>Assessment</b>
<b>Action-oriented</b>	Section 8 identifies the next steps in the SIA process. These steps are considered to be practical and achievable. However, please see comments in relation to Q13 regarding the need for effective community engagement.
<b>Adaptive</b>	The SIA should explain how any new information, community feedback or changed circumstances arising during the preparation of the EIS have influenced the proposal, or how the Proponent will seek to respond to those changes.
<b>Distributive equity</b>	The Scoping Report does not adequately consider how social impacts may be distributed across different stakeholder groups or between the current and future generations. See comments in relation to Q8 below.
<b>Impartial</b>	The SIA should ensure that 'community voices' are reported faithfully and impartially. The SIA should also identify the author, and his/her respective social science qualifications and experience.
<b>Inclusive</b>	The Department wishes to emphasise the need for meaningful consultation with all affected stakeholders in the locality in the preparation of the SIA. See comments in relation to Q13 below.
<b>Integrated</b>	Sections 7 and 8.2 discuss the proposed approach to specialist studies in the EIS, including the SIA. However, see comments in relation to Q12 below.
<b>Life cycle focus</b>	The SIA should consider the social impacts of the project at all stages of its lifecycle, including post-closure.
<b>Material</b>	Section 7 identifies potential social impacts and the likelihood of those impacts. However, there is little discussion as to which of those impacts matter the most, or pose the greatest risk to those affected.
<b>Precautionary</b>	Application of the precautionary principle will be subject to further assessment in the EIS.
<b>Proportionate</b>	The SIA should include a detailed evaluation of the significance of each potential negative social impact (see Section C3 of the Guideline).
<b>Rigorous</b>	Section 6 provides a social policy and literature review, however the Department notes that no academic research has been cited.
<b>Transparent</b>	The SIA should include actual responses (or relevant extracts) provided by the community, rather than simply providing feedback summaries.

Recommendations: The SIA should ensure the SIA principles in the Guideline are explicitly addressed, particularly with reference to distributive equity, impartiality, inclusivity, proportionality and transparency.

The Proponent should ensure that the Review Questions in Appendix D of the Guideline are thoroughly addressed in the EIS phase of the SIA.

### 2. Does the lead author of the Scoping Report meet the qualification and skill requirements in Box 2?

Details of lead author(s) not provided.

Recommendations: The SIA should include details of the lead author within the document, including relevant qualifications and experience.

**8. Does the scoping report identify and describe all the different social groups that may be affected by the project?**

Section 3.2 provides an overview of surrounding land uses. However, this section focuses on nearby mining and extractive industries and the location of the nearest urban settlements rather than the social characteristics. There is little focus on nearby residents, rural-residential communities and other stakeholder groups which would be most affected by the project, and there is little discussion regarding the views, values and concerns of these residents and stakeholders (as they relate to the project) and how they might be impacted.

Table 7 identifies some key stakeholders, however, there is very little discussion or analysis regarding the social composition of the local area. There is no discussion, for example, regarding vulnerable groups, or how they may be affected by the project.

Section 4.1 identifies three areas of social influence (Local, District and Regional). The 'local' area is defined by the census boundary and is described as the area in which the proposed project may have the highest direct and indirect impacts on surrounding residents and community members. However, this is a relatively small area, and the distinction between the 'local' and 'district' areas may understate the impacts on the northern side of the Hume Highway, and to the east of the project site.

Recommendations: The SIA must clearly identify and describe all of the different social groups that may be affected by the project.

**9. Does the Scoping Report identify and describe all the built or natural features located on or near the project site or in the surrounding region that have been identified as having social value or importance?**

Further analysis and discussion regarding natural and built features will be required in the SIA. This should be informed by consultation with local stakeholders to ensure it reflects engagement feedback and community values.

Table 9 identifies potential disturbance of Aboriginal heritage items as a potential social impact. The Department notes that impacts on Aboriginal cultural values and sense of place must also be assessed.

Recommendations: The SIA must clearly identify and describe all of the significant built and/or natural features in the locality, following further consultation with local stakeholders.

**10. Does the Scoping Report identify and describe current and expected social trends or social change process being experienced by communities near the project site and within the surrounding region?**

Section 4 provides demographic information for the local area. However, the Scoping Report does not provide a sense of a 'community voice' or a clear understanding of key issues and concerns within the local area from the perspective of people living there. It is therefore difficult to know whether all key social issues and impacts have been identified and appropriately categorised.

Recommendations: The SIA should include a more rigorous analysis of the current and expected social trends or social change, which is informed by community engagement.

**11. Does the Scoping Report impartially describe the history of the proposed project, and how communities near the project site and within the surrounding region have experienced the project to date and others like it?**

The project is in the early development stages, and therefore a detailed history cannot be provided. However, Sections 4.5 and 6.2 provide some discussion regarding other extractive industry projects in the locality. It is also important to recognise that a project can have social impacts from the early planning phases.

**12. Does the Scoping Report adequately describe and categorise the social impacts (negative and positive), and explain the supporting rationale, assumptions, and evidence for those categories?**

Partially satisfied, however:

- while potential impacts are described and categorised in Table 9, there is no sense that these impacts will be analysed from the point of view of the impacted stakeholders;
- reliance on specialist studies (eg in relation to noise impacts) is likely to overlook the experience of impacts, even where technical standards are met; and
- while Table 9 identifies some potential health impacts (ie air pollution and water contamination), stress and potential mental health impacts have not been considered.

Recommendations: The description and categorisation of potential impacts should be further detailed in the SIA, informed by meaningful community engagement.

A coordinated approach should be adopted with respect to all specialist studies prepared for the EIS. While technical assessments consider the impacts of the project against relevant policies and standards, the SIA should consider how those impacts are likely to be experienced by different social groups.

**13. How has the feedback from potentially affected people and other interested parties been considered in determining those categories? Does the Scoping Report outline how they will be engaged to inform the preparation of the SIA component of the EIS?**

Initial engagement activities are summarised in Section 5.1 of the Scoping Report. Initial consultation targeted only a limited number of residents, and the response rate appears to have been quite low (ie only 5 responses). The key concerns identified through community feedback have been incorporated into Table 9.

Section 8.1 outlines the next steps for community engagement, including discussions with the local Council, Chamber of Commerce and Community Network. However, no additional consultation with affected residents appears to have been contemplated.

Recommendations: The Department strongly recommends additional consultation with affected stakeholders during the preparation of the SIA. This consultation should aim to:

- engage with a wider geographical area, rather than being limited to residents on Winfarthing Road;
- engage with a variety of stakeholders, including Registered Aboriginal Parties and any nearby business operators (including agricultural operations);
- use a variety of engagement techniques, rather than relying on letter box drops; and
- clearly and authentically document feedback by stakeholder group and/or location, including how feedback has contributed to project development or will be incorporated into proposed mitigation measures.

The SIA process should provide genuine opportunities for affected stakeholders to identify, characterise and consider the likely significance of social impacts.

The SIA will also need to include a monitoring and management framework, as per Section C.5 of the Guideline.

**14. Does the Scoping Report identify potential cumulative social impacts?**

Cumulative impacts are identified in Table 9. Section 8.2 also indicates that a Cumulative Impact Assessment will be included in the EIS.

Recommendations: The EIS will need to include a detailed assessment of cumulative social impacts at all stages of the project. This will need to include consideration of 'spatial', 'temporal' and 'linked' impacts, as outlined in Section 1.1 of the Guideline.