

Re: Draft Social Impact Assessment Guidelines

We welcome the extension from extractive industries of the SIA requirements to SSD and SSI and wish to make some feedback on the proposal.

Public Housing – The focus of our concerns

Back in 2017, REDWatch suggested to DPIE in briefings, that in the same way that mining represented a particular type of development throwing up unique issues, that similarly some inner city public housing redevelopments threw up different unique issues for SIA policy in the planning system. At that time, it looked like planning for Waterloo would be handled by DPIE; however, changes subsequently mean that Council will handle this project.

Irrespective of this change, we still maintain that the SIA Guidelines need to consider the unique issues presented by social housing redevelopments. At any time, these developments could go back to having DPIE as the consent authority and other developments where DPIE is the consent authority may present challenges similar to public housing redevelopments.

What makes public housing redevelopment, as a class, unique is that the redevelopment usually (Redfern “Build to Rent” being an exception) involves the relocation of the existing community. From the very announcement of the redevelopment plan the resident community is placed under substantial pressure and uncertainty. In Waterloo following the announcement we saw some tenants pack their goods waiting for the removalists, we saw people stop their normal life of replacing furniture and home items, putting on internet and worried about where they may be relocated to, or where their child might go to school.

This was at Ministerial announcement time long before we got even to the SSP requirements and even longer before we would get to gateway and for there to be a basis for an SSDA where the draft SIA Guidelines would kick in, if it was under DPIE. On current progress, there is likely to be around a seven-year gap between the initial announcement and when a DA SIA would be required.

Land and Housing Corporation (LAHC) who own the land, focus in their dealing with tenants, on the relocation support for tenants that will be provided by the department of Communities and Justice. This only starts around DA stage when LAHC need tenants to move out for the redevelopment. In the interim, there is no support for tenants and particularly for those not able to readily deal with the possibility of change.

Even at relocation stage, with a relocations officer, many issues arise about the suitability of the offers made. Other issues include the discovery of new support needs previously provided informally by neighbours, establishing new networks and the uncertainty about what they might return to if they have a “right to return” and if a suitable premises is actually available for them to return to.

Sydney Local Health District (SLHD), have undertaken a Health Impact Assessment (HIA) of Waterloo which is in the process of being signed off by the SLHD CEO. That study finds that psychological distress and waiting impacts had a significant impact on tenants. Much more for those that are older, in poor physical and mental health, who hold place attachment and attachment to their social networks, lack of preparedness for change or who have had previous experience of forced relocations.

It has to be remembered, that a shortage of suitable social housing stock and a growing need for housing is seeing vulnerable people with complex needs concentrated in public housing, meaning that many of the characteristics identified by SLHD are more pronounced in the public housing community than in the wider Sydney community.

In response to such issues the Tenants Union and Shelter NSW with City Futures at UNSW have been trying unsuccessfully to establish “A Compact for Renewal” to deal with many of the issues raised by tenants in decisions to redevelop public housing estates. You can see that compact and the issues of concern [here](#).

Recommendations

Following from our concerns above we would like to make some recommendations to DPIE for consideration regarding the SIA Guidelines and Technical Supplement.

Recommendation 1 – The issues raised in “A Compact for Renewal” should be covered in any SIA and / or SIMP dealing with social housing renewal.

Recommendation 2 – DPIE should study Social housing redevelopments with a view to ensure the SIA guidelines deal adequately with the complexities of social housing redevelopment. That study should look at SLHD, community and NGO views and not just that of LAHC as the proponent.

Recommendation 3 – The SIA Guidelines should ensure that an equity lens is applied to SIAs and ensure that the most marginalised and least able to participate are guaranteed a voice in the process

Recommendation 4 – Ideally, the SIA Guidelines should ensure that those directly impacted by a development are not left to carry the cost and impact of the development while the benefit accrues to the developer and the future community. Adequate steps should be made in the SIA and SIMP to ensure those most impacted are assisted and compensated for the impact i.e. They are no worse off because of the redevelopment. There is likely to be less resistance to development if those directly impacted are seen to be looked after.

Recommendation 5 – The SIA guidelines should ensure that anyone relocated as a result of the redevelopment are covered by the SIA and a detailed SIMP.

Recommendation 6 – That the SIA and SIMP should ensure that any need for relocations are weighted against future benefit from the redevelopment and that any impacts, including long term, on those relocated are mitigated as far as it is possible.

Recommendation 7 – That Government bodies should prepare at least a Phase 1 SIA and have an initial SIMP to deal with the impact of a project announcement and to handle its social impacts. This should be required for all projects presented for Ministerial announcement.

Recommendation 8 – The likely social impacts need to be considered as part of all strategic planning.

Recommendation 9 – SSP and other state driven rezonings should require a SIA with the application for DPIE / Secretary's Requirements and depending on the likely social impact of the SSP assessment a SIMP if the SSP assessment may itself create social impacts. This may be a basic or complex SIA depending on the significance of social impacts expected from the rezoning and any social impacts from its announcement.

Recommendation 10 – SSP and other state driven rezoning should require a SIA in the study requirements.

Recommendation 11 – In SSP and other state driven rezoning where potential health concerns are recognised there should also be an Equity Focused Health Impact Assessment (HIA) undertaken preferably by the Local Health District.

Recommendation 12 – Applications for Gateway determinations from Councils should include a SIA and if significant social impacts are identified a draft SIMP for dealing with the social impacts identified.

Recommendation 13 – SIAs and any SIMP in applications for Gateway determinations from Councils should be part of the adequacy assessment by DPIE for exhibition.

Recommendation 14 – Exhibition of a Gateway approved proposal should be included in the exhibition the DPIE approved SIA and a SIMP if the social impacts require it.

Recommendation 15 – Councils and Government proponents should be encouraged to adopt the DPIE Social Impact Assessment Guidelines for all projects, not just those where DPIE has a consent or gateway role.

Recommendation 16 – SIMPs should be prepared for all public housing redevelopments. The current LAHC social impact responses that LAHC will address any issues during relocation or procurement is not a sufficient SIMP.

Conclusion

In general, REDWatch is keen to see the introduction of SIAs at the beginning of the planning process and not just at SSDA and SSI stages as is currently proposed. In public housing redevelopments, and potentially in other communities, social impacts start from the announcement of the project not just from the DA. We have suggested a number of ways in which SIAs could be required earlier in the planning system to address the problems we have encountered.

While early SIAs may not be relevant for some forms of development, we submit it is highly relevant for the redevelopment of vulnerable public housing communities.

We have also argued that SIAs should be required at Ministerial announcement stage for projects where the proponent is a Government agency. This is especially important if the development is for a

public housing estate.

We have also argued SIAs should form a part of the rezoning gateway process and ideally be adopted across local government.

We believe that our concerns for how SIAs handle marginalised and vulnerable communities should be able to be handled under the exhibited guidelines. However, we think that some further amplification of how the Guidelines and Technical Supplement relates to those relocated by redevelopment and social housing redevelopments would improve the quality of the SIAs produced in these circumstances.

To that end, we encourage DPIE to do a study on public housing redevelopment and its complexities to ensure that the issues raised will be picked up in SIAs and SIMPs for such projects in the future by those using the Guideline and Technical Supplement.

We trust our experience in working with public housing communities provides some useful input into the future of SIAs in the planning system and how marginalised and impacted communities can be protected as far as possible by the SIA provisions in the NSW planning system.

I am happy to provide further information or discuss any of the issues raised in this submission.

Yours Faithfully,

Geoffrey Turnbull
Co-Spokesperson
On behalf of REDWatch Inc
c/- PO Box 1567
Strawberry Hills NSW 2012
Ph Wk: (02) 9318 0824
email: mail@redwatch.org.au
web: www.redwatch.org.au

REDWatch is a residents and friends group covering Redfern Eveleigh Darlington and Waterloo (the same area originally covered by the Redfern Waterloo Authority). REDWatch monitors government activities in the area and seeks to ensure community involvement in all decisions made about the area. More details can be found at www.redwatch.org.au.