8 October 2015

Response to the Submission to the Planning Assessment Commission regarding the SIA for the Warkworth and Mt Thorley Continuation Projects

Dear Commissioners,

This submission responds to several additional claims made by the Applicant (Rio Tinto) and commissioned consultant (EMM) regarding the SIA for the Warkworth and Mt Thorley Continuation Projects.

Both the Applicant and the Consultant prepared a response to our submission dated 8 September 2015. The vast majority of the response merely reiterates the existing content of the SIA. We have provided evidence in our original submission to support our claims that the existing SIA is inadequate. Therefore, in this submission we only address several additional claims that have been made in their response.

- **The SIA has been produced by a highly experienced team who completed the work with professional skill and diligence.**

  The EMM website includes reference to a ‘socio-environmental’ team under their planning services stream. We initiated the socio-environmental work stream for the company in 2013 under a mutually agreed contract, with the aim of expanding the skill base and consulting opportunities for the company. As noted in the ‘socio-environmental’ brochure, which we developed, the social team was led by ourselves with support from Edward Niembro (who left the company prior to our departure) (available online: http://www.emgamm.com/wp-content/uploads/2014/02/EMGAMM-Brochure-Social_R5-SCREEN.pdf). There were no qualified or experienced social researchers within the consultancy prior to us joining the group and this capacity has not been reinstated within the company.

- **Michael and Louise Askew’s principal contribution to the SIA was limited to background research, initial consultation and reporting of these consultation activities.**

  As the founders of the socio-environmental team within EMM, our principal project was the SIA for the Warkworth and Mt Thorley Continuation Projects. We solely conducted the social baseline research, social impact assessment and development of mitigation and management strategies for the projects. This involved extensive research and consultation with the local community of Bulga and Singleton more broadly. We worked as the project managers and social researchers across all elements of the assessment with limited administrative support from EMM up to approximately two weeks before the submission of the EIS. Obviously, the final SIA
has been produced by EMM and we were not involved in the development of this final version and submission of the SIA. We strongly dispute the adequacy of this document as a Social Impact Assessment.

- **The method for the preparation of the SIA was consistent with leading practice including that in the Community Development Toolkit (2012) prepared by the World Bank**

EMM cite that the SIA followed leading practice, including the Community Development Toolkit (2012) prepared by the World Bank. Firstly, we argue that this Toolkit was not used extensively in the development of the SIA and is certainly not reflected in the final SIA that was submitted. As we have argued, the SIA that has been submitted does not assess the social impacts. An assessment requires criteria and a framework to assess impacts against. As can be seen in the Toolkit (pg 137), an SIA commonly includes a matrices that describes and rates the significance of impacts (by cause, nature, extent, duration, magnitude etc), identifies management and mitigation measures, and assesses residual impact. This SIA does not undertake this type of assessment and the identified impacts are unclear and misleading. Secondly, we would argue that there are far more relevant guides to conducting SIA in similar contexts to those of the proposed projects, rather than the developing country context of the World Bank’s work (e.g. QLD Government SIA Guidelines 2013; Esteves, Franks and Vanclay 2012; Franks 2012).

- **The SIA was undertaken in accordance with the Secretary’s Environmental Assessment Requirements (to assess likely social impacts including perceived impacts paying particular attention to Bulga) but also addressed the issues identified in the LEC judgment (consideration of the objective data and the experiential evidence from residents)**

Experiential evidence can be defined as knowledge based on the insight, understanding, skill, and experience that are accumulated over time, often referred to as intuitive or tacit knowledge (Puddy and Wilkins 2011). To properly consider and understand experiential evidence, social researchers commonly use a range of methods (e.g. in-depth interviews, focus groups) and analytical techniques (e.g. thematic coding) to describe and assess this knowledge. Some of the most effective ways to subsequently communicate this type of evidence is through direct quotations (e.g. from interviewees), visual representations (e.g. photos), and case studies (e.g. personal stories told by participants). In contravention of best practice principles, the SIA for these projects does not contain a single direct quotation from participants or any other textual and descriptive account of personal experience, knowledge or perceived impacts. Indeed, where perceived impacts are identified they are almost immediately countered with apparent ‘objective’ data in an attempt to refute the experiential evidence – this confounds the entire purpose of undertaking an SIA and does not meet the Secretary’s requirements or the LEC judgment recommendations.

In light of the evidence provided in our original submission and the additional details discussed above, it is our professional view that the social impacts of these projects are too great to justify their approval. Under the draft Mining SEPP amendment, the social impacts of a development application must be assessed in conjunction with a range of environmental and economic impacts. We argue that the SIA for the projects does not adequately consider and has not actually assessed the significance of social impacts from these projects.
Yours sincerely,

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