

From: [GREA](#)
To: [IPCEN Enquiries Mailbox](#)
Subject: Dendrobium IPC: Matters of process and the perception of bias.
Date: Thursday, 26 November 2020 4:57:16 PM

Attention: The IPC panel, Chair Stephen O'Connor

C/- Stephen Barry ipcn@ipcn.nsw.gov.au

Re: Dendrobium Extension Project SSD 8194

With regards to the Dendrobium Extension Project, there are 2 matters I would like to raise in respect to processes and procedural fairness around this public inquiry.

The first is the matter of site visits, which are an integral and significant part of the inquiry process. The last approval and inquiry for a major mining project in the NSW Southern Coalfield was the Bulli Seam Operations (BSO) PAC (2009-10). It set a standard that should be the benchmark in site visit protocols. Not only did PAC members attend site visits conducted by the proponent, but also sought out a field trip with a small group of community members familiar with sites, issues and damage scenarios. There is a danger that relying alone on field trips conducted by the proponent, insofar as they may only reveal what supports their case. So in the interests of balance and fairness, I therefore recommend either or both of the following:

The IPC requests a site visit led by Water NSW to specifically view past damage to both streams and swamps in the already mined domains of the current Dendrobium project. Or the IPC instigates a site visit, with consent from Water NSW, but jointly planned with the interested stakeholder community members who have been into the areas of damage in the Dendrobium project area previously, and then can be sure that the IPC sees what they know.

(<https://www.smh.com.au/environment/sustainability/where-s-the-squelch-coal-mine-drying-out-greater-sydney-catchment-20190917-p52s4v.html>)

The second: There is a rising community perception of bias inherent in the fact that it was the DPIE that commissioned the BAEconomics Report, that came out heavily in favour of the proponent's interests. It appears the study is what the proponent should have commissioned and provided as an attachment to its own EIS.

Furthermore, it points to its inherent unreliability with its own admission that stakeholder interactions took place on only one day, with no face to face meetings, and relevant businesses provided limited data for the study. (BAEconomics Report, Introduction) Yet the DPIE accepted its findings without further critique.

There is the question to as to how this particular consultancy came to be selected. Was it selected as a result of an open and accessible tendering process, that is consistent with public agency guidelines. If not why not?

The BSO PAC also made recommendations about what the Department of Planning (at the time) should consider with respect to independent peer review (PAC, BSO PAC Report, p 360). Their discussion points to a case for referral of matters of complexity to independent peer review, that would be acceptable to the wider stakeholder constituency and in the public interest.

Just as there is currently an IEP for referral of technical mining matters there needs to be the equivalent, for the IPC as a referral point in these deliberations, for the socio-economics, as this will be a key determinant in the assessment. In this context, the BAEconomics Report is not sufficient. The business profile indicates strong links to the Menzies Research Centre and the Minerals Council of Australia (<http://www.baeconomics.com.au/publications>). This indicates an ideological bias, rather than a background of strong research evidenced in peer reviewed academic journals and affiliations with tertiary institutions which are places of greater ideological neutrality.

Yours Faithfully Dr Sharyn Cullis,

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