



IAIA21

VIRTUAL EVENT

#iaia21



Mining regulations consultation during Covid-19

Balancing the modern and the traditional...

Alex Blood¹ and Piers Gillespie²

*(1) Executive Director and (2) Lead Community, Mineral Resources Division,
Department for Energy and Mining (DEM)*

Government of South Australia, Australia

alex.blood@sa.gov.au; piers.gillespie@sa.gov.au

www.energymining.sa.gov.au

*Insert presenter
headshot here.*

*CLICK & DELETE THIS
TEXT BOX.*



Overview

- 1 Introduction to South Australia's mining sector
- 2 Principles and promise on the regulations consultation
- 3 Praxis and approach
- 4 Results
- 5 Reflections and learnings

*If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.*

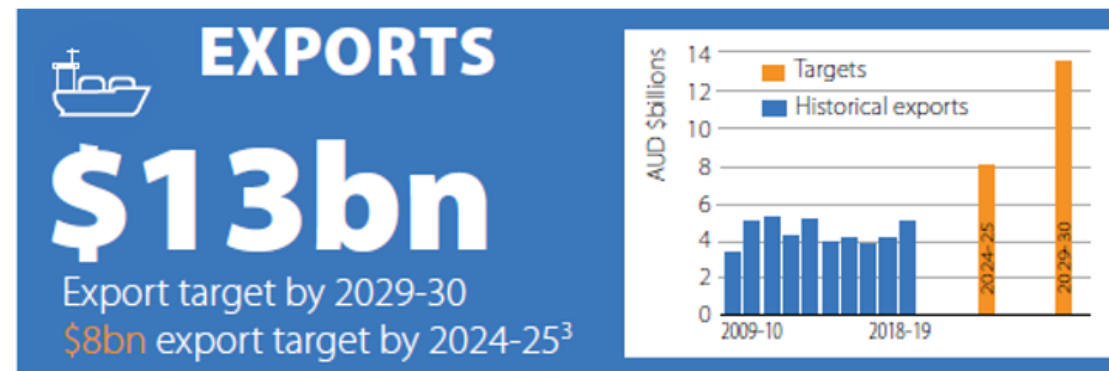
CLICK & DELETE THIS
TEXT BOX. 

1 Introduction to South Australia's mining sector

- Major mineral exports: Copper, Iron Ore, Lead, Zircon & Uranium
- Producers continued exporting at expected rates throughout COVID19

Export growth from:

- New mines and re-starts: Carrapateena, Peculiar Knob
- Mine expansion; Olympic Dam, Prominent Hill and Carrapateena
- Mineral processing transformation; Port Pirie multi-metal recovery facility, globally significant lead exporter
- Hydrogen export potential



If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX.

2. Context to consulting on the draft mining regulations

- *Mining Act 1971* (Mining Act) has regulated the exploration and mining sector for over 50 years
- During this time, significant and widespread changes in how mining sector is managed, financed, and regulated
- In 2016, the Department for Energy and Mining (DEM) led a major review of the state's mining laws and the updated *Statutes Amendment (Mineral Resources) Act 2019* (SA) passed by Parliament in late 2019
 - Leading practice regulation a strategic intent
 - State requires a collaborative multiple land use mosaic: agriculture, energy, tourism, mining, defence all key sectors

If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX. 

2. Context and Covid-19: Consulting on the regulations

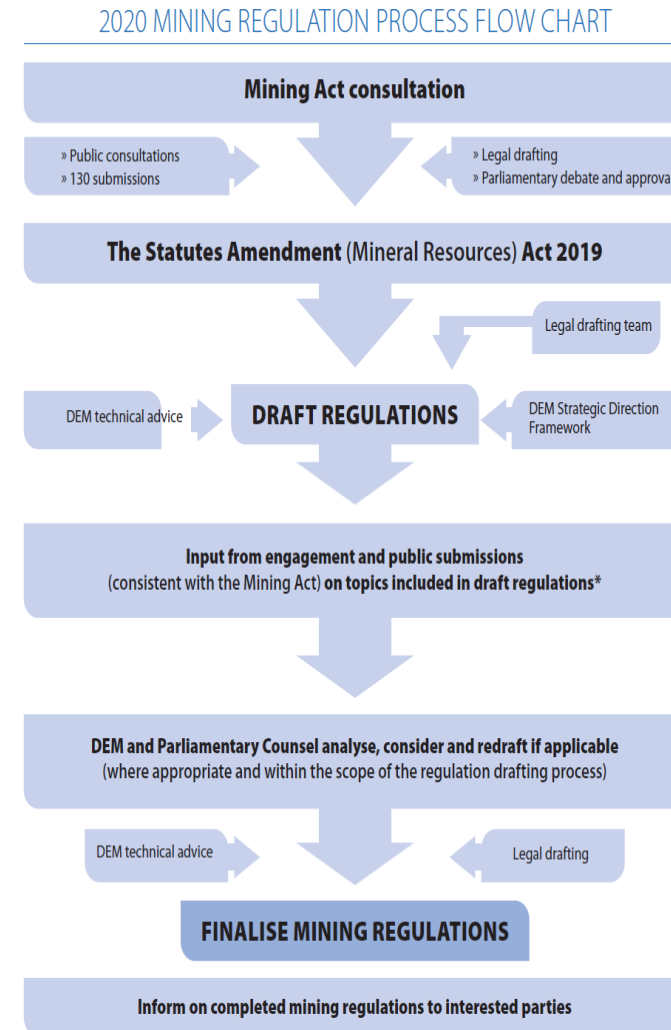
- Covid-19 completely changed the work environment for all but... the process of government must go on
- Draft regulations consultation completely reworked to ensure it could be accessed in a manner that supported involvement for interested people and key stakeholders
 - Need to respect people's limited time to engage and understand
 - Audience focused approach throughout
 - Openness to meeting in out of office hours
 - Must adhere to public health restrictions
- Updated consultation plan retained the same goal as pre-Covid 19:
“to provide accessible information on draft regulations so as to solicit specific feedback via submission forms from interested stakeholders.”

If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX. 

2. Principles underpinning regulation consultation

- Followed Australian public service good governance and International Association of Public Participation (IAP2) principles
 - Whole-of-organisation engagement with relevant experts
 - Clear frequent communication with stakeholders
 - Flexibility and iterative project/risk management planning
 - Clearly scope of involvement for stakeholders in decision making process
 - Strategic planning and evaluation: Ensuring organisation has clear understanding of goals and how to achieve them
 - Accountability to submissions/closing the loop/ demonstrating why feedback was and wasn't incorporated
 - M&E by internal and external stakeholders



If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX.

3 Consultation praxis: a mix of old and new

- A layered information to suit diverse audiences and support submissions:
 - Multiple letters to key people and organisations before consultation; inform them of their sphere of influence and timeline
 - Detailed scoping papers, summaries of regulatory changes, explanatory documents, simple explanation sheets, topic specific videos
 - Minister also wrote to all Members of Parliament and local councils informing them of the upcoming public consultation
- Draft regulations released in three separately themed packages following the exploration and mining cycle
- Three Q&A 90 minute live webinars provided an opportunity to hear direct from DEM leads on draft changes
- Online meetings with key stakeholders proactively arranged

*If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.*

CLICK & DELETE THIS TEXT BOX. 

3 Consultation praxis: a mix of old and new

- Traditional engagement tools were also used to ‘pull’ people into making submissions
 - Rural print and radio advertising prior to and during consultation
 - Extensive poster campaign informing rural people who are often affected by mining how they can be involved
 - Detailed webpage set up and social media
 - Flexible meeting times reflecting farming and shift work realities
- Post-consultation, DEM continued to meet with a number of stakeholders seeking clarity and input
- Explicit details provided on the flex and change in the draft regulations based on submissions
- Acknowledgement of next steps reforms that arose during consultation

*If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.*

CLICK & DELETE THIS TEXT BOX. 

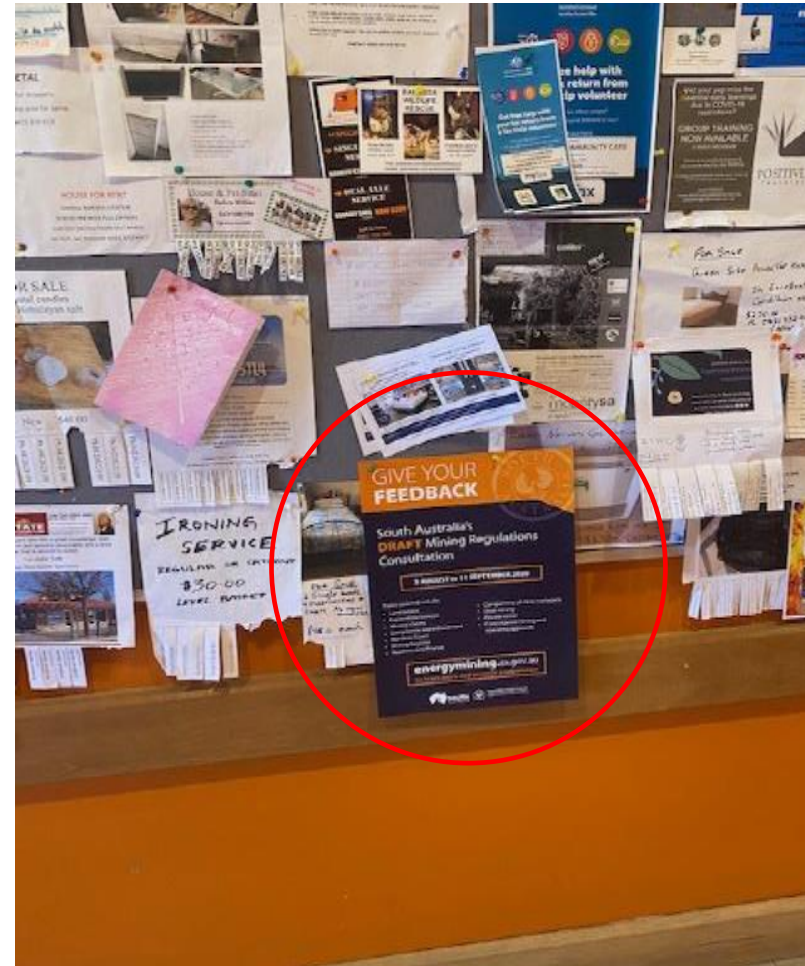
3 Consultation praxis: the old and the new



Wudinna



iCollage



If you are **recording with Zoom**, keep this space free of content. The presenter video will appear here.

CLICK & DELETE THIS TEXT BOX.

If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX.

3 Consultation praxis: the old and the new



If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX.

3 Consultation praxis: the old and the new

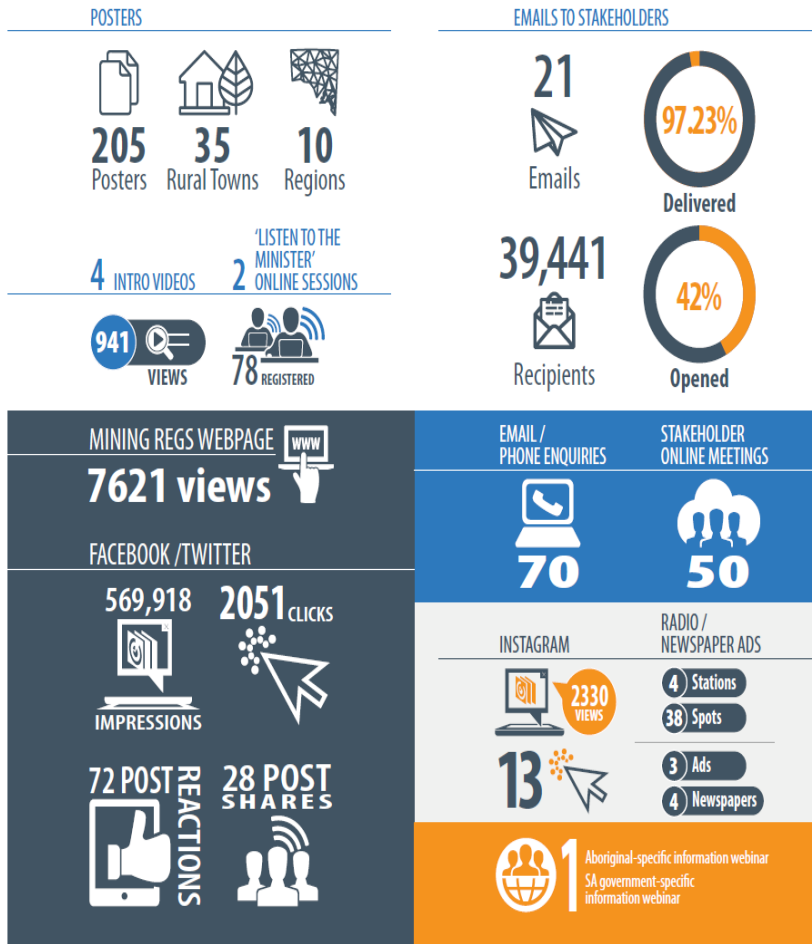


If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX. 

4. Results

Quantitative



Qualitative

Post consultation survey:

- >80% of survey respondents labelled consultation as either good or excellent or neutral
- >50 per cent of respondents stated that the provision of the material was about right or too much information overall was provided
- Main criticisms of the consultation included timing, lack of physical meetings, failure to postpone consultation given COVID-19

“The draft regulations are a significant and positive development in modernising mining in SA. The regulations support creating greater value from mining project for multiple stakeholders, and provide greater accountability and a foundation for responsible operators to grow and the industry to continue to make lives better for South Australians.”
- large mining company

If you are recording audio-only with PowerPoint, insert your headshot in this space on each slide.

CLICK & DELETE THIS TEXT BOX.

5. Reflections and Learning

- Power imbalances not only persist but are arguably exacerbated by digital engagement
 - Constant cognisance is needed to be given to this
- However, ‘traditional’ engagement is not without problems:
 - “In 2008, [only 24% of Americans](#) had attended at least one local or school meeting in the past year. The reality is that many residents have the desire to share their input on community projects, but when faced with a six o’clock meeting at city hall on a weeknight, life will often win out. The workday goes long, a child needs extra help with homework, or the thought of dealing with traffic, parking, and sitting upon a cold metal chair for hours is too unappealing.”
 - Research from Boston University (2015-17) measured the participatory function at town hall meetings in public planning and zoning meetings around Boston.
Findings:
 - Women were underrepresented by 8 points
 - White people were overrepresented by 8 points
 - People >50 were overrepresented by 22 points

*If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.*

CLICK & DELETE THIS TEXT BOX. 

5. Reflections and Learning

- Remaining aware to power imbalances is important to leading practice engagement
 - Dismissing this reduces credibility on the current engagement and the role of government overall
 - When undertaking consultation, government needs to be aware of this bias and the role government play in this imbalance

“The convenor may well portray himself as a neutral and fair arbiter, the fact is that he manages the proceedings almost every step of the way: deciding on the need for, and purpose of the meeting; selecting whom to invite and exclude on the invitation list; making up the agenda; choosing which participants speak, on what topics and for how long; and/or shaping the form and use of the meeting outputs. Power is tilted decidedly in favour of the convenor, and while it may be used accountably, it can just as easily be abused.”

- When consulting, government has an obligation, regardless of the engagement tools, to plan for how to minimise this imbalance
 - Doing so will result in a variety of inputs and submissions, leading to better outcomes and renewed respect for government processes

*If you are **recording audio-only with PowerPoint**, insert your headshot in this space on each slide.*

CLICK & DELETE THIS TEXT BOX. 

Let's continue the conversation!

Post questions and comments via chat in the IAIA21 platform.



#iaia21

Alex Blood and Piers Gillespie

Department for Energy and Mining

Adelaide, Australia

www.energymining.sa.gov.au

Alexandra.blood@sa.gov.au; piers.gillespie@sa.gov.au