



Discussion Paper 2 Reform Options – Improve relationship building and cultural awareness in the mineral exploration process

Submission to Stronger Partners, Stronger Futures

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1. Introduction

The South Australian Chamber of Mines and Energy (SACOME) is the peak industry body representing companies with interests in the South Australian minerals, energy, extractive, oil and gas sectors and associated service providers.

Discussion Paper 2 (the Paper) seeks stakeholders views on proposed options to improve the Native Title system exploration process in South Australia.

The Paper focuses on:

- options to facilitate relationship building;
- options on improving cultural awareness and cultural competency between stakeholders; and
- administrative processes the Government could implement to support engagement between resources sector operators and Native Title groups.

SACOME broadly supports reforms aimed at increasing information sharing and improved understanding between resources sector operators and Native Title groups.

The majority of SACOME member companies have well-developed relationships and processes with Aboriginal communities to promote on-going open communication.

In this context, SACOME is broadly supportive of reforms that further improve relationships and provide for greater communication between resources sector operators and Native Title groups.

Open communication and information sharing between all stakeholders is the key to building respect and understanding throughout the exploration process.

SACOME welcomes the opportunity to provide comment to the Stronger Partners, Stronger Futures (SPSF) process and remains committed to working collaboratively with all stakeholders to improve outcomes for the resources sector, Native Title groups and the South Australian Government.

2. Ongoing Communication and Information Sharing

SACOME supports the need for a long-term conversation between the resources sector and Native Title groups.

Open communication and information sharing are key to building successful working relationships between all SPSF stakeholders.

Shared information facilitates constructive dialogue between all parties and materially assists agreement-making and land access.

2.1 What arrangements could be put in place between industry, government and Native Title groups to make sure we keep talking about important issues?

SACOME highlighted in Discussion Paper 1 that an on-going concern for resources sector operators is the lack of a central repository for shared information.

SACOME member companies have previously raised the need for a central repository, in the context of access to past clearances and the standardisation of fees for heritage clearances.

However, a central repository could host any shared information that facilitates an increased understanding of exploration and cultural implications for both the resources sector and Native Title groups.

SACOME suggests that a central repository could be available on-line with appropriate safeguards put in place to protect sensitive material.

Workshops and seminars are also a productive means for the sharing of information between all stakeholders. These workshops and seminars could provide a way for the resources sector, Native Title groups and Government to continue on-going dialogue.

SACOME suggests that these workshop/seminars could occur annually and rotate state-wide between metropolitan Adelaide, Port Augusta, Port Lincoln, Ceduna, Coober Pedy etc.

Some SACOME member companies have also suggested that these workshop/seminars could be hosted by Native Title groups on country and facilitate cultural awareness training.

SACOME supports these workshops/seminars being open to all parties that wish to attend, with a rotation system between regions to ensure that travel is not a barrier to attendance by regional participants.

3. Native Title Groups Information Sharing

SACOME understands the importance of direct early engagement with Native Title groups in the exploration process.

SACOME submits the resources sector would benefit from easily accessible shared information on how Native Title groups like to be engaged by resources sector operators.

3.1 What information do you provide other parties about your organisation at the beginning of the engagement process?

Some SACOME member companies have indicated that the type of information provided by Native Title groups can vary depending on the administrative and resourcing abilities of the Native Title group.

Other SACOME member companies have indicated that Native Title groups provide information about their current leadership structure; the potential issues with the matters being discussed; and issues that may prohibit the Native Title group from engaging with resources sector operators at the beginning of the engagement process.

3.2 How is this information provided?

SACOME member companies have indicated that the information is often provided in direct discussions with the Native Title group or their representative organisation.

3.3 What information about your organisation could you let other people to know that is not already available?

SACOME member companies communicate as agreed with Native Title groups.

SACOME reiterates that greater information about cultural heritage in Native Title areas would be welcomed by resources sector operators as it reduces the time associated with agreement-making and land access.

3.4 Would the draft template for contact details for Native Title groups attached at Appendix 2 be useful in developing a minimum standard of information for sharing?

The majority of SACOME member companies would find the draft template for Native Title groups attached at Appendix 2 useful in developing a minimum standard for information sharing, insofar that the information provided in these draft templates remain current and up to date.

SACOME is supportive of any process that provides for predictability and certainty around exploration and facilitates exploration investment in South Australia, this includes template arrangements agreed through consultation with Native Title groups.

3.5 Do you support keeping this information in a central place for everyone to find easily e.g. the Department for Energy and Mining website?

The majority SACOME member companies support the establishment of a central repository that catalogues agreed principles/protocols for engagement, insofar as the agreed principles/protocols for engagement remain accurate and up to date.

3.6 What simple procedures can your organisation put in place to ensure other parties are kept informed of any changes in your organisation?

SACOME submits that regular liaison between a nominated representative from both resources sector companies and Native Title groups would allow for both parties to be better informed of any changes within their respective organisations.

4. Explorers Information Sharing

SACOME member companies understand the importance of providing information in a clear and concise manner to Native Title groups.

4.1 What information do you provide about your organisation at the beginning of the engagement process?

The large majority of SACOME member companies provide the following information at the beginning of the engagement process:

- an overview of the business;
- the relevant company representatives and their roles;
- the reasons why there is potential interest in the specific Native Title groups area; and
- the proposed work program and its duration.

4.2 How is this information provided?

SACOME member companies provide the company's information to Native Title groups' legal representatives. The legal representatives then discuss the information with their client's representative body and advise whether the Native Title group wishes to meet directly.

First contact between resources sector operators and Native Title groups normally occurs on country, often during heritage surveys.

4.3 What other information about your organisation are happy to share?

The majority of SACOME member companies are happy to share any information that is not commercially sensitive and facilitates relationship building between resources sector operators and Native Title groups.

4.4 Would the draft template for contact details for industry attached at Appendix 3 be useful in developing a minimum standard of information for sharing?

The majority of SACOME member companies would find the draft template for contact details for industry attached at Appendix 3 useful in developing a minimum standard of information sharing.

4.5 Do you support keeping this information in a central place for everyone to find easily e.g. the Department for Energy and Mining website?

SACOME supports keeping explorers' information in a central repository provided all relevant privacy concerns are satisfied.

4.6 Do you support the concept of an agreed contact protocol for explorers to follow based on a minimum standard for all groups?

SACOME supports an agreed contact protocol for explorers to follow based on a minimum standard for all Native Title groups.

However, SACOME submits challenges may arise reaching consensus on an agreed contact protocol given the different way individual Native Title groups like to be engaged.

4.7 What simple procedures can your organisation put in place to ensure other parties are kept informed of any changes in your organisation?

SACOME reiterates that regular liaison between a nominated representative from both resources sector companies and Native Title groups would allow for both parties to be better informed of any changes within their respective organisations.

5. Cultural Awareness, Cultural Competency and Relationship Building

SACOME member companies have a sound understanding of cultural heritage with policies that manage their Native Title and Aboriginal heritage engagement.

5.1 What processes and policies do your organisation have in place to address the need for cultural awareness and cultural competency when working with Aboriginal people?

The large majority of SACOME member companies have policies which recognise the importance of cultural awareness and cultural competency when working with Aboriginal people.

SACOME member companies also require employees to undertake cultural awareness training when working with Aboriginal people.

5.2 What activities can your organisation do, or be involved in, to promote good relationship building between industry and Native Title groups.

Some SACOME member companies have indicated meeting on country with Native Title representatives, as an example of promoting good relationship building between resources sector operators and Native Title groups.

5.3 What tools or information do you need to help your organisation build better cultural awareness or cultural competency?

Resources sector operators could benefit from the following information to build better cultural awareness and cultural competency:

- the contact details of approved people within Native Title groups that provide cultural awareness training; or
- the contact details of approved third party organisations that can provide cultural awareness training.

5.4 What information in addition to Aboriginal heritage, Native Title, legislation and Aboriginal history should be in a basic cultural awareness training package for explorers?

In addition to Aboriginal heritage, history and Native Title, the importance of the following should be included in a basic cultural training package for explorers:

- Particular types of significant land forms to the local Native Title group;
- Local flora and fauna recognition, including significance to Native Title groups and how these resources have historically been used.

5.5 Do you think that an internet based basic cultural awareness training package for explorers is a good place to start?

Some SACOME member companies have indicated that an internet based basic cultural awareness training package for explorers could be helpful but only as an introductory package in preparation for an on-country visit.

SACOME member companies have stated “there is no substitute for a face to face meeting in the bush.”

5.6 Should cultural awareness training be linked to the licence application process (see Discussion Paper 1 section 6.2)?

SACOME outlined in Discussion Paper 1 that it does not support the assessment of exploration companies’ cultural competency, knowledge and capacity to engage with Aboriginal communities as a criterion to obtain an exploration licence.

SACOME member companies have suggested that cultural awareness training could be undertaken once title is granted but before ground work requiring heritage clearance commences.

5.7 Does your organisation have a standard cultural awareness training package?

The majority of SACOME member companies do have a standard cultural training package.

5.8 Does your organisation have a standard ‘on-site’ induction package for field staff and contractors?

SACOME member companies do have a standard ‘on-site’ induction package for field staff and contractors.

5.9 If the answers to ‘5.7’ and ‘5.8’ are no, what support do you need to develop these tools?

SACOME reiterates the resources sector could benefit from an on-line training package consisting of standard cultural awareness training and “on-site” induction for field staff and contractors.

6. Conclusion

SACOME welcomes the opportunity to make this submission to the Stronger Partners, Stronger Futures process.

SACOME is supportive of reforms that increases information sharing between resources sector operators and Native Title groups to improve understanding of all stakeholders' objectives and interests.

In providing this response SACOME has sought to provide comment on reforms with an emphasis on building and improving relationships, balanced with the importance of realising economic growth outcomes for the resources sector, Native Title groups and Government stakeholders.

SACOME remains committed to working collaboratively with the South Australian Government and Aboriginal stakeholders through the Stronger Partners, Stronger Futures process.