



**BEST PRACTICE
ENVIRONMENTAL
MANAGEMENT
IN MINING**

Community Consultation
and Involvement



Environment
Protection Agency

4. HOW TO CONSULT

4.1 BASIC PRINCIPLES FOR COMMUNITY CONSULTATION

Although consultation programs will vary from project to project and community to community, they will all share some basic principles.

The Australian and New Zealand Environment and Conservation Council (a council of State, Federal and New Zealand Environment Ministers) late in 1994 endorsed a national protocol for community consultation on scheduled wastes which contained a useful set of principles. These principles are simplified below.

1. Communicate clearly and at the right time.
2. Provide full information promptly to encourage fair and informed discussion.
3. Support consultation to the maximum by responding to information requests fully and quickly.
4. Establish clear and realistic timetables for accepting requests, suggestions and submissions, and be sensitive to the limited resources available to people and groups.
5. Provide information, especially technical information, in plain language.
6. Give practical help to people and groups to take part, with attention to equal opportunity.
7. Include people from non-English speaking backgrounds.
8. Provide frequent feedback, including the results of meetings, incoming suggestions and requests, key recommendations, and information about emerging technologies.

9. Ensure that people who join the consultative process at different stages will, as much as possible, be able to influence the direction of the development.
10. Stimulate conciliatory and constructive exchanges of views and genuinely try to address, without prejudice, the major issues.
11. Frequently monitor and evaluate the effectiveness of the consultation program during and at the end of each phase of the project.
12. Share with the community the responsibility for effective consultation.

To those principles can be added another very important piece of advice: begin the consultation process as early as possible.

It is also very important to identify the groups, the sub-groups and the people whom the project might affect. They all have a stake in its progress, whether they be supporters or critics. They are the stakeholders.

Further guidelines

Interpret environment and community broadly

A developer approaching a new project should consider the terms environment and community in their broadest sense. Environment does not just mean physical environment such as air, water and ecosystems; it also means people and their community infrastructure.

If project planners do not respect the social environment, they can only expect a difficult start, objections in the project approval stage and, probably, difficulties through the operational phase.

THE EXTENT AND DETAIL OF THE CONSULTATION IS OFTEN AT THE DISCRETION OF THE PROPONENT

Communities are not homogeneous groups of people. They comprise sub-groups influenced differently by many factors — age, gender, ethnicity, life values, employment status, religious beliefs, recreational interests and many more. Careful research can identify the profile of local communities and the factors likely to affect project approvals and operations.

For some projects the company will find it worthwhile to train employees in cultural awareness to enable them to understand, work with and respect the needs of indigenous people.

Begin the consultative process early

In Australia the law requires a mineral explorer to consult directly, and early, with any people or groups its work will affect directly. When applying for prospecting or exploration titles, the applicant usually must advertise its intent in a local newspaper, contact landowners and occupiers, local government and others with an interest in the area, and particularly Aboriginal communities.

The extent and detail of the consultation is often at the discretion of the proponent.

Best practice in the industry extends these early formal contacts. Companies will do more to provide communities with a contact point and with access to information. These activities offer the company an early opportunity to listen to and gauge community reactions. These extra activities include:

- setting up contact telephone numbers for inquiries about the project;
- creating shopfronts in retail centres to answer inquiries and distribute literature;
- conducting local attitudinal surveys;
- arranging public displays and site visits;
- arranging public forums;

- advertising extensively in local media;
- briefing journalists and community leaders;
- public speaking engagements with local community organisations;
- mailing information directly to residents.

Be open and flexible

It is essential for companies to be open with their neighbours, and they must make all information — even the unpalatable — available. This does not mean that a company must release commercial-in-confidence material.

To executives used to commercial security, being so open may be difficult and appear to go against the interests of the project. However, evasiveness and dishonesty will, in the longer term, be counter-productive.

Evasiveness will create an atmosphere of mistrust and act against the company and the people who work for it. Credibility is all important in community consultation, but it is a very fragile commodity and anything that damages credibility often destroys trust and relationships.

Listen to community concerns

Many Australian mining projects, such as those illustrated in this module, have demonstrated best practice in community consultation by listening to the community. By listening at an early stage proponents were able to identify and resolve issues for everyone, often without costly modification to designs and engineering plans.

BHP Minerals began an extensive community consultation process in the south-west of Western Australia soon after it discovered the large Beenup titanium minerals deposit near the coastal town of Augusta in the mid-1980s.

The company's program included:

- formation of a locally-based community consultative group;
- direct mail advice to all local government area residents;
- a community attitude survey by the CSIRO;
- regular media releases to and advertising in local newspapers;
- regularly updated shopping centre displays;
- on-site information days;
- speaking engagements to local community groups; and
- meeting contact groups which had specific concerns.

BHP wrote to local community and government organisations inviting them to join a consultative group. These letters said BHP wanted to provide the community with an opportunity for local input early in project planning.

The consultative group first met about four months before the State Minister issued the EIS guidelines. It met about every month in the planning stages and prompted modifications to many aspects of the project.

The company was impressed with many of the community suggestions.

It concluded that for such processes to be effective, it was important that there be real issues to address and that the company must listen to the ideas put forward even though it would not always be practicable or economical to adopt them.

Delegate authority to negotiate with communities

Communities and their representatives expect project developers to make undertakings, and to stand by them. This will happen only if the company has a strong and ethical corporate culture, flowing down from the board of directors.

It is important for the community to respect and trust the people with whom it is dealing.

It is very useful, and usually possible, to nominate one senior executive as public liaison officer, whose role will be vital. That person will become the public face of the project in the community.

He or she should have authority to speak and to act, and to make commitments on behalf of the company. The liaison officer should be readily available.

The community liaison officer, whatever his or her other roles may be, should be someone who can establish a long-term relationship with the community. They must expect to continue in the role for as long as possible and should preferably live locally.

The main task should be to:

- act as a contact point for the public, community groups or conservation groups;
- provide regular information to external groups;

- respond to community concerns, complaints or inquiries; and
- identify actual or potential concerns about current or future mining activities.

He or she should have an excellent understanding of the mining operations, be very familiar with emissions from the site and their effect and, ideally, have had previous experience in dealing with external interest groups.

Few companies have applied the principle of delegating authority as successfully as Perseverance Mining NL at its now completed gold mine at Nagambie in central Victoria.

Perseverance evaluated a gold discovery at Nagambie, a rural agricultural centre in central Victoria in the late 1980s. The company sent to the town an exploration and project manager who, as a board member, had significant authority.

He joined the local community and spoke at local venues and to the local council about the evaluation work and the proposed mine. The company stood by commitments that he made on the spot as the project developed. His efforts resulted in an informed community that supported the mining proposal when it was submitted for approval.

The result was fast approval of a heap-leach gold mining operation that used cyanide, within an area where the community was highly sensitive about groundwater quality for irrigation. The mining operation involved pumping water from one pit to another, resulting in lowered water table levels up to 7 km from the mine, much to the satisfaction of farmers suffering from rising saline ground water. Monitoring indicated no evidence of groundwater contamination from mine operations.

When the original mining approvals were granted, the operators and community decided the land should return to grazing pasture after mining. Local farmers helped rehabilitation by advising on the most suitable grasses. The community and the company are still considering the final use of the pits, one possibility being tourist-oriented aquaculture based on the native silver perch that is depleted in district rivers and lakes.

A new and smaller mining operation next door now has enthusiastic local support.

Company representatives who continually have to check with head office soon lose respect and credibility.

Respect can be especially important with indigenous groups who expect to talk with senior representatives. If community leaders take part in talks, respect for their status means companies must respond by sending the right senior manager.

Identify and acknowledge the needs of special interest groups

Identifying and understanding the expectations of sub-groups in a community is an early priority.

The residents close to the project, the town community, the regional community, public servants involved in the approval process, politicians, the media, educators and others might each contain sub-groups with particular fears, interests or needs.

Their interests might be special for cultural, age, recreational or social reasons. Meticulous planning and detailed local understanding are required to identify and understand these.

Recent mineral developments in Australia present a diversity of issues with which a project manager must contend. They include continuing Aboriginal access to mine areas for cultural reasons; accommodating the needs of lapidary and fossicking groups accustomed to easy access; preservation of historic buildings (including old mining buildings); moving cemeteries — requiring contact with and consent of descendants; and the growing need to identify rare and endangered species within operational areas.

Rural subdivisions may increase the pressure for consultation and involvement. Often associated with these are intensive agricultural

activities such as vineyards, and rural lifestyle activities, that clash with mine proposals over issues such as water resources, dust, and project structures spoiling the view or lowering land values.

A helpful set of communication 'laws' has been defined and discussed by the Australian social researcher and commentator, Hugh Mackay, in his book *Why Don't People Listen?*, Pan Macmillan, 1994.

Mackay's 10 'Laws' of Communication

1. It's not what our message does to the listener but what the listener does with our message that determines our success as communicators.
2. Listeners generally interpret messages in ways which make them feel comfortable and secure.
3. When people's attitudes are attacked head-on, they are likely to defend those attitudes and, in the process, reinforce them.
4. People pay most attention to messages which are relevant to their own circumstances and point of view.
5. People who feel insecure in a relationship are unlikely to be good listeners.
6. People are more likely to listen to us if we listen to them.
7. People are more likely to change in response to a combination of new experience and communication than in response to communication alone.
8. People are more likely to support a change which affects them if they are consulted before the change is made.
9. The message in what is said will be interpreted in the light of how, when, where and by whom it is said.
10. Lack of self-knowledge and an unwillingness to resolve our own internal conflicts make it harder for us to communicate with other people.

4.2 PLANNING THE CONSULTATION PROGRAM

Planning a community consultation program is vital if it is to be effective. Project developers have to ask a number of questions, and the answers will help them structure and develop their programs.

What are the objectives?

The objectives you set will guide and shape your community consultation program. So

everyone knows what they are doing, those objectives should be clear and specific, realistic and practical.

Responsibility

- Establish and maintain the legitimacy of the company and the project.
- Establish and maintain the legitimacy of the consultation process.
- Establish and maintain the legitimacy of all major assumptions and earlier decisions.

Responsiveness

- Identify and contact all people and groups which the project might affect.
- Look at the project through their eyes, and always try to see issues from their perspective.
- Identify the problems and the issues.
- Generate solutions.
- Express and clarify the key issues.

Effectiveness

- Nurture and protect your credibility.
- Ensure all information that you need to communicate is received and understood.
- Understand all information sent to you.
- Search for consensus.
- Mediate polarised interests.

Who should be involved?

Stakeholders will include people with a direct commercial interest — shareholders, employees, joint venturers, lenders, suppliers and customers — and people with an interest in regulating the development, such as local, state and national government agencies, government ministers and other politicians.

They will also include people whom the project will affect — owners and occupiers of nearby land, townspeople, indigenous people, environmentalists and competing land users.

The characteristics of the community are an important factor. The company should develop a profile of the community. This research will reveal any special groups with special needs, such as large minority groups who might require information in their own language.

The consultation program must embrace all these people.

What information does the community need?

People receive information about a project more willingly if they know that they will be able to contribute to the decisions made about it. They should understand the processes of that decision making, as well as know as much as possible about the project.

The process

If they understand the process they will know the full extent of their own influence, and the best ways to contribute. They are also likely to accept more readily the decisions emanating from the process.

It is therefore in a company's interests to provide information about the consultation and decision-making process as well as about the project.

The project

They will want to know as much as possible about the project. They want to know about the company involved, and how important the project is in terms of the regional and national economy.

Other information the company should supply includes:

- a description of the project, with details of location, hours of operation, job opportunities and skill levels;
- likely environmental issues and the company's plans to manage them;
- likely social issues and how the company will manage them; and
- the economics of the project.

The information should be clear and in non-technical language.

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When do we begin to talk, and how often?

When should community consultation start?
As emphasised before, the earlier the better.

In some projects this might be possible even before exploration starts, particularly if exploration activity will excite public comment. Without solid information, public interest can result in rumours and generate opposition which could set back later efforts.

The community will feel better if it knows the reputation of the exploration company, or that there is a likelihood of economic gain.

The community consultation program must anticipate the public interest at every phase of the operation and prepare a response.

How will we get people involved?

The consultation plan has to consider the groups of stakeholders, and the sub-groups, and try to match them to one or more of the many communications techniques available . Many of these techniques are described later in this chapter.

It has to look at the information it must give to the different target groups, the receptiveness of the community, and how each group is organised to receive information. For example, one group might be represented by a club or association and can be reached collectively. Another interest group might consist of disparate individuals who have to be contacted singly.

If the community is receptive the information can go out immediately. If the community is uninterested the company might have to consider a program to raise public interest.

Groups with few resources might need assistance to participate in the consultative process.

Is the program working?

The developer has to know public reaction to the project. This enables the company to meet people's preferences and to anticipate and hopefully solve emerging problems. People will know the company is listening to them.

Public opinion monitoring will steer the consultation program. Its objectives are to:

- determine people's preferences;
- identify issues;
- incorporate public opinion into project planning;
- check if people are seeing and understanding project information; and
- identify gaps in the consultation program.

Apart from informal feedback, which can be useful, the program can include public comment sheets, surveys, media monitoring and staff debriefing.

What funds, staff and skills will the program need?

A community consultation program needs adequate time and money. Resources spent on consultation are a very worthwhile long-term investment in goodwill.

The company will have to build into its planning sufficient time for public participation. Planning which races ahead of public participation could result in costly revisions to meet public demands.

Staff running the program should have community consultations skills or experience, but also should be familiar with the project and with the minerals industry.

The project should put a senior executive in the role of public liaison officer to be the public face of the project. He or she should have the authority to speak on behalf of the company, to make firm and binding decisions, and to be readily available to the community (See section 4.1).

4.3 COMMUNITY CONSULTATION TECHNIQUES

Effective community consultation is a two-way interaction between the project developer and the stakeholders, with the developer listening to and taking into account the interests and concerns of the people.

Following is a list of methods used frequently in community consultation, with short explanatory comments. They are set out in no particular order of merit.

Arranged visits to comparable operations

Project proponents have taken local people to other mines to show them the general nature

of mining as well as to let them see comparable factors such as commodity type, surface vs underground operations, site rehabilitation success, the operation of other community liaison groups, how a project manages environmental impacts, and so on.

Companies have to make sure that the people who make these visits are properly briefed, well informed about issues that are likely to affect not only them but the wider community, and are able to communicate their concerns effectively to the company and the community. Also, companies need to make sure liaison groups truly represent the community. This is not a matter so much for the company as for the community, but prudent diplomatic guidance might ensure that all major interest groups are satisfactorily represented. Failure to identify a particular group, or failure to offer it representation, could lead to difficulties.

It is also important to visit the right mine. Ideally it should have similar geographic and social settings as the proposed project. When this is not completely possible, the locals have to understand the limitations and differences between operations.

Company representatives in their briefings have to take into account the reality that the community representatives might not thoroughly understand the technical and economic complexities of the operation.

The local community should have unfettered contact with the mine it visits.

There are examples of poorly conceived site visits in Australia that demonstrate lack of planning and foresight.

THE COMMUNIT
SHOULD HAVE
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Modern Australian mining lore has it that a company that wanted to search for uranium in a desert area took local traditional Aboriginal owners by bus several thousand kilometres to visit an operating uranium mine to show them what was involved in mining this commodity. The operating mine was in an area geographically very different from the home country of the people, particularly in relation to rainfall. The company provided little, if any, preparatory briefing about location differences, and took no account of poorer levels of understanding of the environmental issues associated with mining generally, much less uranium. Some of the community representatives had not travelled outside their home country before. The result — increased confusion rather than improved understanding. The lesson — site visits need to be culturally appropriate and to be geared to understanding and experience levels.

Attitudinal surveys

Baseline information is required for any impact studies that will necessarily span years of data collection and analysis. This is even more true for social impact assessments. Population dynamics may change the character and expectations of communities and regions in a relatively short time. Regular monitoring of these changes, and of their relationship to impacts caused by the mineral operation should become a key element of any project's community consultation activities.

Community/business/school links

Development of formal links between mineral operations and local schools can be important in helping a community know and understand what a project is doing.

Apart from providing direct support via in-kind assistance, companies can provide opportunities for teachers to learn about a business environment through secondments, and through support for curriculum-based activities. Students can be given career information and can be assisted with projects based on real situations. Additional curriculum material can be enhanced through site visits.

Contact points

A number of mineral operations in Australia have set up 24-hour telephone lines for information, or for people to register concerns or complaints. For example, farmers can complain about noise, blasting times or dust levels.

When follow-up action is effective, this simple facility strengthens a culture of openness, and conveys a willingness to listen and to help.

Direct mailing

This is a cost-effective method to let specific groups of people know what is happening. Personalised letters can contain supporting information and brochures. It is also a useful avenue for updating information about action to meet community concerns

Displays

Poster displays and models of proposed operations in busy public locations such as retail centres can reach a large number of people in a short time, and raise public interest in a project. If staffed, such displays should have people able to answer questions and respond to concerns.

The displays offer a good opportunity to conduct surveys, and can be followed by direct mailings. In dispersed communities, mobile

displays are an alternative. Wide community awareness of impending operations ensures that people can become informed and involved in the earliest phases of planning.

Invited comments

After identifying people who have acknowledged expertise or particular interest in one or a number of areas — political, economic, social, environmental or safety — a company can invite their views on a project proposal. Inviting comments from a limited but representative group could help to alert the community or the company at an early stage to possible problems, as well as providing the proponent with insights which will help it plan its impact studies. It is important to make sure that invitations are given to representatives across the whole spectrum of community sectors.

Liaison groups

A number of industry sectors have found community liaison groups or committees have been a key element in successful community consultation and involvement. The chemical industry, through its Responsible Care Program, has developed this to a higher degree than the mineral sector. However, chemical industry factories generally have more neighbours than do mines.

While many Australian mineral projects have used liaison groups in the project approval phase, few have extended them into operations. If the chemical industry model were applied more widely, community liaison groups would operate for the life of the project and possibly into post-operational monitoring.

Media briefings

Regular briefing of local and regional journalists about projects and community

consultation initiatives are an important way of disseminating information and addressing community concerns.

Beyond briefings, it is important that the local media have easy access to company spokespersons, that these have the authority and the knowledge to answer any questions, and that the response is quick.

The local newspaper, radio and TV are more likely to be supportive of a project that is open, honest and cooperative. Efforts to hide behind a wall of silence will result in speculation and possibly inaccurate and alarming reporting.

Public meetings

While a common method to inform smaller communities about projects, public meetings require careful organisation, particularly in the selection of an impartial moderator or chair, to ensure that they run smoothly. All sides, particularly for a contentious project, must get the right to voice their interests and concerns.

One problem with public meetings is that vociferous minority groups can hijack or disrupt them. If this happens, the meeting fails to satisfy the needs of the majority in the community to be part of the decision-making process, or provide the company with worthwhile feedback. On the other hand, minority groups may also have legitimate concerns needing to be addressed.

Discussions with stakeholders.

Sometimes it can be useful to meet stakeholders, and particularly residents who might be affected by a development, face-to-face. A quiet discussion in the home or a mutually convenient place can help quell fears and reassure people of a company's bona fides.

STUDENTS
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SITUATIONS

West Australian Petroleum (WAPET) has been on Barrow Island off WA exploring and producing oil since 1964. An uninhabited island, Barrow's rich flora and fauna escaped the impact of introduced species and retained their natural integrity. It is rated as one of the most important wildlife refuges in Australia. WAPET operates there under stringent conditions and has developed procedures to protect its environment from impacts associated with drilling and production. The company is involved in projects to reintroduce species that have survived on Barrow Island to mainland WA sanctuaries.

Its operations demonstrate that resource production can, under appropriate controls and conditions, satisfactorily coexist with sensitive environmental domains.

Furthermore, WAPET's commitment to reintroduce extinct species to the mainland demonstrates a corporate ethos that is directed also to non-economic, quality-of-life results.

Site rehabilitation groups

Another means of fostering community involvement is the setting up of community-based site rehabilitation networks, often involving schools. Several Australian mines support such groups by providing seedlings and equipment for use in local site rehabilitation projects. The Australian minerals industry supports Landcare and Greening Australia in order to promote wider site rehabilitation activity, and to

apply land management techniques pioneered by the industry.

Community demonstration projects

There are numerous examples of Australian mineral companies undertaking activities designed to show their commitment to meeting community concerns. These activities are often related to an environmental challenge and are generally associated with a company's activities.

Technology Transfer

Techniques developed by mining companies to deal with site rehabilitation can be applied to a wide range of other land uses. In Australia, after the forestry industry, mining companies produce the greatest number of tree seedlings in their nurseries and have developed specialised propagation and direct seeding technologies. These are now being used to deal with degraded lands in various parts of Australia.

Videos/printed material

Although it is always possible to saturate the community with too much information using too many different media, short explanatory videos and brochures are increasingly important to inform communities.

Workshops

These can be helpful in dealing with community concerns and to brainstorm solutions to issues raised by the community but not yet considered in project design.

When things go wrong

From time to time things will go wrong. The project could have an accident, involving both human safety and the environment.

In times of emergency and difficulty, successful community consultation programs come into their own.

A project with an effective community consultation program can expect community support when it is most needed. On the other hand a project which has shunned or neglected its community can only expect criticism and grudging assistance.

When things do go wrong the tenets of openness and frankness apply even more. As difficult as it may be for an executive to admit there is something wrong, early notification of

a problem to the local community, including the media, will in most cases bring forth understanding and help.

The media can be helpful and supportive, if they are treated fairly. This includes telling them frankly and fully about the problem, and the steps being taken to deal with it.

If they have to find out themselves — and they will — the project management can expect no sympathy.

4.4 LINKING CONSULTATION TO KEY STAGES OF MINERAL PROJECTS

Mineral projects broadly go through four stages. In each of these the community consultation program should match both the company and the community need for information and involvement in that particular phase.

The company's door should be kept open to the community during each phase. The intensity of the relationship might vary from phase to phase, and the techniques of exchanging information might differ to match circumstances at the time.

The following boxes describes the four project phases, and lists some of the techniques which might be appropriate at each phase.

PHASE 1

The conceptual/exploration phase

This begins with geologists in an office deciding to pursue a concept about the location of mineralisation. Next comes selection of the target area, acquisition of mineral titles to enable exploration, and sampling and testing, probably including drilling.

The company should write to landowners and occupiers, both indigenous and non-indigenous, and follow with personal contact.

The company should introduce its own people and its sub-contractors to the people who own land, live or work in the area. It should introduce itself to representatives of the three tiers of government and let the local media know what it is planning and seek the media's co-operation in informing the community.

It could advertise its intentions, if necessary, and brief anyone affected if they wanted more information.

It should distribute information about the project. People will be curious about exploration techniques and their impact, the nature of the mining that would follow a commercial discovery, and details of the company itself. They will also want to know about the possible economic benefits to their community. They will want to be confident of the bona fides of the company.

PHASE 2

The evaluation/feasibility phase

If exploration is successful, the explorers must determine the physical extent of the discovery, its metallurgical characteristics and whether it can be extracted economically. This usually involves complex technical and financial analyses of the orebody and its interaction with its immediate physical and social environment. This phase will usually involve intensive drilling over a small area (typically less than 1 km²) and may require trial mining.

The company might initiate more detailed and intensive community consultation. This could include site visits and meetings to form community liaison committees. As the project proceeds communities expect more detailed information about its scope and scale, including direct and indirect economic, social and environmental impacts.

Communities new to mineral resource development may need quite detailed information. They will have fears, both well-based and misconceived. The company should help them contact and preferably visit other communities familiar with the type of operation envisaged.

Company spokesmen and regulatory agencies should be readily accessible. A wider range of stakeholders — regulators, politicians, media, shareholders, potential customers and suppliers — may be brought into the information network.

Indicative designs for elements of the project — particularly those with social and environmental implications — may be put to stakeholders for discussion.

PHASE 3

The development/operational phase

If the company accepts a feasibility study (usually one acceptable to lending institutions) which recommends development, it will begin construction of a mine and processing facilities. The mining operation will usually be surface or underground, but it could involve less common techniques such as in situ leaching or dredging under lakes, rivers or offshore areas.

The extent of processing facilities can vary greatly. At their simplest there might be no processing, with sale of ore directly from the mine following minimal crushing. At its most complex it could mean all the infrastructure associated with mineral extraction from ore, including smelting and refining to produce high quality metal.

During construction the company can involve community liaison groups in fine-tuning operational matters which will affect them.

The company might already have distributed newsletters, set up hotlines, held regular meetings or site visits, and regularly briefed the local media.

All these functions should be working when the project begins operations. The company and community representatives should have agreed how often they will meet, what information the community needs, and how the company and the community will respond to emergencies or urgent issues.

PHASE 4

The closure/post operational monitoring phase

In some cases this phase lingers over many years as almost depleted mines limp sub-economically from one peak of the commodity price cycle to another. In others it is anticipated well in advance, leading to execution of a site clearance plan, and followed by site rehabilitation activity to restore vegetation, make pits and shafts safe, and to prepare the site for alternative uses.

Monitoring systems and procedures are installed to warn of any adverse developments in long term waste or tailings storage systems, and to measure progress in habitat recovery.

When this phase has commenced the company, in consultation with the community, will have anticipated requirements for mine closure, post-mining land use and monitoring. It will have researched community opinions about post-mining land use and the proponent's obligations until the site is rehabilitated satisfactorily.

The BY Gold Mine was planned, developed and operated by BHP Gold and then Newcrest Mining from 1990 to 1991 in the Blayney area of New South Wales. It provides a case study of effective community consultation and interaction with win-win results for all stakeholders.

The small deposit, located between two commercial facilities, two railway lines, a road, and within 200 metres of a residential area, was an opportunity to extend the operational life of the Brown's Creek mill about 8 km away. The project involved short-term high volume transportation and strict environmental controls to satisfy the concerns of residents. It was completed on schedule, within budget and with community support.

The operator cooperated with everyone concerned and was open with all its neighbours who were potentially affected.

The company went to the community early in the project. Its program involved home visits, planning focus meetings, briefing the local council and a public forum.

It continued to do these things throughout the short life of the project — 10 months. It complemented them with a mine open day and kept in touch with the mine's two commercial neighbours.

Cooperation with the local council resulted in the mine operator paying to upgrade the haul road to the mill and, to ensure the safety of school children, bus lay-bys were provided. The mine limited transportation hours to reduce noise. The mine also provided 20 000 cubic metres of fill for a railway overpass.

After mining the company helped one of the commercial neighbours, a pet food factory, by backfilling the pit and doing other site work to prepare for an extension of the factory.

The project EIS had identified a potential dust problem. In response, a dust monitoring and complaints protocol set out procedures for monitoring deposited and airborne dust, and relevant meteorological information. This protocol satisfied the local council and residents before the mine began operation.

The BY operation, although short and confined to only 12.5 hectares, showed that resources need not be isolated from development by competing land uses or by proximity to urban areas. Innovative project management used a monitoring program and modified mining practices to satisfy immediate neighbours.

The mine recovered ore containing almost 600 000 grams of gold (about 20 000 oz). Although the mine is now closed, the local community will continue to benefit for some time from the infrastructure improvements it brought with it.

CONCLUSION

Effective community consultation and involvement may be summed up as three elements:

1. **Anticipation**
2. **Planning**
3. **Perseverance**

Application of these elements is likely to promote quality community consultation programs. It is important to recognise that, ultimately, it is always unlikely that the needs or expectations of everyone or every group will be satisfied completely.

Some trade-offs will be necessary. In many cases some people or groups might remain completely alienated. For them no middle ground exists. In isolated cases it might not be possible to modify some project parameters sufficiently to meet the wishes of the wider community.

In these circumstances mediation and arbitration might provide solutions, but proponents must prepare for the possibility that they might not be able to negotiate satisfactory results.

In these cases government will make the final decisions.

But the contexts in which decisions on development take place determine people's view of the outcomes. What may appear to be the wrong decision in the view of local people may be the right decision for the wider community — or what may appear to be a mistake at the time may be beneficial in the longer term.

There are no short cuts to developing effective community consultation programs. Companies must become part of the communities in which they intend to work.

Gaining local support includes convincing all the sub-groupings in the community that their interests will not be overlooked or prejudiced by the development.

If the interests of any sub-group are likely to be affected, a forward-thinking company will take all reasonable steps to eliminate or mitigate those effects.

Some guidelines that may help include:

1. Demonstrate the role of the project in achieving ecologically sustainable development, and highlight the integration of social, economic and environmental aspects.
2. Begin early and promote two-way exchange of information and solutions. Match the program to the size and characteristics of the community.
3. Demonstrate the effects of the project on the local community, emphasising aspects such as job creation and the opportunity for improvements in skills, particularly among the youth and other disadvantaged groups. In areas with a high indigenous population this could mean special projects to foster training and employment.
4. Be visible and accessible. Keep politicians, Federal, State and local government officials, community leaders and groups, and the media regularly informed of progress. Senior people should show they are always open and available.
5. Watch for changing needs among special interest groups. Relatively obscure groups may have a particular association with project areas. Go to the trouble of identifying them early, meeting them and satisfying their needs. Examples include

lapidary clubs, groups interested in natural habitats of species, or recreational groups.

6. Be flexible. New issues will arise and circumstances will change. These will have to be accommodated in project planning.

Good practice in any development operation demands a high level of community consultation and involvement. When this is conducted well it produces ongoing benefits for the operator, the community and the environment. Then good practice can rightly be called best practice.

The Ranger uranium mine at Jabiru, the Mt Todd gold mine near Katherine in the Northern Territory, and the Argyle diamond mine and Cadjebut base metal mine, both in the Kimberley region of WA, are examples of operations that have adopted special measures. These include remedial training, scholarships and apprenticeships to enhance training and employment opportunities for local Aboriginal people.

These mines, and the Gove bauxite and alumina operation and the McArthur River base metal mine in the NT, also encourage local Aboriginal enterprises to provide contract services to the operations.

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FURTHER MODULES PLANNED FOR THIS SERIES INCLUDE

Overview of best practice environmental management in mining
Environmental impact assessment
Mine planning for environment protection
Tailings containment
Rehabilitation and revegetation
Onshore exploration for minerals
Onshore exploration and development for oil and gas
Planning a workforce environmental awareness training program
Prevention and control of acid mine drainage
Environmental management systems
Environmental auditing
Water management
Environmental incident and emergency/contingency procedures
Offshore oil and gas exploration and development
Decommissioning and planning for mine closure
Post-mining and land use management
Contaminated site clean up
Use of artificial wetlands for treatment of contaminated water
Noise, vibration, dust control, atmospheric emissions and air quality
Waste management through cleaner production

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The series illustration of the koalas by Christer Erikson was commissioned by BHP Transport in 1988. Reproduced courtesy of BHP Transport.

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Community Consultation and Involvement

One module in a series on

**BEST PRACTICE
ENVIRONMENTAL
MANAGEMENT
IN MINING**

Environment Protection Agency

June 1995

FOREWORD

Environment protection is a significant concern for our society. A major role for government is setting environment standards and making sure people and organisations meet them. Government, industry and community organisations are working increasingly as partners to protect our environment and ensure a better life for present and future generations.

This publication has been produced by representatives of the mining industry in Australia in partnership with the Environment Protection Agency, an agency of the Australian Department of the Environment. It is one of a series of modules aimed at assisting all sectors of the mining industry — minerals, coal, oil and gas — to protect the environment and to reduce the impacts of mining by following the principles of ecologically sustainable development.

These modules includes examples of best practice environmental management in mining from some of the recognised leaders in the Australian industry. They are practical, cost-effective approaches that exceed the requirements set by regulation. In this particular module we move away from the practicalities of environmental management to a very important ancillary activity — community consultation.

Australia's better-performing mining companies have achieved environmental protection of world standard for effectiveness and efficiency — a standard we want to encourage throughout the industry in Australia and internationally.

That achievement is possible only with the cooperation of the communities in which they work. Part of environmental management is involving the community — listening to concerns and ensuring those concerns are met.

These best practice modules integrate environmental issues and community concerns through all phases of mining from exploration through construction, operation and eventual closure. The concept of best practice is simply the best way of doing things.

Our case studies demonstrate how best practice can be applied in diverse environments across Australia, while allowing flexibility for specific sites. The best practice advocated by this module includes practical techniques, recommendations, guidance and advice from Australia's leading mining practitioners about consulting the community and involving it in the development and operation of a mineral project.

I encourage mine managers and environmental officers to take up the challenge to lift performance and to apply the principles in these modules to their mines.



Barry Carbon

Executive Director,
Environment Protection Agency
and Supervising Scientist

EXECUTIVE SUMMARY

Best practice environmental management for mineral resource explorers and developers includes involving the community by talking to people about all aspects of proposed projects, and by listening to their concerns, their needs and their suggestions.

Today the community is concerned about the environment and resource conservation. It wants the environment protected and it wants its resources used wisely and efficiently. It is good business as well as common sense for companies planning new mining ventures to understand and respond to community concerns.

A company's talks with the community should be as wide as possible. They should identify all the issues that are likely to cause concern. This relationship should continue through the life of the project, and the company should always be ready to listen to and to act on community concerns.

In this way the people who are managing the project become a part of the community. Their approach to the development should evolve to become community centred rather than project centred. In other words, they do not just try to sell the project to the community, but involve the community in making sure that the project develops for the benefit of everyone.

This involvement has to occur early in a project's life — ideally before exploration commences — and to continue through all phases: evaluation; construction; operation; and post-operation.

Because mineral developments can have a range of immediate impacts, many of them negative, developers must involve those who are likely to be affected by talking to them about the strategies they have devised to minimise or avoid those impacts.

For example, the project developer should discuss with local farmers the proposed water management program and pollution control facilities at the mine. From such discussions may arise suggestions for improvements. Farmers downstream can then be confident about their water quality.

Concerns felt by neighbours and nearby townspeople about any proposed mine include: dust; noise; traffic volumes; safety; damage to vegetation; wildlife, heritage and cultural values; employment; and business opportunities. They worry about the effect it will have on their way of life. The mine developers should talk these through in detail with all the interested parties (the stakeholders), analysing the problems and canvassing solutions.

There are some principles which will help establish a sound and ethical relationship with stakeholders. The developer should:

- put a broad interpretation on the 'environment' and the 'community' so no important aspects or groups are missed;
- begin the consultative process early;
- listen to community concerns;
- delegate authority to project teams to commit the project to undertakings; and
- identify special interest groups and acknowledge their needs.

Planning is very important in a community consultation program. The company has to ask itself what its objectives are, who it wants to get information to and from, what resources it wants to apply, how it will monitor its effectiveness, and a range of other questions.

The company can call on a comprehensive range of techniques. These include visits by community representatives to comparable operations; attitudinal surveys; establishing links with the community, business and schools; information contact points; direct mailing; displays; invited comments; liaison groups; media briefings; public meetings; site rehabilitation groups; community demonstration projects; technology transfer; information material such as videos and printed material; and workshops.

Some techniques will not be appropriate to particular projects. The company will have to tailor its approach to the project and the community.

To make sure the consultation works and the community becomes involved in the project, the following guidelines can be helpful for a developer.

1. Show how the project will contribute to ecologically sustainable development by its contribution to the social and economic life of the community, and by protecting and rehabilitating the environment in the most effective way possible.
2. Demonstrate the benefits to the community, emphasising aspects such as job creation and the opportunity for improvements in skills, particularly for young people and minority or disadvantaged groups.

3. Regularly inform politicians, Federal, State and local government officials, community leaders and community groups, and the media of the company's plans and the project's progress. The company should always be open and helpful, and its senior people should always be available to respond to inquiries.
4. Watch for changing needs among special interest groups and work to accommodate them.
5. Appoint a community liaison officer who will maintain contacts and build up trust with the community.

The case studies of Australian best practice used in this module have all applied these principles, techniques and guidelines.

Even so, it might not be possible to reconcile all competing interests in all cases.

Developers must prepare for the possibility that their consultations will not always produce universal agreement.

In these cases the final decisions about project development may rest with government, which must decide whether the project is, on balance, in the community's interest.

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INTRODUCTION

In today's mining industry consultation with the community has become a very important part of mining operations.

Consultation helps people to understand what a mining development will do and how it will affect the community.

It enables the company to identify concerns early, and to take these into account in planning and developing its project.

It establishes a relationship between the company and its neighbours which should increase understanding and trust, and avoid unpleasant surprises.

Community consultation and involvement is a necessary part of any environment management system — not just because the community is part of the environment affected by an operation, but also because they can add sensitivities and information invaluable to achieving best practice.

A progressive company will try to establish a good working relationship with the people it has to work with. It will try to be a good neighbour and it will try to contribute to the community in which it operates.

This benefits everyone. The community understands what the company is doing. It will know what the costs to the community are going to be and what the benefits are going to be, and it can make its judgments accordingly. Its initial and understandable fears about the effects on the environment can be allayed by knowledge of what those effects will be and how the company will handle them.

Consultation is also intrinsically linked to the environmental impact assessment (EIA) process that, in Australia, has become a legal requirement in the last two decades.

From a community's perspective, such consultation can result in a far better understanding of the proposal and better coverage of issues in the EIA.

This module is a practical guide to the community consultation process. It will tell you what community consultation is, why it is necessary, what communities expect and need, and how a company can go about fulfilling those needs and expectations.

It will take you through the planning stages of a consultation program and outline the techniques a company can use, relating them to the four phases of a project's development. Most projects begin with a concept linked with exploration, move through evaluation/feasibility, then development/operation, and finally to closure/post operational monitoring.

1. WHAT IS COMMUNITY CONSULTATION?

There are no rules about community consultation that have not already been developed in other aspects of human relations. It is above all about listening, especially to people's needs, and their fears and their feelings about threats and opportunities.

Community consultation is about perceptions and reality. It is about principled negotiation and satisfactory results for all the people and groups involved. It is about social, economic and environmental impacts on people's lives. Above all it is about preservation of self esteem and a sense of well-being for all participants.

The information which the consultation process brings out about the community's needs, feelings and attitudes, and about the

developer's needs, can be used early in planning to guide project design to more effective social, economic and environmental benefits for all.

Principled negotiation involves:

- separating people from the problems;
- focussing on interests, not positions;
- generating a variety of possible outcomes before deciding what to do; and
- assessing the results against objective criteria.

The alternative to principled negotiation is bargaining over positions. This approach is now generally considered to be inefficient. It endangers relationships, can be complex in multi-party situations and produces unwise agreements.

2. WHY CONSULT?

IN THE MORE	<p>The simple historic view that resource development was strictly a matter for negotiation and regulation between the developer and the owner of the minerals — either a government or a private owner — has passed. Increased public knowledge and awareness of the environmental, economic and social effects of mineral development have widened the net of interested parties considerably.</p>	<p>the environment and interfere with the stable and comfortable lifestyle they have established.</p>
DEVELOPED		<p>Mining projects do bring changes, and some of those fears are well founded. Others are based on myths and misconceptions.</p>
COUNTRIES		<p>It is important for the project's proponent to acknowledge these fears and deal with them early. Otherwise, they will continue to present difficulties throughout the EIA process and subsequent phases.</p>
LEGISLATION	<p>Hectoring the community and its leaders about the economic benefits of mineral development is not a good way to win community support, given the diversity of society's views about resource development.</p>	<p>If the fears are based on misconceptions, those misconceptions must be corrected. If they are soundly based, the developer must be able to provide complete information about the things people fear, and how the company plans to negate or alleviate them.</p>
FREQUENTLY		<p>The aim is to create a positive relationship between the developer and stakeholders.</p>
REQUIRES	<p>Today the community takes a concerned and informed interest in mineral development and the environment, and it can exercise considerable influence over decision-making authorities. This is so particularly in industrialised countries, and it is increasingly becoming a feature of democratic developing nations.</p>	<p>Until relatively recently companies were making the understandable mistake of having the project as their primary focus, with community interests secondary. They were using public relations techniques to sell the project, rather than community consultation techniques to develop the project.</p>
DETAILED		<p>Significant community objections were unwelcome. A develop-at-all-costs ethos prevailed. The results were conflict, delay and cost, and they wounded company-community relationships. This was the project-centred approach.</p>
CONSULTATION		<p>Experience is a great teacher. More recently the most progressive companies, those with a real drive to best practice, have adopted a more genuinely positive, open, co-operative and interactive process. They are ready to go in early, to listen as well as to inform. They have learned the benefits of being good listeners.</p>
WITH A WIDE		
RANGE OF	<p>The scope of legislation in mining-oriented jurisdictions varies greatly. In the more developed countries legislation frequently requires detailed consultation with a wide range of parties.</p>	
PARTIES	<p>Even after consultation many parties, including distant third parties, might retain the right to object to developments proceeding. Early consultation is therefore necessary, at the very least to manage the potential for future objections.</p>	
	<p>Fears — real or imaginary</p>	
	<p>The prospect of a new mining or mineral processing project can promise economic benefits to a community, but it also raises many fears. People worry that it will damage</p>	

The industry increasingly sees this community-centred approach as the more effective, building successful communication between all the people involved.

Ecologically sustainable development is not just about environmental considerations. It embraces the effects of development on society and the economy.

To know just what effect a project will have, the developer must undertake social impact studies. The company should start these as early as possible so the project can establish useful baseline data.

The company's role

With the success of post-World War II economic growth in developed countries, wealth creation has been a catalyst for dramatic changes in the values and expectations of people and communities.

Their economic expectations satisfied, people have turned their concerns to leisure, the pleasantness of their lives, and the environment.

These changes have called into question the assumptions previously held by mining companies, that they had the right to proceed rapidly, and without substantial impediment, to develop their mineral discoveries.

The most progressive companies now want project design and operational practice to reflect the values, expectations and needs of the community.

The importance of a good track record

Especially important is a company's need to develop a good track record on the environment, and on community consultation, against which future project proposals can be judged.

This track record provides the company with its credentials to operate. It is an investment in the future, a statement of the company's operational ability intended to ensure its corporate growth, diversity and a profitable long life.

Executed well and consistently, such corporate behaviour establishes a professional and ethical reputation, something that will increasingly figure in defining the competitive advantage held by one company over another.

This behaviour has to begin at the highest level — the board of directors — and has to be public. A common method is for a company to declare a corporate environmental policy, and to publicise it well. As part of this policy the company will commit itself and its employees to community consultation, and to addressing the needs of stakeholders, particularly communities in the neighbourhood of projects.

BHP's Environmental Policy states, inter alia

'...BHP's approach to environmental management seeks continuous improvement in performance by taking account of evolving scientific knowledge and community expectations.

'Specifically, it is BHP's policy to:

- **communicate openly with government and the community on environmental issues ...'**

3. WHAT DO COMMUNITIES EXPECT AND NEED?

People like security. They want to know that a planned mine is not going to upset their lifestyle.

They also want to know that it is not going to cause great and irreparable damage to the environment around them — or to the wider environment.

In urban areas, the issues frequently are:

- personal safety in relation to the volume, rate and hours of traffic movements;
- atmospheric emissions, dust, noise and vibration;
- water pollution;
- hazards for children and the elderly;
- ugliness, and the general appearance of the neighbourhood;

- concerns of people with alternative or opposing values; and
- concerns about what happens when the project ends — the subsequent use of the land and the impacts of closure on the community.

In rural areas, with an agricultural emphasis or with indigenous communities, issues could include:

- safety of people and livestock;
- water pollution;
- loss of or disruption to livelihood;
- loss of or disturbance to heritage values;
- loss or disturbance of natural values — biodiversity, conservation, vegetation, landscape;
- limitations on access to areas of cultural or spiritual significance;
- atmospheric emissions, including dust, noise and vibration;
- increased traffic levels on rural roads;
- loss of or disruption to traditional cultural values.

People now expect that the project's proponent and the operator will commence community consultations at the beginning of planning and continue to consult through the life of the project.

This includes any monitoring phase after the closure of the operation. In most jurisdictions this aspect of community consultation goes beyond regulatory requirements, which tend to be limited to consultations over mineral title acquisition and renewal phases, and to EIA processes before the project begins operations.