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**Private and confidential**

Mr Barry Broe  
Coordinator-General  
Office of the Coordinator-General  
Department of State Development, Infrastructure and Planning  
PO Box 15517  
City East QLD 4002

30<sup>th</sup> August 2013

Dear Mr Broe

**Application for Change Request**

I refer to your letter dated 31 May 2013, introducing the new Social Impact Assessment (SIA) guideline and providing an opportunity for RTA Weipa Pty Ltd (RTA) to review imposed social conditions for the South of the Embley project.

After conducting an internal review and discussing social conditions that may benefit from revision with members of your staff, we wish to pursue minor administrative amendments to selected conditions. RTA recognises the importance of mitigating project related social impacts and we are strongly focused on delivering positive social outcomes for the communities we operate in. The opportunity to review certain conditions will assist in the efficient delivery of our social commitments by removing duplication and streamlining reporting processes.

The following attachment clearly identifies current conditions and describes the proposed changes and the effect these changes will have on the project.

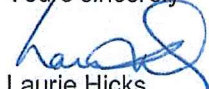
We wish only minor changes to the conditions as detailed in the Coordinator General report of 23 May 2012:

- Some minor administrative amendments to certain conditions to improve alignment with the SIA guidelines and reporting requirements;
- Some minor amendments will assist in streamlining the governance arrangements for monitoring social impact, recognising the suite of existing local collaborative forums that meet the intent of the SIMP/ SIA guideline; and,
- We do not wish to amend certain conditions that relate to obligations and collaborative activities with local stakeholders.

RTA intends to propose other minor amendments to South of the Embley project conditions, which we are currently working through with your staff in Coordinated Project Delivery. Given the nature of the proposed changes to the social conditions which are intended to better align with the new SIA guideline, RTA requests your consideration that change report fees be waived on this occasion.

Should your office require any further information please contact Julia Wilkins on 07 3625 5141.

Yours sincerely



Laurie Hicks  
Project Director  
South of Embley Project

# Appendix 1. Imposed conditions

- Condition 1. General conditions
- Condition 2. Audit reports
- Condition 3. General communication obligations
- Condition 4. Failure impact assessment of Dam C
- Condition 5. Fishway passage
- Condition 6. Marine fish habitat loss on mining lease

## Social conditions

### Condition 7. Social impact management plan (SIMP)

- (a) The proponent must, within 60 calendar days of the project receiving a final investment decision to proceed, submit a final SIMP consistent with the Social Impact Assessment Guideline (May 2013) for assessment and final approval by the Coordinator-General prior to release.
- (b) The SIMP may be either a stand-alone document or the SIMP requirements may be incorporated into another RTAW document
- (c) The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:
  - (i) a monitoring program for mitigation and management strategies designed to address social impacts
  - (ii) a revised stakeholder engagement strategy which contains a list of key stakeholders and their interest in the project; actions and outcomes, review mechanisms to support effectiveness, culturally appropriate engagement methods as per Condition 8(a)(ii)
  - (iii) a dispute resolution mechanism that utilises culturally appropriate engagement strategies as per the revised stakeholder engagement strategy
  - (iv) revised Action Plans as per Condition 10
  - (v) updated Action Plans that detail implementation actions, progress, achievements, and specific activities
  - (vi) evidence it has taken reasonable steps to engage and collaborate on the strategies contained in the final SIMP with the relevant stakeholders, including State Government agencies
  - (vii) actions proposed to resolve matters where clear agreement has not yet been reached in relation to social impact management strategies. Outcomes of these actions will be reviewed in the first annual report requirements of the SIMP, as specified as part of the reporting, review and auditing arrangements.
- (c) A record of stakeholder feedback and a report on outcomes of consultation regarding the draft SIMP must be provided when the proponent submits the final SIMP.
- (d) The proponent must implement the final SIMP in conjunction with the social impact conditions specified in this report; and key SIMP commitments and action plans as per Section 16 in the Summary of Commitments (Appendix 6).

**Comment [IA(1):** Update to refer to new guideline

**Deleted:** *to preparing a social impact management plan (September 2010),*

**Comment [IA(2):** RTAW has other existing plans relating to Communities and would like to flexibility to incorporate SIMP requirements in these documents rather than producing a separate document.

**Comment [SM3]:** Remove: the timeframe to closure (40 years) makes this too hypothetical

**Deleted:** *<#> measures and timeframes for closure planning*

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### Reporting, review and auditing arrangements

- (e) With respect to the SIMP the proponent must:

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Coordinator-General's report on the environmental impact statement



- (i) submit an annual progress report on the implementation of the SIMP to relevant stakeholders identified in the Stakeholder Engagement Plan. The first annual report should be submitted 12 months after approval of the final SIMP and include the results of engagement with relevant external stakeholders identified in the Stakeholder Engagement Plan.
- (ii) undertake an independent external audit two years after the commencement of significant construction and two years after commencement of shipment of ore from the Boyd port.
- (iii) ensure the terms of reference for the audit are endorsed by RTAW and the Coordinator-General and include culturally appropriate engagement and participation
- (iv) ensure the auditor has specific knowledge and understanding of the local area and Indigenous Australian cultures and issues, and the ability to communicate sensitively and effectively with Indigenous communities
- (v) forward the independent audit to the Coordinator General within 20 business days of receipt
- (vi) not more than three months following the submission of the audit report, provide written advice to the Coordinator-General addressing:
  - (A) actions taken by the proponent promptly and routinely to ensure compliance with the Coordinator-General's imposed conditions
  - (B) actions taken to prevent a recurrence of any non-compliance issues.
- (f) The proponent may also elect to conduct additional internal reviews.

**Comment [IA(4):** No need for an another committee. Reporting is directly with relevant stakeholders through existing forums. These stakeholders would be identified in the Stakeholder Engagement Plan that comprises part of the SIMP

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**Comment [IA(5):** Best to agree the milestone now (replace an uncertain timeframe with a set timeframe (above))

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#### Requirements for any amendments to SIMP

- (g) In consultation with affected stakeholders, the proponent must revise the SIMP after completion of the construction stage of the project under the following circumstances:
  - (i) strategies and actions no longer meet the desired outcomes, or changes are needed to improve their effectiveness; or
  - (ii) changes in government policy, or significant changes to company operations and site organisation, necessitate changes to improve effectiveness.
- (h) The proponent must work with affected stakeholders consistent with the SIMP guideline to facilitate any amendments to the SIMP. This engagement will be reflected in the stakeholder engagement plan.

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**Deleted:** or significant national/international changes to management approaches and frameworks.

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#### Condition 8. Stakeholder engagement strategy and dispute resolution

##### Indigenous stakeholder engagement

- (a) Prior to the commencement of SoE construction works, the proponent must:
  - (i) provide to the Coordinator-General, job descriptions for the staffing positions for the Community Office in Aurukun, together with documentation confirming Aurukun Shire Council's opportunity to contribute to the job descriptions,
  - (ii) implement culturally appropriate engagement methods with the Aurukun Shire Council and traditional owners. These must include a variety of methods including:
    - (A) spending appropriate time in the community with traditional owners and broader community members
    - (B) using interpreters if required

**Comment [IA(6):** Revised text is simpler and covers all staffing

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- (C) using simple communication tools to assist people with understanding the SoE project information, including EIS and SIMP documents
- (b) RTAW must, throughout construction and for the life of the project, provide regular verbal and written progress reports to the relevant stakeholders identified in the Stakeholder Engagement Strategy that:
  - (A) detail stakeholder issues of Aurukun, Napranum, Mapoon and Weipa in relation to the project, and the effectiveness of engagement strategies in addressing these issues
  - (B) analyse issues raised and detail the actions taken by the proponent in addressing these issues, including mitigation strategies to respond to social impacts.

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### Dispute resolution

- (c) RTAW must, for the life of the project:
  - (i) implement a community feedback procedure. Stakeholders must be able to deal effectively with RTAW regarding any concerns on project activities. RTAW must maintain a 24-hour feedback response line for all members of the community to report incidents or issues relating to project activities, safety, health and environmental amenity or harm
  - (ii) implement procedures for receiving and dealing quickly and effectively with community feedback
  - (iii) include the dispute resolution process for community feedback on the RTAW website once the project moves into the construction phase
  - (iv) ensure contractors engaged on the project have a clear process for dispute resolution and issue management and ensure compliance with RTAW's community feedback procedure.

### Condition 9. Increased employment and training opportunities

#### Access from Aurukun to the mine—community commute

- (a) Prior to the commencement of significant construction, the proponent must inform the Aurukun Shire Council (using interpreters if necessary) and the Western Cape Communities Coordinating Committee, and other stakeholders consistent with the revised stakeholder engagement strategy, about roster and accommodation arrangements for fly-in fly-out workers.
- (b) Throughout the construction phase, the proponent must report to the Aurukun Shire Council (using interpreters if necessary), the Western Cape Communities Coordinating Committee, and other stakeholders consistent with the revised stakeholder engagement strategy, on the number of Aurukun residents using the commute arrangements.
- (c) Prior to the start of the operational phase, the proponent must:
  - (i) provide a report on the community commute options and the resultant community commute arrangement for the operations phase to the Western Cape Communities Coordinating Committee, and other stakeholders as detailed in the revised Stakeholder Engagement Strategy.
  - (ii) implement the community commute arrangements.
- (d) During operation the proponent must:
  - (i) Collaborate with the Western Cape Communities Coordinating Committee, and other stakeholders as detailed in the revised Stakeholder Engagement Strategy

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to develop an assessment mechanism to regularly measure the effectiveness of the community commute arrangements.

- (ii) During the operational phase, report on the level of effectiveness of the commute arrangement.
- (iii) Include in the annual SIMP progress reports the relevant performance measures to measure the effectiveness of the community commute arrangements and any proposed amendments and/or updates to mitigation strategies. Collaboration with relevant stakeholders must be undertaken in accordance with Condition 10 (a).

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#### Land and sea management program

- (e) Prior to the commencement of significant construction, the proponent must:
  - (i) explain to the traditional owners and other relevant stakeholders, consistent with the revised Stakeholder Engagement Strategy, the details of the land and sea management program (using interpreters if necessary)
  - (ii) commence implementation of the land and sea management program in close consultation with traditional owners.

#### Communities, heritage and environmental management plan

- (f) Prior to the commencement of significant construction, the proponent must:
  - (i) explain to the traditional owners and other relevant stakeholders, consistent with the Stakeholder Engagement Strategy, the details of the communities, heritage and environmental management plan (using interpreters if necessary)
  - (ii) commence implementation of the communities, heritage and environmental management plan in close consultation with traditional owners.

#### Condition 10. Performance measures for Aurukun, Mapoon and Napranum

- (a) RTAW must:
  - (i) Collaborate with relevant stakeholders to ensure that appropriate measures related to Community Commute – Aurukun to the Mine, Indigenous employment and training, Indigenous education and Indigenous business development accurately measure outcomes for residents of Aurukun, Mapoon and Napranum communities. Ensure these measures are incorporated into the monitoring plan and embedded into the relevant RTAW strategies and reported in annual SIMP progress reports.
  - (ii) Revise the relevant action plans in the final SIMP to reflect the process required to achieve condition 10 (a).

Comment [T7]: Make wording similar to Recommendation 7

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Comment [IA(8)]: Delete: RTAW is not equipped to take the role of a Government school and the Aurukun School does not want RTAW to take that role.

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Where possible, provide specialist lessons in mining related careers, such as chemistry, engineering, and business

Deleted: to promote range of career options

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Deleted: placement at boarding school

Comment [SM9]: Change the wording here, it was poorly worded

#### Condition 11. Indigenous Education

- (a) Throughout the life of the project, RTAW must:
  - (i) Regularly engage with students with agreement from the Aurukun School, to create an early awareness of RTAW, and promote career opportunities
  - (ii) Host regular visits to RTAW for students from the Aurukun school to showcase the types of jobs available and the workplace environment
  - (iii) Support the development a of coordinated program to provide work experience or work exposure opportunities for boarding school students who return to Aurukun, Mapoon and Napranum throughout the school holidays to assist in advancing employment or education outcomes.

### Condition 12. SIMP investment

- (a) RTAW must report its community contribution, including SIMP investment, to the Coordinator General in each annual SIMP progress report. The reporting on the SIMP investment should be for the previous 12 month period.
- (b) The SIMP investment may exclude some contributions which are subject to confidentiality requirements of other community agreements.

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**Comment [SM10]:** RTAW will not have much to report from a project perspective 60 days in. It makes more sense to align reporting on investment with the progress report requirements.

### Condition 13. Housing and accommodation

- (a) RTAW must:
- (i) Complete the Weipa water infrastructure upgrade and commence development of Golf Links Estate Stage 2, consistent with development approval from Weipa Town Authority
  - (ii) Construct a camp to accommodate the SoE construction workforce as part of project construction, and if required, a new camp of up to 200 beds on previously disturbed land adjacent to Nanum.
  - (iii) Before commencement of construction, prepare the Weipa demographic analysis in collaboration with the Department of Housing and Public Works and OESR, to inform the development of the Housing and Accommodation Master Plan
  - (iv) Before commencement of operations, develop the Housing and Accommodation Master Plan in consultation with the Department of Housing and Public Works and relevant local stakeholders as stated in the SIMP.
  - (v)
  - (vi) Implement relevant housing mitigation and management strategies in future revisions of the SIMP report on their implementation via the SIMP progress reports.

**Deleted:** Submit the Weipa Housing and Accommodation Master Plan to the SoE SIMP Steering Committee for comment before commencement of operations

### Condition 14. Community health and wellbeing

- (a) RTAW must develop a community health and wellbeing action plan as part of the SIMP to incorporate the following health, policing, and community safety service delivery strategies, and Workforce Behaviour and Management policies.

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### Queensland Health

- (b) RTAW must:
- (i) collaborate with Queensland Health, before and throughout construction to identify any impacts associated with the Nanum camp, in relation to the potential demand on acute and non-acute health services
  - (ii) develop health service related mitigation strategies before and throughout construction to address any impacts on the demands on current regional health services provided by Queensland Health

### Police service delivery

- (c) RTAW must:
- (i) before and throughout construction, collaborate with Queensland Police Service to identify any project impacts on police service delivery, water policing, traffic and transport movements, incidents and complaints.

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- (ii) before construction and with the involvement of the Weipa Police, conduct a risk assessment to determine the requirements for suitably trained rescue staff and resources located in close proximity to any likely river-based operations.
- (iii) before construction, establish appropriate protocols with the Weipa Police to ensure an appropriate response to incident management on site
- (iv) throughout construction and operations, provide adequate lighting, security fencing, and CCTV monitoring around the car park area at the ferry pick-up point at Hornibrook

#### Queensland Ambulance Service (QAS)

- (d) RTAW must:
  - (i) before construction, establish appropriate protocols and implement a standard operating procedure with QAS to ensure an appropriate response to incident management on site
  - (ii) Throughout construction and operations provide appropriate on site paramedic services complete with appropriate resources.

#### Workforce Behaviour and Management

- (e) For the duration of the project, RTAW must:
  - (i) Ensure the SoE Project Code of Conduct is regularly reviewed and updated for project employees and contractors
  - (ii) Implement workforce induction and awareness sessions to communicate requirements relating to safety, cultural awareness, security, behaviour, interaction with the community and land access both on and off the mining lease
  - (iii) Ensure reported incidents of unacceptable behaviour are investigated and responded to
  - (iv) Implement policies for employees and contractors in relation to fitness for work, including alcohol and other drugs
  - (v) Implement fatigue management strategies for employees and contractors
  - (vi) Collaborate with Traditional owners to maximise opportunities to deliver cultural awareness programs and cultural heritage induction programs for the SoE project.
  - (vii) Develop cross-cultural awareness programs and induction programs for all employees and contractors, in collaboration with Traditional Owners

**Comment [SM11]:** Remove, this is adequately addressed through condition 7 Reporting and auditing arrangements and Condition 8 Stakeholder Engagement. Local stakeholders are not interested in another committee.

Project updates are already given to WCCC, WCCT, WTA, Aurukun Shire

**Deleted: <#>SIMP Steering Committee¶**  
 <#>Early in the development phase of the final SIMP, the proponent must establish the SoE SIMP Steering Committee ¶  
 <#>The SoE SIMP Steering Committee must meet quarterly during construction and the frequency of the meeting is to be reviewed during the operational phase.¶  
 <#>RTAW must:¶  
 <#>provide clear terms of reference, developed in consultation with the Chair and members ¶  
 <#>provide the terms of reference and final membership to the Coordinator General for approval, prior to the SoE SIMP Steering Committee inaugural meeting¶  
 <#>appoint and fund the Independent Chair's position ¶  
 <#>provide full resourcing of the secretariat for the SoE Steering Committee. ¶

#### Recommendation 7. Local and Indigenous sourcing

It is recommended that:

- (a) Throughout construction, RTAW should promote the contracting opportunities to the Aurukun, Mapoon and Napranum Shire Councils, as consistent with the revised stakeholder engagement strategy. Contracting opportunities should also be promoted in the operational phase.
- (b) RTAW should [develop a Local and Indigenous Employment and Business Development Plan](#) which has been developed with reference to the [Queensland Resources and Energy Sector Code of Practice for Local Content \(2013\)](#).

**Deleted:** submit a finalised local and Indigenous sourcing strategy upon completion,

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- (c) RTAW should promote supply and contracting opportunities within the local and Indigenous sourcing strategy as follows:
- (i) Include local industry, including Western Cape Communities Trust (WCCT), within its contracting and procurement strategies;
  - (ii) strategies should flow down through second and third tier contractors (where appropriate);
  - (iii) Where firms are competitive, provide favourable consideration to bidders who involve local Aboriginal people or local Aboriginal corporations in their bid
  - (iv) Maximise use of local and regional suppliers where they are comparable or superior in terms of price, delivery time and quality;
  - (viii) Undertake ongoing stakeholder engagement on local and Indigenous sourcing consistent with the revised stakeholder engagement strategy which includes key stakeholders such as the WCCT, Weipa Chamber of Commerce, Cairns Chamber of Commerce;
  - (ix) In line with Rio Tinto Procurement and Bechtel policies, establish local and Indigenous procurement processes and systems for the Project.
- (d) RTAW should develop and implement a reporting framework during the construction phase that provides **annual** local content detail on:
- (i) Value of project spend in Australian dollars within Queensland;
  - (ii) Value of project spend in Australian dollars within greater Australia;
    - (A) Value of project spend in Australian dollars Overseas;
    - (B) SoE project employment data
    - (C) SoE project training and skills development programs
  - (iii) communication of supply opportunities—number of events held and attendees, website view, supplier registrations, etc.

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**During the construction phase, the relevant information should be included in the annual SIMP progress report.**

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