

South of the Embley project:

Coordinator-General's change report no. 1— social conditions

October 2013

© State of Queensland, Department State Development, Infrastructure and Planning, **October 2013**, 100 George Street, Brisbane Qld 4000. (Australia)



Licence: This work is licensed under the Creative Commons CC BY 3.0 Australia licence. To view a copy of this licence, visit www.creativecommons.org/licenses/by/3.0/au/deed.en. Enquiries about this licence or any copyright issues can be directed to the Senior Advisor, Governance on telephone (07) 3224 2085 or in writing to PO Box 15009, City East, Queensland 4002

Attribution: The State of Queensland, Department of State Development, Infrastructure and Planning.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on telephone 131 450 and ask them to telephone the Queensland Department of State Development, Infrastructure and Planning on telephone (07) 3227 8548.

Disclaimer: This report contains factual data, analysis, opinion and references to legislation. The Coordinator-General and the State of Queensland make no representations and give no warranties regarding the accuracy, completeness or suitability for any particular purpose of such data, analysis, opinion or references. You should make your own enquiries and take appropriate advice on such matters. Neither the Coordinator-General nor the State of Queensland will be responsible for any loss or damage (including consequential loss) you may suffer from using or relying upon the content of this report. By using or relying on such information you agree to indemnify the Coordinator-General and the State of Queensland against any loss arising out of or in relation to your use or reliance.

An electronic copy of this report is available on the Department of State Development, Infrastructure and Planning's website at www.dsdip.qld.gov.au

Contents

1.	Introduction	1
1.1.	Legislative provision for change report.....	1
2.	Public notification	1
3.	The proposed change	1
3.1.	Proponent’s reasons for change	2
4.	Evaluation of the change request.....	2
5.	Conclusion	3
5.1.	Revised conditions and recommendations.....	3
5.2.	Distribution of change report.....	3
Appendix 1.	Amended conditions.....	4
Appendix 2.	Amended recommendations	10

1. Introduction

The *South of the Embley project – Coordinator-General's evaluation report for an environmental impact statement* (Coordinator-General's report) was released in May 2012, pursuant to section 35 of the *State Development and Public Works Organisation Act 1971* (Qld) (SDPWO Act).

The proponent for the South of the Embley project is Rio Tinto Alcan Weipa Pty Ltd (RTA), a subsidiary of Rio Tinto Aluminium within the Rio Tinto Alcan Group. On 30 August 2013, RTA applied to the Coordinator-General to propose changes to Appendix 1, conditions 7–15 and Appendix 4, Recommendation 7 of the Coordinator-General's report.

1.1. Legislative provision for change report

The proponent has applied to the Coordinator-General to assess a proposed change to a project, under Division 3A, section 35B, of the SDPWO Act. In accordance with section 35C of the SDPWO Act, the Coordinator-General evaluates the environmental effects of the proposed change, its effects on the project and any other related matters, and prepares a Coordinator-General's change report.

2. Public notification

In accordance with section 35G of the SDPWO Act, I must decide whether or not the proponent is required to publicly notify the proposed change application and any effects on the project.

The changes applied for relate to the alignment of social impact management plan (SIMP) conditions with the current *Social impact assessment guideline* (SIA guideline)¹, removal of condition duplication and streamlining of reporting, but do not materially affect the proponent's obligations contained in the relevant conditions. Accordingly, I determined that the proposed changes did not warrant public consideration and the application for project change was not publicly notified prior to evaluating the proposed change.

3. The proposed change

The proposed change requests that Appendix 1, conditions 7–14 and Appendix 4, Recommendation 7, be amended and Appendix 1, Condition 15 be deleted. RTA has considered the Coordinator-General's SIA guideline and has elected to retain the title *SIMP (Social Impact Management Plan)* because the local community has ownership of the SIMP development process and the SIMP document.

¹ Department of State Development, Infrastructure and Planning, *Social impact assessment guideline*, Department of State Development, Infrastructure and Planning, Brisbane, 2013, viewed 20 September 2013, <<http://www.dsdip.qld.gov.au/resources/guideline/social-impact-assessment-guideline.pdf>>.

RTA advised that it recognises the importance of mitigating project-related social impacts and that it is strongly focused on delivering positive social outcomes for the communities it operates in.

3.1. Proponent's reasons for change

RTA is seeking amendments to conditions in the SIMP to align them with an outcome-focused and risk-based approach as set out in the SIA guideline. The proposed project changes remove duplication and streamline reporting.

RTA's change request states:

"We only wish 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."

4. Evaluation of the change request

In evaluating this application for project change, I have considered the proponent's application for project change, dated 30 August 2013.

The amendments applied for are of a minor nature and are in accordance with the SIA guideline. It is my view that the removal of the condition regarding the SIMP Steering Committee is warranted, as the proponent is reporting directly to relevant stakeholders through existing forums. These stakeholders would be identified in the Stakeholder Engagement Plan that forms part of the SIMP. Stakeholder engagement has also been adequately addressed in conditions 7 and 8.

I consider that these amendments are consistent with the outcome-focused and risk-based approach outlined in the SIA guideline. I support the approach to align the SIMP conditions with the current SIA guideline and remove the requirement for the SIMP Steering Committee.

5. Conclusion

Pursuant to section 35I of the SDPWO Act, I have evaluated the RTA application for project change, dated 30 August 2013, and conclude the following:

- the project changes requested by RTA will not affect the implementation of the South of the Embley project
- Appendix 1, conditions 7–14 and Appendix 4, Recommendation 7 of the Coordinator-General's evaluation report for the South of the Embley project should be amended
- Appendix 1, Condition 15 from the Coordinator-General's evaluation report of the South of the Embley project should be deleted.

Pursuant to section 35L of the SDWPO Act, the evaluation of the RTA application for project change, date 30 August 2013, lapses on the same date as the Coordinator-General's report (under section 35A).

5.1. Revised conditions and recommendations

Conditions and recommendations made in this report are made pursuant to section 35I(2) of the SDPWO Act.

Revised conditions are in Appendix 1 of this change report, and revised recommendations are in Appendix 2.

5.2. Distribution of change report

Pursuant to section 35J of the SDPWO Act, a copy of this report will be given to the proponent, and a copy will be made available at: www.dsdip.qld.gov.au/soe

As per section 35K of the SDPWO Act, the Coordinator-General's report on the EIS for the project, and the Coordinator-General's change report, both have effect for the project. However, if the reports conflict the Coordinator-General's change report prevails to the extent of any perceived inconsistency.



Barry Broe
Coordinator-General

| October 2013

Appendix 1. Amended conditions

Former condition (as stated in the Coordinator-General's evaluation report of May 2012)	New condition
<p>Appendix 1, Condition 7(a)</p> <p>The proponent must, within 60 calendar days of the project receiving a final investment decision to proceed, submit a final SIMP consistent with the <i>Guideline to preparing a social impact management plan</i> (DIP, September 2010), for assessment and approval of the Coordinator-General prior to release.</p>	<p>Appendix 1, Condition 7(a)</p> <p>The proponent must, within 60 calendar days of the project receiving a final investment decision to proceed, submit a final SIMP consistent with the <i>Social Impact Assessment Guideline</i> (May 2013) for assessment and final approval by the Coordinator-General prior to release.</p>
	<p>Appendix 1, Condition 7(a)(i)</p> <p>The SIMP may be either a stand-alone document or the SIMP requirements may be incorporated into another RTAW document.</p>
<p>Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(iv) measures and timeframes for closure planning</p>	<p>Delete Appendix 1, Condition 7(b)(iv)</p>
<p>Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(v) revised action plans as per Condition 10</p>	<p>Renumbered Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(iv) revised action plans as per Condition 10</p>
<p>Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(vi) updated action plans that detail implementation actions, progress, achievements, and specific activities</p>	<p>Renumbered Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(v) updated action plans that detail implementation actions, progress, achievements, and specific activities</p>
<p>Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(vii) 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</p>	<p>Renumbered Appendix 1, Condition 7(b)</p> <p>The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:</p> <p>(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</p>

Former condition (as stated in the Coordinator-General's evaluation report of May 2012)

New condition

Appendix 1, Condition 7(b)

The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:

(viii) actions proposed to resolve matters where clear agreement has not been reached in relation to social impact management strategies, and include the provision of evidence of reasonable steps towards agreement. 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

Renumbered and amended Appendix 1, Condition 7(b)

The final SIMP must update the mitigation strategies in line with the recommendations and relevant conditions set out in this report and include:

(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.

Appendix 1, Condition 7(c)

A record of stakeholder feedback and a report on the outcomes of the release of the draft SIMP must be provided when the proponent submits the final SIMP.

Appendix 1, Condition 7(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.

Appendix 1, Condition 7(e)

With respect to the SIMP the proponent must:

(i) submit an annual progress report on the implementation of the SIMP, which has been submitted to the SIMP Steering Committee for early consideration and comment and endorsed by RTAW. The annual report should be submitted 12 months after approval of the final SIMP and include the results of engagement on the report with the SIMP Steering Committee.

Appendix 1, Condition 7(e)

With respect to the SIMP the proponent must:

(i) submit an annual progress report on the implementation of the SIMP to the Coordinator-General and 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 results of engagement with relevant external stakeholders identified in the Stakeholder Engagement Plan.

Appendix 1, Condition 7(e)

With respect to the SIMP the proponent must:

(ii) undertake an independent external audit two years after the commencement of significant construction, then at key project milestones, as agreed with the Coordinator-General

Appendix 1, Condition 7(e)

With respect to the SIMP the proponent must:

(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.

Former condition (as stated in the Coordinator-General's evaluation report of May 2012)

New condition

Appendix 1, Condition 7(g)

In consultation with affected stakeholders, the proponent must revise the SIMP after completion of the construction stage of the project or advise the Coordinator-General that amendments and updates to the SIMP are required under the following circumstances:

- (i) strategies and actions no longer meet the desired outcomes, or to improve their effectiveness
- (ii) changes in government policy, significant changes to company operations and site structure, or significant national/international changes to management approaches and frameworks.

Appendix 1, Condition 7(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.

Appendix 1, Condition 7(h)

The proponent must work with the Coordinator-General and affected stakeholders consistent with the SIMP guideline to facilitate any amendments to the SIMP. This engagement must (be) reflected in the stakeholder engagement plan.

Appendix 1, Condition 7(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.

Appendix 1, Condition 8(a)

Prior to commencement of significant construction works, the proponent must:

(i) provide to the Coordinator-General, job descriptions for the 'office coordinator' and other staffing positions for the Community Office in Aurukun, together with documentation confirming Aurukun Shire Council's opportunity to contribute to the job descriptions

Appendix 1, Condition 8(a)

Prior to commencement of significant 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

Appendix 1, Condition 8(b)

RTAW must, throughout construction and for the life of the project, provide regular verbal and written progress reports to the SIMP Steering Committee that:

- (i) detail stakeholder issues of Aurukun, Napranum, Mapoon and Weipa in relation to the project, and the effectiveness of engagement strategies in addressing these issues
- (ii) analyse issues raised and detail the actions taken by the proponent in addressing these issues, including mitigation strategies to respond to social impacts.

Appendix 1, Condition 8(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:

- (i) detail stakeholder issues of Aurukun, Napranum, Mapoon and Weipa in relation to the project, and the effectiveness of engagement strategies in addressing these issues
- (ii) analyse issues raised and detail the actions taken by the proponent in addressing these issues, including mitigation strategies to respond to social impacts.

Former condition (as stated in the Coordinator-General's evaluation report of May 2012)

New condition

Appendix 1, Condition 9(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, SIMP Steering Committee, and other stakeholders as detailed in the revised Stakeholder Engagement Strategy.

Appendix 1, Condition 9(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

Appendix 1, Condition 9(d)

During operation the proponent must:

(i) Collaborate with the Western Cape Communities Coordinating Committee, SIMP Steering Committee, and other stakeholders as detailed in the revised Stakeholder Engagement Strategy to develop an assessment mechanism to regularly measure the effectiveness of the community commute arrangements

Appendix 1, Condition 9(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, to develop an assessment mechanism to regularly measure the effectiveness of the community commute arrangements.

Appendix 1, Condition 10(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 local and Indigenous sourcing, 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 the annual SIMP progress reports.

Appendix 1, Condition 10(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.

Appendix 1, Condition 11 (a)

Throughout the life of the project, RTAW must:

(ii) where possible, provide specialist lessons in mining related careers, such as chemistry, engineering, and business to promote range of career options

Delete Appendix 1, Condition 11 (a)(ii)

Appendix 1, Condition 11 (a)

Throughout the life of the project, RTAW must:

(iii) host regular visits to RTAW for students from the Aurukun school to showcase the type of jobs available and the workplace environment

Renumbered Appendix 1, Condition 11 (a)

Throughout the life of the project, RTAW must:

(ii) host regular visits to RTAW for students from the Aurukun school to showcase the type of jobs available and the workplace environment

Former condition (as stated in the Coordinator-General's evaluation report of May 2012)

New condition

Appendix 1, Condition 11 (a)

Throughout the life of the project, RTAW must:

(iv) develop a coordinated support program for boarding school students who return to Aurukun, Mapoon and Napranum throughout the placement at boarding school to assist in advancing employment or education outcomes.

Renumbered and amended Appendix 1, Condition 11 (a)

Throughout the life of the project, RTAW must:

(iii) support the development of a 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.

Appendix 1, Condition 12(a)

RTAW must report its community contribution, including SIMP investment to the Coordinator General within 60 days of receiving a final investment decision to proceed and then annually from the first SIMP progress report. The reporting on the SIMP investment should be for the previous 12-month period.

Appendix 1, Condition 12(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.

Appendix 1, Condition 13(a)

RTAW must:

(v) Submit the Housing and Accommodation Master Plan to the SIMP Steering Committee for comment before commencement of operations.

Delete Appendix 1, Condition 13(a)(v)

Appendix 1, Condition 13 (a)

RTAW must:

(vi) Include relevant housing mitigation and management strategies in future revisions of the SIMP and report on their implementation via the SIMP progress reports.

Renumbered Appendix 1, Condition 13(a)

RTAW must:

(v) Include relevant housing mitigation and management strategies in future revisions of the SIMP and report on their implementation via the SIMP progress reports.

Appendix 1, Condition 14(a)

RTAW must develop a community health and wellbeing action plan for inclusion in the draft SIMP to incorporate the following health, policing, and community safety service delivery strategies, and Workforce Behaviour and Management policies.

Appendix 1, Condition 14(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

Appendix 1, Condition 14(c)

RTAW must:

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

Appendix 1, Condition 14(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.

Former condition (as stated in the Coordinator-General's evaluation report of May 2012)

New condition

Appendix 1, Condition 15

- (a) Early in the development phase of the final SIMP, the proponent must establish the SOE SIMP Steering Committee
- (b) The SIMP Steering Committee must meet quarterly during construction and the frequency of the meeting is to be reviewed during the operational phase.
- (c) RTAW must:
 - (i) provide clear terms of reference, developed in consultation with the Chair and members
 - (ii) provide the terms of reference and final membership to the Coordinator General for approval, prior to the SIMP Steering Committee inaugural meeting
 - (iii) appoint and fund the Independent Chair's position
 - (iv) provide full resourcing of the secretariat for the SOE Steering Committee.

Delete Appendix 1, Condition 15

Appendix 2, Table A1, Column 1, entry stating Condition No 7-15

Appendix 2, Table A1, Column 1, entry amended: Condition No 7-14

Appendix 2. Amended recommendations

Former recommendation	New recommendation
<p>Appendix 4, Recommendation 7(b) RTAW should submit a finalised Local and Indigenous Sourcing Strategy upon completion (of construction), which has been developed in consultation with DSDIP.</p>	<p>Appendix 4, Recommendation 7(b) RTAW should develop a Local and Indigenous Employment and Business Development Plan, which has been developed with reference to the Queensland Resource and Energy Sector Code of Practice for Local Content (2013). The Local Indigenous Employment and Business Development Plan should be finalised before commencement of operations.</p>
<p>Appendix 4, Recommendation 7(d) RTAW should develop and implement a reporting framework during the construction phase that provides quarterly local content detail on:</p> <ul style="list-style-type: none"> (i) value of project spend in Australian dollars within Queensland (ii) value of project spend in Australian dollars within greater Australia <ul style="list-style-type: none"> (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. 	<p>Appendix 4, Recommendation 7(d) RTAW should develop and implement a reporting framework during the construction phase that provides annual local content detail on:</p> <ul style="list-style-type: none"> (i) value of project spend in Australia dollars within Queensland (ii) value of project spend in Australia dollars within greater Australia <ul style="list-style-type: none"> (A) value of project spend in Australia 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.
<p>Appendix 4, Recommendation 7(d) comment The reporting framework should provide a quarterly report to the Coordinator-General and a final report upon completion of the project.</p>	<p>Appendix 4, Recommendation 7(d)(iv) During the construction phase, the relevant information should be included in the annual SIMP progress report.</p>

The Coordinator-General
PO Box 15517, City East Qld 4002
tel 13 QGOV (13 74 68)
fax +61 7 3225 8282
info@dsdip.qld.gov.au

www.dsdip.qld.gov.au
