

Strong and Sustainable Resource Communities Act 2017

The object of the *Strong and Sustainable Resource Communities Act 2017* (the Act) is to introduce legislation to ensure residents of communities near large resource projects benefit from the construction and operation of the projects.

What will the Act do?

The Act will:

- prevent the use of 100 per cent fly-in, fly-out (FIFO) workforce arrangements on operational large resource projects
- through amendments to the *Anti-Discrimination Act 1991*, prevent discrimination against locals in the future recruitment of workers
- adopt a recruitment hierarchy prioritising recruitment from local and regional communities first then recruitment to the regional community
- make an enhanced social impact assessment (SIA) mandatory for large resource projects
- ensure SIA processes under both the *Environmental Protection Act 1994* and the *State Development and Public Works Organisation Act 1971* are the same.

The Act will apply to large resource projects that have a nearby regional community. The Coordinator-General will list the projects affected and their nearby regional community/s on the Department of State Development's website (the list).

What is a large resource project?

A large resource project is a resource project:

- (a) for which an environmental impact statement (EIS) is required; or
- (b) that holds a site-specific environmental authority under the *Environmental Protection Act 1994* and
 - (i) has a workforce of 100 or more workers; or
 - (ii) has a smaller workforce decided by the Coordinator-General.

What is a nearby regional community?

A nearby regional community, for a large resource project, is a town:

- (a) any part of which is within:
 - (i) a 125 km radius of the main access to the project; or
 - (ii) a greater or lesser radius decided by the Coordinator-General; and

(b) that has a population of more than:

- (i) 200 people; or
- (ii) a smaller population decided by the Coordinator-General.

How will the 100 per cent FIFO prohibition be enforced?

The Coordinator-General has investigative powers to administer and enforce the Act. In order for the Coordinator-General to determine whether an operational large resource project has a 100 per cent FIFO workforce, the Coordinator-General may require the owner to provide relevant information regarding the operational workforce arrangements.

Following an investigation, the Coordinator-General will be able to require the owner to submit an operational workforce management plan, if the project is contravening the 100 per cent FIFO prohibition.

The Coordinator-General must approve the operational workforce management plan and can set conditions on it. Monitoring and reporting by the owner will be a condition of approval attached to each operational workforce management plan. Conditions may state that the Coordinator-General may direct corrective actions where there is evidence of non-compliance or the outcomes sought by the conditions are not being achieved.

How will the anti-discrimination complaint process work?

If a person feels they have been discriminated against during the recruitment process because they are a resident of a nearby regional community, the person may lodge a complaint with the Anti-Discrimination Commission Queensland (ADCQ).

If the person is dissatisfied with the outcome of the conciliation process, the ADCQ may refer the matter to the Queensland Industrial Relations Commission.

Will the legislation apply to construction workers?

A decision on the application of the Act to the construction workforce must be made by the Coordinator-General during a SIA assessment.

What is in the enhanced SIA?

The Act requires large resource projects to prepare a social impact assessment (SIA) which is informed by stakeholder consultation. This will include the requirement to develop the following management plans:

- (a) community and stakeholder engagement
- (b) workforce management
- (c) housing and accommodation
- (d) local business and industry procurement
- (e) health and community well-being.

The workforce management plan must prioritise recruitment from local and regional communities first then recruitment to the regional community.

When will the legislation commence?

The Act will commence on a day to be fixed by proclamation.

The anti-discrimination provisions will apply to large resource projects following publication of their details on the list.

The prohibition on 100 per cent FIFO workforce arrangements will apply to large resource projects six months following publication of their details on the list.

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