

LEGISLATIVE COUNCIL
Question Without Notice

Tuesday, 14 March 2023

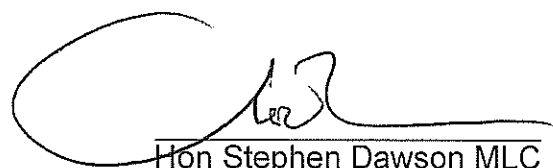
C247. Hon Martin Aldridge to the Minister for Emergency Services

I refer to your media statement of 2 March 2023 entitled 'Rio Tinto donates accommodation to support Kimberley floods' and I ask:

1. What is the expected value of the Rio Tinto donation to provide a 40-bed worker camp to Fitzroy Crossing?
2. What was the value of the DFES led search for the missing Rio Tinto radioactive capsule?
3. Has there been any discussion or agreement to waive any potential prosecution of Rio Tinto in lieu of this donation, and if so, please provide detail?
4. Please table any formal agreement between Rio Tinto and the State Government in relation to this initiative?

Answer

1. Rio Tinto has stated publicly that the value of the asset is approximately \$4,000,000.
2. The approximate incident response cost for the search to DFES was \$85,000. This does not represent the full cost to DFES or the inter-Department costs to State Government,
3. No.
4. I tabled the attached document.



Hon Stephen Dawson MLC
MINISTER FOR EMERGENCY SERVICES
DIGITAL ECONOMY; MEDICAL RESEARCH; VOLUNTEERING



Our Ref: D24544; 23/051592

Mr Richard Cohen
Managing Director, Rail, Port & Core Services
Rio Tinto Iron Ore
152-158 St Georges Terrace
PERTH WA 6000

Amanda Dexter
Chief Executive Officer
Shire of Derby West Kimberley
PO Box 94
DERBY WA 6728

Dear Mr Cohen and Ms Dexter

LETTER OF INTENT REGARDING TRANSFER OF T REX 2 – 40 MAN TRAILER MOUNTED MOBILE CAMP

I refer to the meeting on 24 February 2023 between the Department of Fire and Emergency Services (DFES) and Rio Tinto regarding the transfer of the workers accommodation camp, T rex 2 – 40 Man Trailer Mounted Mobile Camp (workers camp). It has been agreed that Rio Tinto will donate the above-mentioned workers camp to the State Government via a transfer to DFES for the purpose of assisting with the recovery and rebuilding efforts resulting from floods in the Kimberley region that occurred subsequent to Ex-Tropical Cyclone Ellie.

DFES acting on the behalf of the FES Ministerial Body for the State will take responsibility for the camp from Rio Tinto, following delivery by Rio Tinto. DFES will work closely with the Shire of Derby West Kimberley and the Bunuba Dawingarri Aboriginal Corporation to identify a suitable location in Fitzroy Crossing. Once an appropriate site at Fitzroy Crossing has been determined, Rio Tinto will transport the workers camp to that site on a "free-and-clear" basis. The Shire of Derby West Kimberley will be responsible for coordinating the ongoing operations of the workers camp to optimise local employment and community benefit in aid of the ongoing recovery efforts.

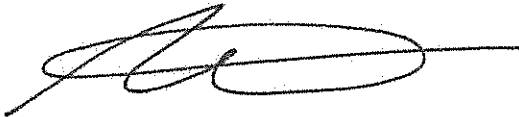
The FES Ministerial body agrees to the transfer on condition that:

- (a) A threshold condition precedent will be DFES locating an appropriate site for transportation and installation of the workers camp that will be a hardstand location with mains power and mains water available for connection. It is agreed that wastewater connection and disposal will be the responsibility of DFES;
- (b) Rio Tinto will consult with DFES prior to transport of the workers camp to the advised location regarding works required to bring the workers camp up to an appropriate standard for transfer to DFES. Rio Tinto provided DFES with the opportunity to inspect the workers camp on February 15th 2023 for DFES to be satisfied on the condition of the workers camp and that it is fit for its required purpose;

- (c) DFES will provide available knowledge to Rio Tinto on the preferred transport route to the selected site;
- (d) Rio Tinto and DFES to reach mutual agreement on the terms of the transfer of asset agreement including (but not limited to) the asset is to be transferred to DFES on a nominal basis to reflect the intent of donation and for DFES to take full responsibility, liability and ownership for the workers camp once it is installed and in situ. Rio Tinto makes no implied or otherwise warranties for the camp;
- (e) Rio Tinto and DFES to each bear their own costs in the negotiations, finalisation and execution of the Transfer of Asset Agreement;
- (f) Rio Tinto to transport the asset to a Kimberley region based location as confirmed by DFES, with road access to be confirmed with the relevant State agency; and
- (g) The State agrees that Rio Tinto is not liable for the cost of any required infrastructure to install and maintain the camp (including security fencing and lighting, water, power and waste). The State will identify funding for these works.

The camp is expected to be ready for transport to Fitzroy Crossing in April 2023. Subject to a suitable site with road access being identified and any weather or other conditions outside of Rio Tinto's reasonable control, Rio Tinto will use its best endeavours to meet this timeframe. DFES will work closely with Rio Tinto to formalise the transition of the workers camp over the coming weeks. DFES will also work closely with the Shire of Derby West Kimberley to ensure this asset is best placed to support recovery efforts.

Yours sincerely



**DARREN KLEMM AFSM
COMMISSIONER**

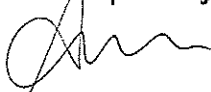
1 March 2023

Accepted by:



Date: 1 March 2023
Richard Cohen
Managing Director, Rail, Port & Core Services
Rio Tinto Iron Ore

Accepted by:



Date: 1 March 2023
Amanda Dexter
Chief Executive Officer
Shire of Derby/West Kimberley