

REQUEST FOR PROPOSAL

Best practice guide for engagement with Australia's First Nations people on Renewable Energy Projects

Please find below a request for proposal (RFP) to develop a best practice guide for engagement with First Nations people on renewable energy projects.

Please provide a proposal by **COB AEDT Wednesday 7 December 2022**.

This RFP sets out:

1. Objective
2. Background context
3. Proposed audience
4. Scope of works
5. Deliverables
6. Submitting a proposal

1. Objective

To develop a best practice guide for the renewable energy industry to support their engagement with Australia's First Nations people that results in First Nations communities, people and businesses supporting, participating in and benefitting from the renewable energy transition.

2. Background context

The [Clean Energy Council](#) (CEC) is seeking proposals and indicative pricing estimates for the development of a best practice guide that will support the renewable energy industry to deliver better engagement, participation and benefit-sharing with First Nations people.

Responses to the RFP will be used to determine the likely project cost range, and to shortlist/select a project partner for delivery of the project. The CEC has been working in close collaboration with the First Nations Clean Energy Network to develop this RFP, along with input from the CEC's Community Engagement & Social Licence Working Group and agencies including the Australian Renewable Energy Agency (ARENA).

The transition to renewable energy in Australia brings with it huge economic opportunities for Australia's First Nations people and Communities, particularly in the regions throughout Australia where large renewable energy projects are being built.

In July 2022, the First Nations Clean Energy Network convened a two-day symposium in Melbourne to discuss ways and strategies to ensure that Australia's First Nations Peoples and Communities not only participate in this transition to renewable energy, but significantly benefit from it.



The First Nations Clean Energy Network has been developing guidelines for First Nations communities, including releasing 10 principles for clean energy projects, which will be launched on 30 November 2022.

The CEC therefore proposes to develop a guide to industry on how to implement these 10 principles in the planning, construction and operation of large-scale renewable energy projects.

This guide will not only provide CEC members and the wider industry with tools and guidelines for meaningful engagement with First Nations people, but will be part of a broader process to facilitate the conversations and learning/development opportunities within industry about working together to develop and implement plans and strategies to ensure that a just and equitable transition brings benefits to Australia's First Nations people.

3. Proposed Audience/Use

The guide is to be written primarily for use by CEC members and the wider industry. This includes project developers, project owners, EPC businesses, sub-contractors and investors in renewable energy projects (including onshore and offshore wind farms, solar farms >5 MW, hydro plants and large-scale batteries). It will also be available to the public to access on the CEC website.

A list of CEC members is available [here](#).

4. Scope of work

It is expected that the guide would be the product of desktop research (eg. existing guides), interviews with industry professionals who have led/implemented these approaches in their projects, as well as interviews with local First Nations communities, leaders and experts.

It is expected that this guide would provide some necessary background and then be structured around each of the ten principles developed by the First Nations Clean Energy Network (outlined below).

1. Engage respectfully	6. Ensure economic benefits are shared
2. Prioritise clear, accessible and accurate information	7. Provide social benefits for community
3. Ensure cultural heritage is preserved and protected	8. Embed land stewardship
4. Protect country and environment	9. Ensure cultural competency
5. Be a good neighbour	10. Implement, monitor and report back

Each principle would be expanded on to include a type of 'how to' guide that would give practical steps on how industry players could meet and exceed the expectations of the principles – at both an organisational and project level.

These 'how to' steps are not expected to be exhaustive or detailed but would refer to other references and materials, such as for example, the CEC Benefit Sharing Guide. Ideally these 'how to' steps should include examples of best practice. This could also include a list of some of the barriers to achieving these principles and how these could be overcome.

Suggested content is outlined below:

- **Why is Best Practice Engagement with First Nations Peoples Important for the Renewable Energy Industry**
- **Background to Aboriginal and Torres Strait Islander People and lived experienced**
This chapter is to provide context for foreign companies that are not aware of the historical and cultural significance of Australia's First Nations people.
- **Overview of legal obligations and other relevant standards**
This is a discussion about both legal obligations and also of emerging standards, for example free, prior and informed consent.
- **'How to' implementation strategies for the 10 First Nations Clean Energy Network principles**
This will touch on initial engagement, consultation, agreement-making, business opportunities, employment opportunities, community benefits including creative corporate and legal structures, ongoing engagement throughout the life of a project, and internal opportunities for renewable energy companies.

This guide would draw from and expand on the following existing guides:

- [Clean Energy Agreement Making on First Nations Land: What Do Strong Agreements Contain? \(2021\) ANU](#)
- [First Nations investment screening approach \(2021\) CEFC](#)
- [NSW First Nations Guidelines - general \(2022\) NSW](#)
- [NSW First Nations Guidelines – Central-West Orana specific \(2022\) NSW](#)
- [Dhawura ngilan vision](#), National Native Title Council and the First Nations Heritage Protection Alliance (2020)
- CEC [Guide to Benefit Sharing Options](#) (2019)
- CEC [Community Engagement Guidelines](#) (2018)

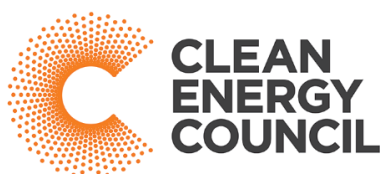
5. Deliverables

Consulting

As mentioned, it is expected that the guide would be the product of interviews with industry professionals, as well as interviews with local First Nations communities, leaders and experts. It is likely that some these interviews will be conducted on country and therefore some travel will be required.

Periodic reporting to the CEC and steering committee

The project partner will be required to attend periodic meetings with the CEC and Steering Committee, to provide updates, ask questions and receive feedback. This will likely involve:



- Bi-weekly updates to the CEC (Lucinda Tonge) and
- Monthly updates to Steering Committee, which will be made up of representatives from the First Nations Clean Energy Network, sponsors and select members of industry

Guidelines

The key deliverable of this project is to develop and provide a publicly available best practice guide that will support the renewable energy industry to deliver better engagement, participation and benefit-sharing with First Nations Peoples.

The CEC will be responsible for the design, production, promotion and distribution of the guide. The final guide is also likely to be formatted as a website to allow for flexibility and easy updating of information. The CEC will work with the project partner in the finalisation and production of the guide.

Presentations and engagement

Another key deliverable will be the promotion and education of the final guide to CEC members and the wider community. This could include:

- A presentation to the CEC's Community Engagement and Social Licence Group (around 60 people)
- A presentation at the launch event for the guide
- A presentation to the broader CEC Directorates (up to 200 people)
- A presentation at a CEC conference or event

Further education pieces

As part of the promotion of the material in the guide and the continuing education of the CEC members, it may be that the guide could be turned into an educational module for industry through the CEC's Education team. It isn't yet clear how or whether this will proceed, so this should be treated as a contingency rather than a core requirement of the proposal.

Suggestions on measurement and reporting on the First Nations Clean Energy Network's Best Practice Principles

The CEC and the First Nations Clean Energy Network would also appreciate the project partner providing a short discussion paper (no more than 3 pages) outlining options as to how compliance with the Network's Best Practice Principles and the CEC's implementation guide can best be tracked, measured and reported on across the industry

6. Submitting a proposal

The CEC is seeking proposals by from individuals or organisations interested in researching and writing this guide.

Please submit a proposal by 7 December 2022, outlining:

1. The proposed methodology for researching the guide
2. Topics/sections to be covered in addition to/instead of (if any) to those outlined above
3. Delivery timeline
4. Indicative cost (+/- 10%). Please note budget consideration should be given for:
 - paying the time of Subject Matter Experts (SMEs), especially First Nations SMEs
 - travel and accommodation on country
5. Your proposed team and relevant credentials and established relationships/networks with relevant First Nations organisations and knowledge of the renewable energy industry.



Please note we are open to joint proposals that allow individuals/firms to combine strengths. We are particularly keen to see First Nations individuals involved in project teams.

The preferred supplier will be selected based on the above criteria and will be invited to provide a final project proposal and costing once the project scope has been agreed with the CEC.

To lodge your proposal or for more information, please contact Lucinda Tonge at the Clean Energy Council on 0432 612 955, or at ltonge@cleanenergycouncil.org.au