

Inquiry into the Peninsula Developmental Road (Laura to Weipa) project

Department of Transport and Main Roads

Responses to additional questions from the Transport and Resources Committee
April 2022

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No.	Question	Department of Transport and Main Roads response
1	<p>The Committee has noted in the Qld Budget and QTRIP the project has been divided into various individual projects.</p> <ul style="list-style-type: none"> • Can the department please explain the reasoning behind this? • Can the department please outline the advantages and disadvantages of treating each of these sections like individual projects as opposed to including it as one project? 	<ul style="list-style-type: none"> • In accordance with Queensland Transport and Roads Investment Program (QTRIP) Development guidelines, all investments with a total investment cost of \$600,000 or greater with budgets in Years 1 and/or 2 are to be published as individual line items in the QTRIP publication. • As Cape York Region Package (CYRP) Stage 1 and CYRP Stage 2 projects are greater than \$600,000, the projects have been published as individual line items. Once the Project Proposal Report (PPR) is approved by Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) the projects are then individually created. • Also, TMR can only work on the Cape in the so-called "Dry Season". Projects are configured to be delivered in this time period where possible to avoid costly de-mobilisation and mobilisation costs. Moreover, in a lot of projects TMR has to source suitable gravel reserves and water. In some cases, this involves TMR constructing dams in the dry season which fill during the wet season.
2	<p>Can the department please explain generally the process involved in Commonwealth/State funded arrangements?</p>	<ul style="list-style-type: none"> • The National Partnership Agreement on Land Transport Infrastructure (NPA) supports the delivery of infrastructure projects and sets out how the Australian Government and Queensland Government will work together to deliver infrastructure projects. • The NPA covers projects administered under the National Land Transport Act 2014 (NLT Act). An agreed schedule to the NPA indicates the levels of funding the Australian Government intends to provide towards committed projects and includes details of Queensland Government contributions, contributions from other entities, financial year allocations and specific funding conditions. Australian Government commitments are predicated on a contribution of 50 per cent in urban areas and 80 per cent in regional areas, noting that some commitments may be specifically capped.

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> • Before projects can access Australian Government funding, the proponent (for example, Queensland Government/Department of Transport and Main Roads) submits a Project Proposal Report to the Department of Infrastructure, Transport, Regional Development and Communications for assessment and Australian Government approval. • This facilitates the release of appropriate project funding to enable a project to progress. • Australian Government payments are then provided to the proponent upon achievement of agreed project milestones. • The Australian Government's Notes on Administration for Land Transport Infrastructure Projects provides administrative detail to support the NPA. The Notes on Administration, combined with the NPA, the National Land Transport Act 2014 (NLT Act) and the NPA schedules form the suite of documents that enable and support the Australian Government's investment in infrastructure projects.
3	<p>Both Cape York Region Package (CYRP) projects have been via an 80:20 funding arrangement between the federal and state governments.</p> <ul style="list-style-type: none"> • Could the department please comment how the co-operation arrangements between the two levels of government operates? • Can the department please advise whether there are any split federal/state funding arrangements in place to cover on-going maintenance and major repairs, including those caused by major weather events, in the future? 	<ul style="list-style-type: none"> • To oversee the governance of CYRP, the CYRP Project Board was formed some years ago. The CYRP Project Board is a multi-agency board, jointly chaired by representatives from both the Australian and Queensland governments which oversees the development of the road infrastructure component of CYRP Stage 1 and CYRP Stage 2. The CYRP Project Board performs the primary management role relating to key policy, technical and whole-of-government issues associated with the road funding component of the CYRP Stage 2. <p>Membership of the board include representatives from the following agencies:</p> <ul style="list-style-type: none"> • The Australian Department of Infrastructure, Transport, Regional Development and Communications (DITRDC)

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> • The Australian Department of the Prime Minister and Cabinet (DPMC) • The Queensland Department of Transport and Main Roads (TMR) • Queensland Treasury (QT) • The Queensland Department State Development, Infrastructure, Local Government and Planning (DSDILGP) • The Queensland Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) • National Indigenous Australians Agency (NIAA). <p>Routine maintenance on the Peninsula Developmental Road (PDR) like most state-controlled roads is funded by the Queensland Government.</p> <p>Routine maintenance on the local government road network is funded by the relevant council. Following major weather events, the Queensland Government and councils may be eligible for Disaster Recovery Funding Arrangements (DRFA). DRFA is joint Commonwealth and State government funding, providing financial assistance to help communities recover from eligible disasters.</p>
4	<p>Page 19 of the DTMR submission states that:</p> <p><i>Improved road access has also provided a range of health benefits, which has beneficial impacts on mental, physical and social wellbeing for communities across the Cape York region by reducing isolation and improving access to services.</i></p> <p>These are issues that would contribute to meeting 'Closing The Gap' targets and commitments.</p>	<ul style="list-style-type: none"> • Investment in infrastructure on the PDR over the course of CYRP Stage 1 and CYRP Stage 2 has had many benefits, but it also contributes to meeting targets of the Department's 'Closing The Gap' commitment. The contributing factors are (including, but not limited to): <ul style="list-style-type: none"> • Cultural change with increased employment • Easier access to education, health, and general freight, helping contribute to a decreased cost of living • Training and upskilling

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	<ul style="list-style-type: none"> Can the department please expand on this and outline some of the bigger picture issues of the benefits that result from investing in infrastructure? 	<ul style="list-style-type: none"> Ease of movement between communities and the rest of the country Reduction in the feeling of isolation Reduction in stress when driving on the sealed sections. The road upgrades delivered through the CYRP Stage 1 and CYRP Stage 2 have supported improved access to Primary Health Care Centres for communities across Cape York, particularly residents of remote areas north of Laura and north and south of Coen in the vicinity of the PDR. An example of this is the sealing of the Endeavour Valley Road as part of CYRP Stage 1. This saw the sealing of the main road from Hopevale to Cooktown, allowing Cape York residents to access vital services including the Cooktown Hospital. It also provided a four year training opportunity to Hopevale Council. Weipa and Cooktown now provide a wider range of services through their multipurpose health service facilities. These facilities provide 24-hour services and includes palliative care, surgical and medical services, respite care, medical imaging, chronic disease management, child and maternal health and dental services. The ongoing PDR upgrades are providing improved access and more reliable travel times to these facilities for Cape York communities. The upgraded hospital at Weipa was noted as an important hospital hub for all Cape communities. The reduced travel time and improved reliability to access this hospital significantly benefits Cape York communities, enabling them to access support systems for treatment closer to their communities.
5	Page 126 of the DTMR submission describes the Archer River crossing section of the project and states that:	<ul style="list-style-type: none"> In addition to the significant reduction in the annual average time of closure (that is, from 88 days to on average 2 days), the new crossing of the Archer River is expected to deliver significant benefits.

No.	Question	Department of Transport and Main Roads response
	<p><i>The proposed upgrade involves construction of a new concrete bridge to provide an approximate one in two-year flood immunity.</i></p> <ul style="list-style-type: none"> • Can the department please expand on the impact of a one in two-year flood immunity? • Can the department please advise whether a crossing with a higher flood immunity level was considered and, if so, advise of the reasons it was not included? • Can the department please confirm that this crossing is on track to be completed in 2022-23? • Can the department please expand on the benefits of this particular crossing to surrounding communities? 	<ul style="list-style-type: none"> • It is important to note that there are also other flood points north and south of the Archer River Crossing that can close the PDR. These other points rise and recede quickly in comparison to the Archer River Crossing which currently (pre-bridge) can be closed for up to 88 days. • A one in two-year flood immunity rating for the Archer River Crossing will have a profound impact on the Cape York region. It will provide improved safety, network capacity and functionality through the provision of a safe and reliable link that caters for heavy vehicles and flood conditions. • For the surrounding communities, a bridge at the Archer River Crossing would allow a greater period annually that the PDR is traversable, thus increasing connectivity time. Some of the benefits include (but are not limited to): <ul style="list-style-type: none"> • Improved level of safety due to a reduction in the number of vehicles entering the flooded crossing. • Improved productivity gains through improved reliability and efficiency as a result of widening and sealing unsealed sections • Improved accessibility of the PDR between Coen and Weipa during the wet season and improved overall accessibility for freight, tourists, and other road users of the PDR • Reduction in productivity losses to the agriculture industry and supporting the future needs of the mining industry • Provides favourable infrastructure to boost the tourism industry in the region, as well as supporting regional economic development, as a result of the above improvements • Maximise economic participation of Indigenous workers, businesses, and suppliers

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> • Multiple options were considered for this particular project, including various alignments and heights resulting in different immunity levels, with the preferred option being the one selected. • A multi criteria analysis was undertaken with the following parameters: <ul style="list-style-type: none"> • Land acquisition • Comparative cost • Stakeholder acceptance • Access to rest areas and potential tourism opportunities • Safety • Social impacts • Clearing • It is anticipated that this project will reach completion in 2022-23, pending weather and market conditions.
6	<p>Page 20 of the DTMR submission notes some of the benefits to sporting teams across the Cape includes being able to travel and play and against other teams.</p> <ul style="list-style-type: none"> • Can the department please expand on these benefits as well has other access benefits that the PDR projects have provided, and will likely provide, to people across the Cape? 	<ul style="list-style-type: none"> • The CYRP project team is working with TMR's Economic Research and Analysis team to support the delivery of a Social Economic and Environmental Impact Assessment (SEEIA) for CYRP. • Outcomes from the study are expected to support future investment decisions funding for upgrades and sealing works of priority infrastructure in Cape York. • The outcomes can also be used to support qualitative CYRP benefits that are not yet effectively measured, in areas such as health, social and community welfare improvements. • The SEEIA will be able to provide more information on this question. It is anticipated that this report will be completed in June 2022.

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> Improving road access and reducing delays associated with road access being cut is important in improving food security for communities across Cape York and helping to support improvements in community health and wellbeing. The CYRP PDR works have reduced the number of road sections impacted by road closures due to flooding and weather events.
7	<p>Page 25 of the DTMR submission states that:</p> <p><i>All projects are subject to environmental audits periodically. To date there have been no significant environmental issues identified during construction.</i></p> <ul style="list-style-type: none"> Can the department please elaborate on some of the environmental considerations that may be unique to this project? 	<ul style="list-style-type: none"> Seasons are very important in Cape York environmental planning. Field surveys need to occur in a brief window to get the best results with many flora species occurring for a short time immediately after the wet season. Some of the flora species surveys have encountered are still poorly known in science. For example, little was known on the abundance and distribution of <i>Cajanus mareebensis</i> before the CYRP began. Field surveys for CYRP showed that this plant is actually widespread and far more abundant than originally thought. As a result, this species was changed from an 'Endangered' status to 'Least concern'. This has also happened with other flora species such as <i>Stemona angusta</i>. The extreme seasons on Cape York also means rehabilitation needs sound planning so plantings get moisture before ants and wildlife steal the seed. TMR has conducted bat surveys in all locations where vegetation clearing will occur. Bat distribution on Cape York is poorly known and TMR data will add to the knowledge base and better define real distribution. Prior preparation for field surveys is essential as the office is 400 – 500 kilometres away and there is no internet. Erosion and sediment control is also a seasonal issue. In the dry season the risk of rain and the resulting erosion is very low, so erosion and sediment

No.	Question	Department of Transport and Main Roads response
		<p>control is less important, while in the wet season the risk is high and requires sound planning and management.</p> <ul style="list-style-type: none"> • The PDR crosses a multitude of waterways, many of which have fish passage requirements. These waterways can be crucial for fish breeding in the Gulf of Carpentaria or the Great Barrier Reef. • On all fish passage waterways TMR has installed Department of Agriculture and Fisheries compliant waterway crossings which facilitate fish movement. • Remote work sites must be self-reliant, and they store chemicals and fuels that would not normally be kept on a job site. This requires sound chemical storage and handling management by contractors. • The remote work sites means that the constructing contractor is always going to be the first responder to any chemical spills or environmental issues, so staff and equipment need to be well prepared with good response processes ready. • The Cape York region is still predominately remnant bushland and forest. The construction sites are often the only areas of human activity for a hundred kilometres. • CYRP is taking place across many different and unique natural ecosystems, from low open shrubland to tall, closed forests, and where waterways can turn into floodplains within days of rain. • TMR Environmental Officers work closely and meticulously with the Traditional Owners to understand from their knowledge and perspective the environment of the Cape York region, and the effects works may have on their country. • The PDR travels along the final stage of Australia's Great Dividing Range.

No.	Question	Department of Transport and Main Roads response
8	<p>Page 24 of the DTMR submission notes Queensland's Local Industry Policy.</p> <ul style="list-style-type: none"> Can the department please provide figures on the proportion of 'local suppliers' and 'regional suppliers' that have been contracted during the project to date? 	<ul style="list-style-type: none"> To date, CYRP Stage 1 and CYRP Stage 2 have achieved \$122.8 million in local industry participation.
9	<p>The committee notes that the PDR has traditionally been cut and damaged during each wet season, usually for up to 80 days a year.</p> <ul style="list-style-type: none"> Can the department please outline some of the hardships that this situation has caused the Cape communities? 	<ul style="list-style-type: none"> Some of the difficulties that remote communities of Cape York face with annual wet season road closures are (including, but not limited to): <ul style="list-style-type: none"> lack of connectivity isolation reduction in industry, hindering economic outputs food, petrol, and other living provisions require stockpiling, with food needing to be frozen lack of fresh produce in the event of natural disasters, the communities are extremely difficult to access in the event of a serious illness or need for hospital services, patients need to be airlifted some communities have to use barge services to import necessities (should they have adequate facilities to do so), with a long lead time for delivery of goods land locked communities (such as Coen) occasionally rely on emergency supplies of petroleum for electricity generation during extended wet seasons.

No.	Question	Department of Transport and Main Roads response
10	<p>Mr Roderick Burke submission</p> <p>The committee received a submission from Roderick Burke who says that he is a Traditional Owner of the area where the Archer River crossing is being built. Mr Burke has complained that he has not been engaged to conduct the cultural heritage works in that area.</p> <ul style="list-style-type: none"> • Can the department please explain how it ensures that all affected stakeholders, particularly Indigenous stakeholders, have been appropriately consulted? • Can the department please advise how would the department respond to the concerns highlighted in Mr Burke’s submission? • Can the department please advise who was engaged to do the cultural heritage works in the area of the Archer River crossing and what processes were followed to ensure that the appropriate persons were selected for this work? 	<ul style="list-style-type: none"> • Road upgrades on the PDR under Cape York Region Package (CYRP) Stage 2 are being delivered in accordance with an existing Indigenous Land Use Agreement (ILUA). • The ILUA is an agreement between the State of Queensland (represented by the TMR), Traditional Owners and Cape York Land Council (CYLC) as the representative body for the area. It allows TMR to manage and undertake infrastructure and development works, such as priority road works, on the PDR. • Mr Burke, so far as TMR understand the situation, is not a relevant Traditional Owner. • The ILUA allows the Queensland Government to comply with the <i>Native Title Act 1993</i> (Commonwealth) and the <i>Aboriginal Cultural Heritage Act 2003</i> (Queensland) in relation to various roadworks on the PDR, and provide benefits for Traditional Owners, such as training, employment, and economic development opportunities. • The ILUA records the Traditional Owners' consent to the PDR works, which allows projects to proceed validly with regard to Native Title. The ILUA sets out the agreed framework for the management of Aboriginal cultural heritage and an Environmental Management Strategy to be implemented during the PDR works. The significance of the ILUA should not be underestimated. • For the Archer River Crossing and Archer River Crossing Southern Approach Projects, TMR has carried out comprehensive Cultural Heritage surveys in partnership with Traditional Owners nominated by CYLC.

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> • On 10 February 2022, TMR met with Mr Burke and CYLC to discuss Mr Burke's concerns. At this meeting, CYLC insisted that appropriate Traditional Owners had been engaged on the project and that Mr Burke should seek clarification from his family and other local Traditional Owners directly if he did not agree. • TMR has written to DSDSATSIP advising that it has fulfilled its obligations under applicable Native Title legislation and conformed with the requirements of the PDR ILUA. • TMR will continue to work with DSDSATSIP and CYLC to ensure the protection and preservation of Cape York's sensitive Cultural Heritage throughout CYRP Stage 2.
11	<p>Cape York Land Council submission</p> <p>In relation the Indigenous Land Use Agreements (ILUA):</p> <ul style="list-style-type: none"> • Can the department please explain the consultation process for developing ILUAs? • Can the department please to outline how the ILUA works in practice? 	<ul style="list-style-type: none"> • In 2014, TMR commenced delivery of upgrade works on the PDR under CYRP Stage 1. To support this project, and work collaboratively, TMR, through CYLC, partnered with Cape York Traditional Owners to establish the PDR ILUA. There is no "standard" approach, TMR developed this ILUA in consultation with stakeholders. • The PDR ILUA validated any past works undertaken on the PDR and records the Traditional Owners' consent to proceed with future PDR works validly, with respect to Native Title Act 1993 (Commonwealth) and the Aboriginal Cultural Heritage Act 2003 (Queensland). The PDR ILUA also sets out the agreed framework for an Environmental Management Strategy (EMS), Indigenous Economic Participation Plan (IEPP) and Cultural Heritage Management Agreement (CHMA) which were successfully implemented during CYRP Stage 1 and carried over into CYRP Stage 2. • Since its establishment, the PDR ILUA has helped to build stronger relationships and greater trust between the Queensland Government and Traditional Owners. The establishment of the PDR ILUA has provided an

No.	Question	Department of Transport and Main Roads response
		<p>important mechanism for the unified focus to improve opportunities for Cape York communities. It serves to actively support the provision of training, education, employment, and economic development through works undertaken on the PDR.</p> <ul style="list-style-type: none"> • The approach adopted with the establishment of the PDR ILUA has become a significant benchmark for other infrastructure projects across northern Australia. <p>Environmental Management Strategy (EMS)</p> <ul style="list-style-type: none"> • Under the EMS, the following environmental management and protection principles applies to all PDR projects: <ul style="list-style-type: none"> ○ the State acknowledges its obligation to minimise the impact of the PDR project on the environment (including an appropriate rehabilitation strategy) ○ the Traditional Owners have responsibilities to their traditional country, including cultural and social rights and obligations to look after the environment, and to maintain links between the environment and their cultural heritage ○ the parties have a joint goal of minimising the impact of the PDR projects on the environment, while facilitating the expeditious, flexible and economic planning, development and operation of the PDR projects. <p>Indigenous Economic Participation Plan (IEPP)</p> <ul style="list-style-type: none"> • The IEPP includes the following elements: <ul style="list-style-type: none"> ○ scholarship program ○ sub-contracting opportunities

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> ○ prequalification and capability building workshops ○ prevocational training partnerships ○ a transition plan to enable accredited Indigenous businesses to undertake future routine maintenance works on the PDR. <ul style="list-style-type: none"> ● Under the IEPP, TMR has awarded 12 secondary and 7 tertiary PDR scholarships to students with traditional connections to Cape York. ● The scholarships program is continuing throughout CYRP Stage 2 and is open to young people who want to pursue a career in a field that connects to the core business of TMR, such as project management, environmental management, engineering, cultural heritage, communications, or finance. ● The intent of the program is to increase opportunities in secondary and tertiary education for Indigenous students from Cape York and support them through funding and guidance. ● Additionally, the IEPP contemplates targeted programs to develop Indigenous business capability in project management overview, contract management, scheduling and estimating, standards and specifications, quality management, document control and compliance processes for road construction. <p>Cultural Heritage Management Agreement (CHMA)</p> <ul style="list-style-type: none"> ● The CHMA outlines the processes agreed between the Traditional Owners, the State and CYLC for minimising the risk of harm to any Indigenous Cultural Heritage in the area of the PDR works delivered under CYRP. Specifically, the CHMA provides for: <ul style="list-style-type: none"> ○ a cultural induction workshop provided by Traditional Owner representatives for the State's employees and contractors who are

No.	Question	Department of Transport and Main Roads response
		<p>engaged to undertake High Impact Activities (HIAs) for the PDR works.</p> <ul style="list-style-type: none"> ○ monitoring of HIAs by local Traditional Owners, locate and avoid damage to Aboriginal cultural heritage. ● The Cultural Heritage training and monitoring program also provided opportunity for Traditional Owners to share their culture and history, and supported contractors and subcontractors from across the State to understand and respect the value and importance of Cultural Heritage and historic connections of the local Indigenous community. ● In accordance with the terms of the ILUA TMR meets regularly with the PDR ILUA Project Committee to oversee implementation of the ILUA.
12	<p>Cape York Land Council submission</p> <p>In relation to training and employment outcomes in the ILUA:</p> <ul style="list-style-type: none"> ● Can the department please advise how training and employment outcomes quantifiably measured? ● Can the department please advise what data is available about the employment and training participation for Cape York traditional owners upskilling through the PDR upgrade? ● Can the department please advise how many Cape York traditional owners are being provided the opportunity to acquire trade skill qualifications? ● The CYCL submission identifies that training ceases when a section of road is completed, and the trainee then is unable to complete their training. Can the department please provide a response to this issue? 	<ul style="list-style-type: none"> ● Monthly reporting from contractors outlining compliance against the Key Result Areas (KRA) enables TMR to quantifiably measure training and employment outcomes. ● In accordance with the PDR ILUA, KRA 1 is specifically designed for training and upskilling. This KRA aims to provide an incentive for the contractor to meet and exceed minimum core training requirements for Indigenous and non-Indigenous apprentices, trainees, cadets, and workers. KRA 1 is based on the Queensland Government Building and Construction Training Policy core training requirements. Additional Key Performance Indicator (KPI) target ranges apply to levels of engagement of Indigenous workers and, additionally, higher incentives are offered to exceed core training requirements using Indigenous workers. The unit of measurement of this KRA is hours of training and employment. ● The contract target for KRA 1 under CYRP was 45,465 hours. The actual achieved hours were 152,000, exceeding the contract target by 106,535 hours. As at 31 December 2021, the contract target for KRA 1 under CYRP

No.	Question	Department of Transport and Main Roads response
	<ul style="list-style-type: none"> The CYLC submission also identifies that some trainees are not receiving training certificates. Can the department please advise whether it is aware of this issue, and if so, what processes have been put in place to resolve the issue? 	<p>Stage 2 was 15,757 hours. The actual achieved hours were 48,229 hours, exceeding the contract target by 32,472 hours.</p> <ul style="list-style-type: none"> The opportunity for upskilling and training is open to all Cape York residents. To date, TMR has had 89 Indigenous employees undertaking training and/or upskilling over the course of CYRP Stage 2. Due to the wet season hindering working conditions (resulting in works unable to be carried out), majority of the projects span over two dry seasons. This allows the opportunity for training to continue. Training organisations are often engaged to source individuals who are wishing to participate in training, and as such, are in a better position to find other work for the trainees. TMR is not a training organisation in its own right. It is the responsibility of the individuals and training organisations to seek further opportunities to complete training. TMR provides opportunities in the form of the KRAs as outlined in the PDR ILUA. The CYLC, as the Native Title Representative (with strong links to communities, training organisations and other industries including Cape York Partnerships, Cape York Employment, Bama Services), are an appropriate organisation to assist in resolving these issues. TMR is working with CYLC and Traditional Owners through the PDR ILUA Project Committee to understand and address these concerns.
13	<p>In relation to long term employment outcomes:</p> <ul style="list-style-type: none"> Can the department please advise what the obligations or requirements are for tender winners to employ Cape York locals and traditional owners? 	<ul style="list-style-type: none"> The PDR ILUA sets out KRAs relating to economic opportunities, training, and local industry participation, which were built into all construction contracts. If the bidders do not commit to meeting the KRAs, there will be no contract.

No.	Question	Department of Transport and Main Roads response
	<ul style="list-style-type: none"> • Can the department please advise whether the current model provide for incentives for employers to reach the department's Key Result Areas (KRAs)? • Can the department please advise whether it keeps records on how many traineeships have been completed? And if so, can the department provide these figures and if not, why not? • Can the department please advise whether it keeps figures on how many short-term employment opportunities have transitioned into longer-term employment through the PDR project? If so, can the department please provide these figures? 	<ul style="list-style-type: none"> • In line with the PDR ILUA, each contract has included three KRAs with penalties should the KRAs not be met, and incentives should they be exceeded. The KRAs include: <ul style="list-style-type: none"> ○ KRA 1 – Indigenous and non-Indigenous training and upskilling: This KRA aims to provide an incentive for the contractor to meet and exceed minimum core training requirements for Indigenous and non-Indigenous apprentices, trainees, cadets, and workers. KRA 1 is based on the Queensland Government Building and Construction Training Policy core training requirements. ○ Additional Key Performance Indicator (KPI) target ranges apply to levels of engagement of Indigenous workers and, additionally, higher incentives are offered to exceed core training requirements using Indigenous workers. The unit of measurement of this KRA is hours of training and employment. ○ KRA 2 – Implementation of an Indigenous Economic Opportunities (IEO) Plan: with reference to the Queensland Government Building and Construction Training Policy – Item 7, incentives will apply for the contractor achieving KPI targets within the 'Indigenous business supply opportunities' section in the agreed IEO Overview Plan. The IEO Plan sets a minimum for agreed outcomes and provides flexibility in order for the economic opportunities associated with the contract to be maximised for local communities. In 2017, deductions were applied to the contract conditions should contractors not achieve the KPI targets, in order to reinforce the importance placed on this KRA by TMR. The unit of measurement of this KRA is percentage of Contract Direct Cost Amount (CDCA) ○ KRA 3 – Local industry participation: So far as it is economically and technically reasonable and practicable to do so, the contractor is

No.	Question	Department of Transport and Main Roads response
		<p>required to give, and shall ensure that its sub-contractors give, local sub-contractors, vendors and suppliers a full, fair and reasonable opportunity to supply labour, services, materials, plant, machinery, equipment and other items for the works. 'Local' is defined as an industry based within Cook Shire and/or mainland Aboriginal Shire Councils or within local government boundaries on Cape York. KRA 3 aims to provide an incentive for the contractor to engage and maximise local industry participation for contract works. The unit of measurement of this KRA is percentage of CDCA.</p> <ul style="list-style-type: none"> • TMR does not keep records of the number of traineeships completed. TMR does, however, record the number of hours trainees have been employed on projects, and more recently, what they are training for. • To date, 200,229 hours of training and upskilling have been recorded over the life of CYRP Stage 1 and CYRP Stage 2. These figures are as at 31 December 2021. Due to confidentiality requirements TMR cannot release the identities or any other information pertaining to these individuals. • TMR does not keep figures on the number of short-term employment opportunities that have transpired into long-term opportunities, however, there have been instances of individuals starting their own businesses based on the training and upskilling provided to them by the State. • TMR's newsletters have a lot of useful information.
14	<p>In relation to business opportunities for local Indigenous-owned businesses:</p> <ul style="list-style-type: none"> • Can the department please advise whether there is a commitment to develop sustainable business benefits and opportunities for traditional owners? 	<ul style="list-style-type: none"> • Through KRA 3 (Local Industry Participation), so far as it is economically and technically reasonable and practicable to do so, the contractor is required to give (and shall ensure that its sub-contractors give) local sub-contractors, vendors, and suppliers a full, fair and reasonable opportunity to supply labour, services, materials, plant, machinery, equipment and other

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	<ul style="list-style-type: none"> Can the department please advise whether it is aware of traditional owners having difficulty getting their businesses recognised, particularly with the larger contractors? If so, can the department please advise what processes have been put in place to resolve this issue? <p>The CYLC advised that transitional owners having difficulty accessing relevant information and forms that are required to become competitive in securing current works and ongoing maintenance.</p> <ul style="list-style-type: none"> Could the department please advise what action is taking to improve accessibility of information to both traditional owners and other stakeholders? 	<p>items for the works. This ensures sustainable long-term business benefits and opportunities for Traditional Owners.</p> <ul style="list-style-type: none"> Traditional Owners and businesses are encouraged to register with Black Business Finder and Supply Nations. In addition to, and with the help of the CYLC, a list of business is now being provided with all tenders that principal contractors may wish to engage with. Suppliers for TMR projects are required to be prequalified to undertake works as principal contractors, however subcontractors are provided opportunities through Supply Nations, Black Business Finder, and the list TMR provides to tenderers. <p>In addition, RoadTek has a Standing Offer Arrangement (SOA) panel that they routinely update, allowing new suppliers to be on it.</p> <ul style="list-style-type: none"> As TMR has employed a lot of Traditional Owners and indigenous businesses for years, it is difficult to understand the CYLC comment on information access issues.
15	<p>The Cape York Land Council have encouraged the State to declare the road from the PDR to the Jardine River as a 'State Road' with an ILUA for its length along the lines of the PDR ILUA?</p> <ul style="list-style-type: none"> Can the department please advise whether it is aware of this request and if so, how has the department responded? Can the department please advise about the impediments and other issues that might be involved in this request? 	<p>Note: TMR is not sure what this request has to do with this Inquiry.</p> <ul style="list-style-type: none"> The Northern Peninsula Road between the PDR and Jardine River is a local government road under the jurisdiction of Cook Shire Council. TMR has repeatedly and consistently advised this and TMR does not want to take control of any more roads anywhere in the State. TMR is the road authority for major roads and highways that serve a state-strategic function and establish inter-regional connectivity. It is questionable whether the Northern Peninsula Road between the PDR and Jardine River meets this requirement.

No.	Question	Department of Transport and Main Roads response
		<ul style="list-style-type: none"> • Gazettal as a state-controlled road does not necessarily mean the road will be maintained to a higher standard. If TMR took over responsibility for the road, it would need to be prioritised against other often higher-volume state-controlled roads for funding. • TMR has not received a formal proposal for the Northern Peninsula Road to be gazetted as a state-controlled road. This request would likely be rejected. • The ferry over Jardine River has been owned and operated by Northern Peninsula Area Regional Council (NPARC) for 35 years. The ferry is the only formal crossing point of the Jardine River for motorists travelling along the Northern Peninsula Road. • In mid-2021, TMR, in collaboration with NPARC, completed a Business Case for a new bridge over the Jardine River on Northern Peninsula Road. Due to the unanimous opposition from the Traditional Owners, the business case was completed in July 2021 based on available information, which did not allow any field investigations or surveys to be undertaken. Unless council wishes to pursue this project and can resolve the issues of opposition from the Traditional Owners, TMR will not progress the project beyond the current completed business case stage. • This is a complex, difficult situation and has been prosecuted many times with the same outcomes.