

CONVENE: Cape York Regional Package (CYRP) Taskforce
Conference Room, Dept State Development, Ports North Bldg,
Cnr Grafton & Hartley St, Cairns

DATE & TIME: 9.00am – 12.00pm Tuesday 13 October 2015

CHAIR: Allan Dale

ITEM	DETAILS	TIME
1.	MEETING OPEN	9.00am
	Welcome by Chair to CYRP Taskforce	AD
2	ATTENDANCE	9.10am
2.1	AC – Allen Cuneen (DATSIP) AGC – Alister G Cullen (TMR) AD – Allan Dale (Chair Taskforce & SWG, Chair RDA FNQ&TS) AY – Andrew Yeatman (PBA – Mary Station) AY – Arthur Yeates (RoadTek – TMR) CG – Christina Garbin (DIRD) - teleconference DJ – Darryl Jones (TMR) DMcG – Dominic McGann (McCullough Robertson – TMR) DS – Derek Sanderson (TMR) HW – Helena Wright (PMC) JC – Jann Crase (RDA FNQ&TS) JCo – John Coyle (DATSIP) JMcD – John McDowall (Musgrave Roadhouse) JW – Jack Wilkie-Jans (CYSF) KO – Kelsey Ormsbty (DSD) KP – Karen Peut (TMR) KS – Katrina Savo (PBA – Savo Contracting) - teleconference ME – Melony Emerton (DIRD) - teleconference MH – Mike Vass (TMR) PA – Peter Agar (TMR) PG – Peter Goldsworthy (TMR Bris) - teleconference PR – Paul Ryan (Olivevale) PS – Peter Scott (Mayor, Cook Shire Council, Board member RDA) SB – Sandra Burke (TMR) SU – Stephen Ung (DATSIP) TB – Trish Butler (CYSF) TM – Trent Mulley (Exchange Hotel Coen) WB – Wayne Butcher (Mayor, Lockhart River Shire Council, Chair CIMA) - teleconference	AD
	Apologies Roland Pittar (DIRD), Greg Williams (NQCEC), Amos Njaramba (Napranum ASC, CIMA CEO), Greg Whittaker (Gungarde)	

3	PREVIOUS MINUTES & ACTIONS	9.15am
3.1	Minutes from previous meeting May 20 th 2015 considered and adopted unamended.	AD
3.2	<p>Previous Actions</p> <ol style="list-style-type: none"> 1. TMR to look at accessing the National Bridges program – Myall Bridge. - WIP 2. TMR to provide monthly report – verbal report provided at meeting, copy to go with minutes. 3. DTMR/DATSIMA/RDA provide communication information to the broader CYP community clarifying the tender process for the Stage 2 funding of the project – what the process is and how it will work – in progress. 	
4	MATTERS FOR DISCUSSION	9.25am
4.1	<p>TMR Update <i>Refer TMR Report at Attachment 1</i> Mein Deviation delivery – conversation around future tender process</p> <ul style="list-style-type: none"> • Mein Deviation started early August and cultural heritage negotiated with CYLC working well. Monitoring key results areas on a fortnightly basis. Employee training exceeding expectations (ahead of agreed Key Result Areas). Partnerships are working well. • Clarified cultural heritage responsibilities not linked in any way to native title. Responsibilities are under the <i>Aboriginal Cultural Heritage Act 2003</i> and TMR are complying with these. Matter to be further discussed in agenda item PDR Priority Agreement & Cultural Heritage Protection Agreement. <p>Roll out for the rest of the year – pipeline of works</p> <ul style="list-style-type: none"> • Confirmed RoadTek delivering with sub-contractors and works progressing well. • South of Hann River (7km): RoadTek resources with sub-contractor Scott Earthmoving for load and cart operation • Sourayas Hill (north of Coen Airport) (4.5km): sub contractors NQCEC with resourcing and trainees from Kalen Enterprises from Coen. • South of Morehead River (4km) : sub contractors Bama and McKenna Group • Advised weather conditions that may impact on demobilisation/remobilisation of projects provided for in contracts. • KS expressed her satisfaction with CMC efforts to engage with the Peninsula Business Alliance. • ME confirmed DIRD's satisfaction with the progress to date <p>Business Cases</p> <ul style="list-style-type: none"> • 2016 PDR Priorities <ol style="list-style-type: none"> 1) Coen South (22km) 2) Archer to Wolverton (13km) 3) Rio Tinto Boundary (6km) 4) Musgrave (12km). • Design work is commencing for 2016 projects with anticipated tender process Feb/March 2016. • Draft Project Proposal Report (PPR) for the PDR (Stages 1 and 2), Endeavour Valley Road and CIMA priorities identified within the communities of Kowanyama; Aurukun; Pormpuraaw; Napranum; Mapoon; NPARC; Lockhart and Wujal Wujal with DIRD for comment; aim is to have Ministerial approval of CYRP PPR by end of 2015. • Clarity sought on tender process for 2016 projects, to be provided post approval of PPR and further discussed by SWG. Details of PDR Stage 1 and Endeavour Valley Road works available on TMR website. Agreement for need to maximize employment and regional outcomes. 	TMR

	<ul style="list-style-type: none"> • Strong support for the work by CIMA Mayors, Councils, TMR and others in reaching agreement on balance of proposed jobs and developing the business cases. Overall package clear and well-communicated on the website. • Next SWG to focus on confirming communications around clear scheduling and 2016 works and tender processes. 	
4.2	<p>CIMA progress on Community Infrastructure</p> <p>Procurement/ Tender processes for Community Infrastructure works</p> <ul style="list-style-type: none"> • Various discussions surrounding engagement of local contractors; issues raised regarding real/potential/perceived conflict of interest with contractors. • TMR provided feedback that the process working with CIMA has been very successful. • Acknowledgement of the excellent partnership between DATSIP and TMR in delivering this work. • Discussion around standing offer arrangements with Councils regarding sealing work depending on capacity. Approach likely to be similar to current TMR TIDS program. • Benefits in CIMA Councils working together to leverage savings regarding procurement (similar to FNQROC processes) – a matter for future exploration (Local Buy state wide system LGAQ). • CIMA commencing discussions regarding collective/coordinated approaches for major works. • Reconfirmation of CIMA priorities, noting the Mapoon Council's initial Rio Tinto Road upgrade proposal had been removed as it was within the RTA lease boundary; and an extra project in Wujal Wujal Aboriginal Shire Council included. • Opportunities to leverage funding from other programmes discussed including regional/remote aerodromes, bridge renewal funding. • The Queensland Government's Building our Regions initiative (extra \$200m over two years from 2015-16 in infrastructure investment for local government infrastructure projects, including extra \$60 million for TIDS; also possible opportunities under the Economic Development Qld's Catalyst Infrastructure Program. • National Stronger Regions Fund announcements December (\$100 billion over five years from 2015-16 in federal infrastructure investment through Not for profits and local government) for priority infrastructure in regional communities. RDA session in Brisbane with DIRD clarified improved approaches for delivering quality applications. Noting the challenge in securing success through a nationally-competitive funding programme. • Action – TMR, DSD, RDA, CIMA, DATSIP, CSC to pull together options for leveraging State and Federal funding for current and future CYRP priorities. • Clarity sought from CYSF regarding particular sub-contractor and arrangements. • Noted that CYSF has sought formal response from TMR and will wait for that response to the issues raised. 	
	Morning Tea	10.30am
4	MATTERS FOR DISCUSSION	11.00am
4.3	<p>Overview PDR Priority Agreement & Cultural Heritage Protection Agreement TMR response to queries raised on the ILUA and project procurement processes</p> <ul style="list-style-type: none"> • An update and overview was provided by DM. Six topics to discuss regarding negotiations on PDR: <ol style="list-style-type: none"> 1. Defining project footprint – PDR road reserve (disturbed area), outside road reserve (undisturbed) 2. Range of issues relating to footprint 3. What has been done under the PDR Priority Agreement (PA) and Cultural Heritage Protection Agreement (CHPA) 	DM

	<p>4. Context</p> <p>5. Elements of the Indigenous Land Use Agreement (ILUA)</p> <p>6. Timing of ILUA and participants</p> <ul style="list-style-type: none"> • Two agreements entered into – PDR Priority Agreement (PA) and CHPA. • The PDR PA enables TMR to undertake priority road works whilst continuing negotiations with Traditional Owners (under Cape York Native Title Claim #1). • Priority works covered by the PDR PA include: Mein Deviation, South of Hann River, Sourayas Hill, South of Morehead River and various related dam/gravel investigations for proposed 2016 priority works. • Under the PDR PA negotiations for an ILUA for 'future acts' i.e. construction works that may impact on Native Title rights can proceed. • The PDR PA is due to terminate on 31 March 2016. An ILUA is anticipated to be authorised and finalised by 31 December 2015. Noting ILUAs typically take 6mths – 2 years to be completed (notify, negotiate, authorise and registration). It can take 6mths for registration. • Discussion around compensation elements of the PDR PA <ul style="list-style-type: none"> – what is compensation paid for? Water (matter for the State), embankment/quarry material and – To whom is it paid? To Prescribed Body Corporate/Land Trust (authorised Traditional Owner structures). – Will compensation come out of the CYRP budget? Yes. • Confirmed that ILUA will not be authorised if it does not have the support of Traditional Owners and that ILUA process separate to the Native Title claim (Cape York Claim #1). • Conflict resolution approach required to resolve any issues regarding concerns with the wider claim –v- specific concerns under the ILUA. • TMR confirmed it will refer native title issues to Department of Natural Resources and Mines for advice. • Explanation clarified that different parties need advice from different sources depending on matter being dealt with eg. Native title, tenure issues (Aboriginal Land Act), local government etc. • Communication is important; need to maximise the flow regarding processes and probity, noting not Taskforce role to engage in details of ILUA, matter for Traditional Owners. • Noted concerns from some quarters regarding dealing with 'the right people' on Cape York through these processes and interest in CYLC/Balkanu presentation at next Taskforce meeting. • Taskforce advised to document and substantiate concerns and present them formally to TMR through Darryl Jones (still principal point of contact) who will refer queries, as necessary, to relevant TMR legal advisors and other) for response. <p><i>Refer to TMR factsheet providing overview of the Agreements (Attachment 2). Further TMR factsheets on the CYRP available here http://www.tmr.qld.gov.au/Projects/Name/C/Cape-York-Region-Package-Peninsula-Developmental-Road.aspx</i></p>	
4.4	<p>Update on related activities</p> <p>DATSIP</p> <ul style="list-style-type: none"> • Focusing on coordination of whole of Qld Government capital works programs to improve continuity of work to deliver better Indigenous employment and training outcomes. <p>DIRD</p> <ul style="list-style-type: none"> • Assessing draft PPR for remaining works on the PDR and CIMA list and will provide comments to TMR over the coming weeks. Note the need to keep communications open regarding ILUA and PDR PA. Department happy with progress. <p>PBA</p>	11.30am various

	<ul style="list-style-type: none"> Recent meeting to formalise PBA's structure with Interim Chair Wayne Butcher, Deputy Chair Andrew Yeatman, Secretary Katrina Savo, Public Officer, Bruce Martin. Securing funds from DPM&C to support development of organisation. PBA about local and Indigenous Cape businesses and debunking the myth regarding 'limited' capacity/capability. Objective to maximise contract opportunities for local and Indigenous Cape businesses through working together. 	
4.5	Communication and Engagement <ul style="list-style-type: none"> Noted good flow of information from TMR website, new factsheets and media releases etc. Grass roots communication emphasised to ensure clear, consistent messages getting out there regarding progress and future plans for CYRP delivery. Agreed needed faster turn around on Minutes and Communiques to move things along. RDA acknowledged need to update its website to further communication engagement and broader email list for anyone interested in CYRP updates. TMR confirmed requests for responses to issues raised are challenging to address in a timely manner if raised with the department, as well as various federal and state Ministers. SWG to focus on scheduling of works, communication around this and procurement process (sorting any issues), getting minutes out and maximising coverage of standardised communications products, especially at grass roots level. TMR confirmed it will send hard copy 'info packs' of factsheets to key Cape locations/organisations/businesses. 	11.40am
4.6	Next steps Future investment opportunities – discussed above at 4.2	11.50am AD
4.7	Other matters <ul style="list-style-type: none"> Members reiterated the importance of communication, need to ensure accountability and transparency regarding tender/procurement processes, grass roots engagement including Traditional Owners and communicating good news stories (progress, Indigenous employment outcomes etc). Chair requested a reduction in representation from Depts/organisations to keep Taskforce numbers to a manageable level. 	12.00pm
	Next Taskforce meeting date – Feb/March 2016 Next Sub Working Group meeting date – Nov/Dec 2015	

ACTIONS:

	Who	What	When	Status
1.	KO, JC, AN, PS, AC, TMR	<i>DSD, RDA, CIMA, TMR, DATSIP, CSC to pull together options for leveraging State and Federal funding for current and future CYRP priorities.</i>	Prior to next SWG	
2.	TMR	<i>TMR to provide monthly report prior to meetings to enable circulation to those on teleconference.</i>	ongoing	
3.	DTMR/ DATSIM A/	<i>Develop wider communications strategy for consideration at next subworking group and provide communication information to the broader CY community clarifying the tender process for the Stage 2 funding of the project – what the process is and how it will work.</i>	To be addressed at next SWG meeting	

Attached

1. TMR Progress Report
2. TMR Factsheet – overview of Agreements for Peninsula Developmental Road PA and CHPA.