



Confirmed Minutes
Burke Shire Council Special Meeting
Thursday 8 April 2021
11.00am Council Chambers

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01. Opening of Meeting

The Chair declared the meeting open at 1.42pm.

02. Record of Attendance

Cr Ernie Camp; Mayor – Chair
Cr John Clarke
Cr John Yanner
Cr Rosita Wade

Clare Keenan; Chief Executive Officer
Dan McKinlay; Deputy CEO
Graham O’Byrne; Executive Manager Engineering – via teleconference
Madison Marshall; Corporate Services and Governance Manager (Minutes)

Absent - Cr Tonya Murray; Deputy Mayor

02.01 LGR 2012 Section 254K – Participating in meetings by audio link or visual audio link

That Council, in accordance with section 254K of the Local Government Regulation 2012, allows the following person/s to participate in the meeting by audio link or visual audio link:

- **Graham O’Byrne, Executive Manager Engineering**

Moved: Cr Camp

Seconded: Cr Yanner

Carried 210408.01 4/0

03. Declaration of Interests

The Mayor calls for all declarations from each Councillor, prior to eligible Councillors making a decision, pursuant to section 150ES in relation to each Councillor.

(i) Cr Clarke – Declarable Conflict of Interest – Item 04.01 – Councillors to vote on whether Councillor can participate

I, Cr John Clarke inform this meeting that I have a declarable conflict of interest in relation to Item 04.01 – Naming of Gregory Spectator Facility.

The nature of my declarable conflict of interest is as follows:

- The person that put forward the two options for the naming of the Gregory Spectator Facility was my wife, Sue Clarke.
- An alternative name has been put forward for the facility to be called Webber & Clarke Grandstand (Grandstand/Shed/Watering hole) and this involves the Clarke family.
- Given this, it may be perceived that my participation in this decision might lead to a decision that is contrary to the public interest.

Having regard to the nature of this matter, and the nature of my declarable conflict of interest, I consider that I can participate in deciding this matter in the overall public interest.

I, accordingly, wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, pursuant to section 150ES of the *Local Government Act 2009*, whether I: -

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter.

That: -

- 1. Cr Clarke participate in the decision, despite the councillor's declarable conflict of interest, including by voting on the matter.**
- 2. The reasons for this decision are that having regard to the nature of the matter, the nature of Cr Clarke's declarable conflict of interest in the matter and the matters listed in section 4.9 of the *Model Meeting Procedures*, Council is of the view that Cr Clarke's participation in a decision on the matter will be in the overall public interest of the Burke Shire.**

Moved: Cr Wade

Seconded: Cr Yanner

Carried 210408.02 3/0

Note: Cr Camp, Cr Wade and Cr Yanner voted in favour.

04. Executive Management Reports

04.01 Naming of Burketown Wharf and Gregory Spectator Facility

DEPARTMENT:	Chief Executive Officer
RESPONSIBLE OFFICER:	Chief Executive Officer
PREPARED BY:	Dan McKinlay: Deputy Chief Executive Officer
DATE REPORT PREPARED:	23 March 2021
LINK TO COUNCIL PLAN/S:	GOV-POL-008 Naming of Council –Controlled Assets.

1. PURPOSE

This report is to confirm the naming of the Burketown Wharf Precinct and Gregory Spectator shed.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The *Local Government Act 2009* and the *Place Names Act 1994* allocate authority or responsibility to a local government for the naming of local government infrastructure assets within its jurisdiction, including roads, bridges, car parks, footpaths, municipal parks, reserves and sports grounds and associated structures and facilities.

Council's naming of Council-controlled Assets Policy (GOV-POL-008) anticipates that Council will seek community input into all asset-naming process, with Council to make the final decision via Council resolution.

Council has a range of assets under its control that are eligible for naming and a number of assets that may be appropriate to re-name given differences between colloquial /formal names.

Assets identified in the Policy included Burketown Wharf Precinct and Gregory Spectator shed.

Naming of Council-controlled assets will be by resolution of Council and will have regard to the Principles outlined below.

Use of alternative naming categories

At the request of the community or elected members, Council may, at its discretion name a previously unnamed asset in accordance with one of the following categories:

- In acknowledgement of the traditional owners of the land, an elder of the traditional owners, or another name that has a strong indigenous connection to the land (these requests must be referred to the relevant Aboriginal authority for comment);
- Suggestive of the geographical/natural features located nearby or flora and fauna endemic or native to the area;
- In recognition of local families who have provided long term, significant, beneficial associations to the area in which the asset is located;
- A service club or community group that has provided significant financial or manual labour assistance towards the acquisition or construction of the asset or otherwise to the community in which the asset is located.
- Early explorers/pioneers/local history;

- Thematic names consistent with the locality; and
- War Casualty/Honors Lists

Language

- Names should be simple, concise and easy to recognise, spell and pronounce. In the case of Indigenous languages, it is accepted that a traditional name which might appear at first to be complex will, over time, become familiar and easy to use within the community.
- Names should be no longer than 50 characters. Locality names should preferably be one word, while feature names should include a generic term (e.g. 'river' or 'bay') to indicate the feature type.
- Only characters from the standard alphabet can be included (i.e. no special characters, diacritical marks or punctuation marks). Possessive apostrophes should be removed (e.g. 'Duffs Sump' not 'Duff's Sump'), but apostrophes that are part of a personal name (e.g. 'O'Connor') can be retained. Hyphens should be replaced by spaces.
- Numbers should be spelled out (e.g. 'Seventeen Seventy' not '1770').
- Names should not begin with 'The', unless there are strong historical reasons for doing so.
- Abbreviations, initials or acronyms are not allowed, except for the use of 'St' for 'Saint'.

Aboriginal and Torres Strait Islander names

- Names from Indigenous languages should be transcribed as accurately as possible to suggest a pronunciation as close to the Indigenous form as possible. Names should be local to the area and endorsed by the local Indigenous community.
- Alternative names can be used to recognise the Aboriginal or Torres Strait Islander name for a geographic feature where an approved name already exists and a name change is not acceptable. Alternative names are usually shown on maps and signs in brackets after or below the approved name, e.g. Big Woody Island (Tooliewah).
- Dual naming is a management tool that can be used to gradually change the name of a geographic feature where an approved name already exists and a sudden change to the Aboriginal or Torres Strait Islander name is not possible or acceptable. Dual names consist of two parts separated by a forward slash (/) and the order of the parts is to be reviewed at regular intervals (e.g. Uluru/Ayers Rock).
- In Queensland, geographical features may be given either a dual name or an alternative name, but not both.
- Localities, suburbs and towns cannot have dual or alternate names.

Discrimination

- Names should not be offensive, racist, derogatory or demeaning.
- individual who meets the criteria as per Annexure A – Naming Criteria (People);

Commercial names

- Name that could be construed as advertising or promoting commercial enterprises should not be used.

Personal names

- Naming a place in honour of a person will only occur if the individual meets the criteria outlined in Annexure A. The person commemorated should have contributed significantly to the area

(ownership of land in itself is not sufficient). The spelling of the place name should follow the spelling of the personal name from which it is derived.

Qualifying terms

- Cardinal indicators and similar prefixes or suffixes (e.g. 'Upper', 'New', 'East', 'West') should be avoided and more distinctive names used. If the use of such terms cannot be avoided, they should appear as suffixes instead of prefixes (e.g. 'Burketown North' not 'North Burketown').

Duplication

- Locality names must not duplicate or be similar in spelling or sound to other locality names within the country (e.g. 'Coburn,' 'Cockburn').
- Feature names should not be similar in sound or spelling to any similar feature in the surrounding area.
- Check for possible name duplication using the Gazetteer of Australia.

Protected names

- Names should not be words or acronyms protected by state or Commonwealth legislation, without the appropriate Ministerial approval.

Public interest

- Place names are intended to be enduring and should only be changed where there are sound reasons. Long-term benefits to the community must outweigh any private or corporate interests, short-term effects, and the impact on the community in making a change.

Disposal/Removal of Asset

- In the event a 'named' asset is damaged, removed or disposed of for any reason, the Council is under no obligation to replace the asset or name another asset in its place.

Naming Criteria (People)

Requests from community members or elected members to name assets after individuals or families are received by Council on a regular basis. In order for a request to be assessed, the applicant must demonstrate that the individual or family to be recognised and the name chosen meets the following criteria:

- The individual or family must be respectable and held in high regard within the community;
- Where applicable, the individual or family must be aware of and supportive of the application.

AND must satisfy one or more of the following requirements:

- 1) Have significant cultural links to the land (i.e. A traditional owner, or elder within the traditional owners' group);
- 2) Be an athlete or sporting professional who was either born in the region or lived some/all/part of their life in the region prior to competing in their sport at a national/international level;
- 3) Be an individual who has excelled in their field of expertise and who has been recognised at a national level or higher;
- 4) Had previously owned or had a long association with the land on where the asset is situated prior to Council acquiring the land;
- 5) Provided significant financial assistance, support and/or contributed towards the construction or acquisition of the asset;

- 6) A current or previous employee of either the Burke Shire Council whose dedication and service to local government is worthy of note;
- 7) A member of the community whose community service, dedication to community organisations or achievements have been significant.

3. PROPOSAL

The proposal is to name both the Burketown Wharf Precinct and the Gregory Spectator Facility.

The following naming Proposals have been received after community consultation.

Burketown Wharf Precinct -This is covering the Precinct not individual aspects such as Boat Ramp, Carpark area etc, nor future assets e.g. possible Barbecue area.

Don (Dr.) Bowley OAM

Nomination by Paul Poole and Tex and Lynn Battle

Comments in support are:

Tex and Lynn Battle

- Don (He does not appreciate “Donald”) has been Senior Medical Officer of the Mount Isa branch of the RFDS for approximately 20 years and is known and appreciated in the North West for his expertise and dedication. His contribution to the health and well-being of people in our area is immeasurable. Don is also an Associate Professor but elects not to use that title.
- We hope this suggestion receives favourable consideration.

Paul Poole

Paul stated that Dr Don has probably assisted every person in the shire and has made a significant contribution to the shire. He also saved the lives of a number of residents in the shire.

He felt his name is well known across the Gulf.

He advised that Dr Don had put his own funds into the Gregory Health Facility.

He also noted that Dr Don was instrumental in getting a RFDS facility on Bentinck Island.

Paul also stated that the name should also acknowledge the Gangalidda name. Lalala.

Violet Booth Wharf

Nomination by Sue Clarke

Sue’s comments are:

Violet (VI) Booth (1938 – 2016) lived all of her life in Burketown.

- As seen from the attached she had a wonderful connection to Burketown.
- One of VI’s passions was fishing and to me it seems appropriate that a place that enables fishing has her name.
- I would also like to make mention that as far as I can see there are four places in the Burke Shire named after a person:
 - Leichhardt River – Frank Webber Bridge
 - Beamesbrook - John Yanner Bridge
 - Football Field – Phillip Yanner
 - Gregory Health Clinic – Tim O’Leary

- I realize decisions are not made on gender; however, wouldn't it be great to have The Wharf named after a much loved lady?

Lalala Gujurunggi

Nomination by Murrandoo Yanner

This is the original Gangalidda name. Lalala means landing and GuJurunggi covers the area between the boat ramp, pontoon and the wharf.

Gregory Spectator Facility

Sue Clarke has put forward two alternatives:

Buffalo Community Hub or Buffalo Picnic Pavilion

Comments in support

- The 'Buffalo Picnic Race Club' was one of the Burke Shire's oldest sporting clubs.
- They held race meetings at Gregory in the early 20th century.
- The community would come together for a number of days of racing, dancing and catching up with neighbours they rarely saw.
- The Buffalo Picnic Race Club is now known as The Gregory Downs Jockey Club who continue the heritage of bush racing.
- The attachments show a photo of club members in 1917.
- Two attachments of newspaper articles are from 1907 and 1909.

Sue Clarke's second alternative

The Bough Shed or The Bough Shed Community Hub

Comments in support

- A bough shed is a shade structure that was seen in many mustering camps and at most rodeos and race meetings of the past.
- A timber frame was covered in branches (boughs) and this proved to be a suitable structure for shade and shelter.
- Often the frame was left and the following year fresh branches were placed over it.
- As the new building is a wonderful shade structure, 'The Bough Shed' would bring a historical and outback spirit to the name.
- Please see attachments of bough sheds at the Gregory Races in 1917, 1928 and 1951,

Shannon Moren has proposed

Webber & Clarke Grandstand (Grandstand/Shed/Watering hole)

Comments in support

(my submission is more about acknowledging the efforts of both families listed)

For the name of the Gregory Spectator Facility.

When I think of events at Gregory 2 surnames come to mind – Webber's and Clarke's. If you go to any of the events here you will be sure to see a member/s of these families (from grandparents through to great, great grandchildren) either working behind the bar, taking nominations, prepping and serving food, assisting with the related sports on the day or just a welcoming face to have a yarn.

As history would state, both families moved to the region in the early 1900's and have been here ever since. They have a solid connection with Gregory and the grounds and have been the driving force behind maintaining and developing the grounds and initiating and ensuring continuance of the many events that are held at the Gregory Racetrack each year – Camp draft, Horse sports, Saddles & Paddles, Family Fun Day.

Their commitment to the region (specifically Gregory and Burketown) in Agriculture, Racing, Sports, Provision of Essential Services, Community Events and encouraging community inclusiveness have been passed through the generations and I feel something that should definitely be recognised.

4. FINANCIAL & RESOURCE IMPLICATIONS

There will be some minor financial and resources implications associated with any naming/re-naming process. This includes:

- New Signage
- Administration process

5. RISK

Risk Type	What could happen	Possible consequence
Legal	<ul style="list-style-type: none">▪ Council names assets not within its jurisdiction	<ul style="list-style-type: none">▪ Invalid naming process-waste of time and resources
Reputational	<ul style="list-style-type: none">▪ Public perception of Council damaged in the event that Council does not follow its own policy when naming Council-controlled assets.	<ul style="list-style-type: none">▪ Initial and continued dissatisfaction with eth naming of a Council-controlled asset.

6. POLICY & LEGAL IMPLICATIONS

GOV-POL-008 Naming of Council-controlled assets applies.

7. CRITICAL DATES & IMPLICATIONS

There are timing constraints to ensure signage is ready for the opening of these facilities.

8. CONSULTATION

Community
Council

9. CONCLUSION

Public consultation has now occurred and naming can be decided on.

10. OFFICER'S RECOMMENDATION

That: Council approve the naming of the Burketown Wharf Precinct from the following nominations:

- Don Bowley - 2 Nominations
- Violet (Vi) Booth

That: the Gangalidda name. Lalala also be acknowledged on the Wharf Precinct signage.

That: Council approve the naming of the Gregory Spectator Facility from the following nominations:

- Buffalo Community Hub or Buffalo Picnic Pavilion
- The Bough Shed or The Bough Shed Community Hub
- Webber & Clarke Grandstand (Grandstand/Shed/Watering hole)

04.01 Naming of Burketown Wharf and Gregory Spectator Facility

That: Council approve the naming of the Burketown Wharf Precinct from the following nominations:

- Don Bowley - 2 Nominations
- Violet (Vi) Booth

That: the Gangalidda name. Lalala also be acknowledged on the Wharf Precinct signage.

That: Council approve the naming of the Gregory Spectator Facility from the following nominations:

- Buffalo Community Hub or Buffalo Picnic Pavilion
- The Bough Shed or The Bough Shed Community Hub
- Webber & Clarke Grandstand (Grandstand/Shed/Watering hole)

COUNCILLOR'S RECOMMENDATIONS:**04.01 Naming of Burketown Wharf and Gregory Spectator Facility**

That Council approve the naming of the Burketown Wharf Precinct as:

- Don Bowley Burketown Wharf Precinct

That the Gangalidda name Lalala Gujuringgi also be acknowledged on the Wharf Precinct signage.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 210408.03 3/0

Note: Cr Camp, Cr Wade and Cr Yanner voted in favour. Cr Clarke abstained from voting.

04.01 Naming of Burketown Wharf and Gregory Spectator Facility

That Council approve the naming of the Gregory Spectator Facility as:

- Buffalo Picnic Pavilion

Moved: Cr Camp

Seconded: Cr Wade

Carried 210408.04 4/0

Note: Cr Camp, Cr Clarke, Cr Wade and Cr Yanner voted in favour.

Attendance

Cr Camp left the meeting from 2.20pm to 2.21pm.

04.02 2020 DRFA Gravel Re-sheeting Works - Contracts for Packages 1 to7

DEPARTMENT:	Depot & Engineering
RESPONSIBLE OFFICER:	Graham O'Byrne
PREPARED BY:	Sarath Jayasekara, Wendy Wolf & Graham O'Byrne
DATE REPORT PREPARED:	18 March 2021

1. PURPOSE

This report provides Council with recommendations to appoint the Principal Contractors to carry out the works designated under 7 individual Contracts for the tendered prices as per Table No. 2 - Recommended Contractors and Prices. With the inter-related nature of the works packages and the tenders received it has been considered appropriate to provide one Council report covering all 7 contracts. It is noted that the overall project budgets for all the projects, excepting Package 4, are provided for under the QRA Restoration Works scheme. This includes preliminaries, consulting services, internal costs, and construction cost for restoration works.

For Package 4 (Doomadgee West Gravel Re-sheeting), allocation from TIDS is combined with QRA Betterment Works funding.

The project budgets' details are provided in Section 4 – Financial and Resource Implications Table 3 & 4.

2. BACKGROUND

As a part of the State Government's Disaster Recovery Funding Arrangements (DRFA) for the 2020 flood events, the following work packages were approved under Restoration Works except for the re-sheeting of 9.35km section of Doomadgee West Road, which is approved for Betterment works which, and is co-funded by DTMR TIDS funds.

There are 4 works packages that have been considered a priority from a programing and scope perspective. These packages were assessed first by the evaluation panel, followed by the final 3 packages. The 4 priority packages are:

- TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4
- TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2
- TENDER NO. 5606-4200-1 NUGABURRA ROAD - PACKAGE 5
- TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3

The tender

The tenders for these projects were released via VendorPanel. The tender submissions received for each project are listed in table 1- Summary of Tender Responses. The tenders submitted by War NQ Pty Ltd are considered non-confirming as they did not provide the mandatory information.

Table No. 1 – Summary of Tender Responses

Tenderer Package	Scope of Work	Number of Tenders Received	Non-confirming Tenders
TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1	Gravel re-sheeting, Formation grade, Reshape table drain, Heavy shoulder grade, and replace guideposts	8	1
TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2	Gravel re-sheeting, Formation grade, Reshape table drain, Heavy shoulder grade, replace guideposts, and Reconstruct road with repair and sealing	4	1
TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3	Gravel re-sheeting, Formation grade, Reshape table drain, Heavy shoulder grade, and replace guideposts	8	1
TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4	Gravel re-sheeting of 9.35 km (150 mm tick)	7	1
TENDER NO. 5606-4200-1 NUGABURRA ROAD - PACKAGE 5	Gravel re-sheeting, Formation grade, Reshape table drain, Heavy shoulder grade, and replace guideposts	5	1
TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6	Gravel re-sheeting, Formation grade, Reshape table drain, Heavy shoulder grade, and replace guideposts	7	1
TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7	Gravel re-sheeting, Formation grade, Reshape table drain, Heavy shoulder grade, replace guideposts, and Reconstruct road with repair and sealing	3	1

3. PROPOSAL

That Council, having referenced the Tender Evaluation Assessment, endorses the recommendations of the Tender Evaluation Panel to the extent that each Contract is awarded to the respective tenderer to the maximum amount stated (ex GST).

Table No. 2 – Recommended Contractors and Prices

Tender Package	Awarded to	Contract Amount
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First Priority Projects		
TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4	Graham Bailey Earthmoving Pty Ltd	\$614,060.40
TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2	Graham Bailey Earthmoving Pty Ltd	\$1,167,470.80
TENDER NO. 5606-4200-1 NUGABURRA ROAD - PACKAGE 5	Graham Bailey Earthmoving Pty Ltd	\$364,363.00
TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3	Graham Bailey Earthmoving Pty Ltd	\$740,770.20
Secondary Projects		
TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1	K & G Booth Pty Ltd	\$947,439.00
TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6	Commings Contracting Pty Ltd	\$550,873.03
TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7	Gulf Civil Pty Ltd	\$1,022,165.91

It is noted that GBE are recommended for 4 of the 7 works packages. The evaluation panel conducted a comprehensive review of the submissions, with post tender clarifications also sought to confirm GBE's capacity to carry out the works. In doing so the panel are confident in GBE's capacity to deliver the works for the nominated 4 packages. Taking this factor into consideration was also the overarching reason for not awarding GBE any more than the 4 packages, even though they ranked first in 6 out of the 7 works packages.

4. FINANCIAL & RESOURCE IMPLICATIONS

The budget allocated for each work package and the respective funding from the QRA and TIDS is listed in table 3 & 4. This budget figure incorporates all works to complete the project, including preliminaries, design, project management, contingency, and internal costs.

Table No 3 – Total Project Budget and Funding Details for 2020 QRA Restoration Works

Tenderer Package	Total Project Budget	QRA Restoration funding	Total funding
TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1	\$1,259,706	\$1,259,706	\$1,259,706
TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2	\$2,274,675	\$2,274,675	\$2,274,675
TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3	\$1,493,369	\$1,493,369	\$1,493,369

TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4	\$737,027	\$737,027	\$737,027
TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6	\$933,846	\$933,846	\$933,846
TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7	\$1,222,323	\$1,222,323	\$1,222,323

Table No 4 – Total Project Budget and Funding Details for Doomadgee West Part B – Package 4

Tenderer Package	Total Project Budget	QRA Betterment funding	TIDS 20/21 and 21/22 funding	Total funding
TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1	\$1,039,952	\$519,976	\$519,976	\$1,039,952

5. RISK

Table No 5 – Risk Mitigation Strategy

Risk	Possible consequence	Mitigation
Contract variation – due to wet weather, latent conditions	Increase in Contract Sum	<ul style="list-style-type: none"> Contingency in the order of 10 - 15% allowed Project Management “on the ground” available at all times
Local Contractor non-award	<ul style="list-style-type: none"> Criticism of Council Requested review of procurement methodology 	<ul style="list-style-type: none"> De-brief with the local businesses who tendered Council briefing on procurement methodology
Delays to the completion of First Priority projects	Not meeting the funding requirements	<ul style="list-style-type: none"> Monitor progress closely with Project Management “on the ground” overview Seek time extension from funding authority if necessary

6. POLICY & LEGAL IMPLICATIONS

Council is required to meet all of the requirements of the TIDS program and the QRA funding guidelines.

Council is also required to meet all relevant local government procurement requirements outlined in the *Local Government Act 2009*, Local Government Regulation 2012 and in Council’s Procurement Policy. These requirements have been met through the tender process involved with these projects.

7. CONSULTATION

Consultation has taken place with:

- Department of Transport and Main Roads
- Queensland Reconstruction Authority
- Erscon Consulting Engineers

8. OPTIONS

1. That Council endorses officers' recommendations and awards Contracts to the following tenderers, to the maximum amounts (ex GST) of:
 - a. TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4
Graham Bailey Earthmoving Pty Ltd \$614,060.40
 - b. TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2
Graham Bailey Earthmoving Pty Ltd \$1,167,470.80
 - c. TENDER NO. 5606-4200-1 NUGABURRA ROAD - PACKAGE 5 Graham Bailey
Earthmoving Pty Ltd \$364,363.00
 - d. TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3
Graham Bailey Earthmoving Pty Ltd \$740,770.20
 - e. TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1 K & G Booth Pty Ltd
\$947,439.00
 - f. TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH
ROAD - PACKAGE 6 Commins Contracting Pty Ltd \$550,873.03
 - g. TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7 Gulf Civil
Pty Ltd \$1,022,165.91
2. That Council awards the contracts to alternative tenderers, with the correlating project budgets.

9. RECOMMENDATION

1. That Council note the contents of the report and relevant attachment; and
2. That Council awards Contracts to the following tenderers to the maximum amounts (ex GST) of:
 - a. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 0280-4060-1 DOOMADGEE
WEST ROAD PART B - PACKAGE 4 - \$614,060.40
 - b. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 5606-5000-1 DOOMADGEE
WEST ROAD PART A - PACKAGE 2 - \$1,167,470.80
 - c. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 5606-4200-1 NUGABURRA
ROAD - PACKAGE 5 - \$364,363.00
 - d. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 5606-4250-1 DOOMADGEE
LAWN HILL ROAD - PACKAGE 3 - \$740,770.20
 - e. K & G Booth Pty Ltd: TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1
- \$947,439.00
 - f. Commins Contracting Pty Ltd: TENDER NO. 5606-3200-1 LAWN HILL NATIONAL
PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6 - \$550,873.03

- g. Gulf Civil Pty Ltd: TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7 - \$1,022,165.91
- 3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contracts, to the maximum values of the Project Budgets as follows:
 - a. TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1: \$1,259,706
 - b. TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2 : \$2,274,675
 - c. TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3: \$1,493,369
 - d. TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4: \$737,027
 - e. TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6: \$933,846
 - f. TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7: \$1,222,323
 - g. TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1: \$1,039,952

04.02 2020 DRFA Gravel Re-sheeting Works - Contracts for Packages 1 to 7

- 1. That Council note the contents of the report and relevant attachment; and**
- 2. That Council awards Contracts to the following tenderers to the maximum amounts (ex GST) of:**
 - h. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4 - \$614,060.40**
 - i. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2 - \$1,167,470.80**
 - j. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 5606-4200-1 NUGABURRA ROAD - PACKAGE 5 - \$364,363.00**
 - k. Graham Bailey Earthmoving Pty Ltd: TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3 - \$740,770.20**
 - l. K & G Booth Pty Ltd: TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1 - \$947,439.00**
 - m. Commins Contracting Pty Ltd: TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6 - \$550,873.03**
 - n. Gulf Civil Pty Ltd: TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7 - \$1,022,165.91**
- 4. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contracts, to the maximum values of the Project Budgets as follows:**
 - a. TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1: \$1,259,706**
 - b. TENDER NO. 5606-5000-1 DOOMADGEE WEST ROAD PART A - PACKAGE 2 : \$2,274,675**
 - c. TENDER NO. 5606-4250-1 DOOMADGEE LAWN HILL ROAD - PACKAGE 3: \$1,493,369**
 - d. TENDER NO. 0280-4060-1 DOOMADGEE WEST ROAD PART B - PACKAGE 4: \$737,027**
 - e. TENDER NO. 5606-3200-1 LAWN HILL NATIONAL PARK ROAD & RIVERSLEIGH ROAD - PACKAGE 6: \$933,846**
 - f. TENDER NO. 5606-4200-1 MISCELLANEOUS ROADS - PACKAGE 7: \$1,222,323**
 - g. TENDER NO. 5606-4200-1 BOWTHORN ROAD - PACKAGE 1: \$1,039,952**

Moved: Cr Camp

Seconded: Cr Yanner

Carried 210408.05 4/0

04.03 Contract 5606-5000-2: Gravel Stockpiling

DEPARTMENT:	Engineering & Services
RESPONSIBLE OFFICER:	Graham O'Byrne
PREPARED BY:	Graham O'Byrne
DATE REPORT PREPARED:	12 March 2021

1. PURPOSE

This report provides Council with a recommendation to appoint Graham Bailey Earthmoving (GBE) for the Gravel Stockpiling Contract No. 5606-5000-2 for the maximum value of \$223,862 (exc GST).

2. BACKGROUND

Stockpiling of gravel at strategically nominated locations is carried out annually to enable the efficient execution of road projects throughout the shire. A Request For Quotation (RFQ) for Gravel Stockpiling (Contract No. 5606-5000-2) was issued to the Burke Shire Council Dozer ROPS on the 1st of February 2021. Responses were required to be submitted by Monday 15th February 2021. Three (3) quotations were received from the following suppliers:

- T's Plants Hire Pty Ltd
- Graham Bailey Earthmoving
- Norwest Consolidated

Following the initial assessment of the quotes, clarification was sort surrounding the transport and survey methodology and the opportunity to revise submitted pricing was provided to all contractors. Final submissions were received on 1st March 2021.

Quotations have been evaluated based on the following criteria:

- Price: 50%
- Capability and Experience: 15%
- Methodology and Program: 25%
- Local Content: 10%

Note that in using the ROPS the tender evaluation is simplified due to the fact that all conforming documentation such as financial capacity, insurances and the like have already been assessed and deemed satisfactory through the ROPS engagement process. Overall capability and capacity has also been covered within the ROPS, with basic clarifications on program requested. Therefore, apart from the Local Content criteria, the evaluation essentially comes down to price, unless there is a significant issue relating to the delivery program.

Tender

Three prices were received, and ranked as follows.

Rank	Supplier	Lower Price (ex GST)	Upper Price (ex GST)
1	Graham Bailey Earthmoving (GBE)	\$209,562.00	\$223,862.00
2	Norwest Consolidated	\$221,707.20	\$255,307.20

Rank	Supplier	Lower Price (ex GST)	Upper Price (ex GST)
3	T's Plants Hire Pty Ltd	\$275,600.00	\$275,600.00

The contractors were evaluated with a summary of the findings below.

GBE

Capability and experience was documented thoroughly in their response. GBE have completed gravel stockpiling for Burke Shire Council on numerous occasions over the last few years including during 2020. The variation between the lower and upper estimated hours to complete gravel stockpiling is relatively low demonstrating confidence in their ability to adhere to estimated hours. On previous occasions where GBE have been engaged for gravel stockpiling works, GBE have not invoiced more than the upper price limit provided. GBE have advised that their D8 Dozer is currently located at their Gregory Depot allowing mobilisation to commence gravel stockpiling as soon as practical (weather dependant).

GBE advised in their submission that two operators will complete the scope of works, working two shifts of 10-12hours. This is to ensure a project program of 8 weeks is achieved. Council will be advising acceptance of the working hours as proposed, should the recommendation be endorsed by Council.

Norwest

Capability and experience was not documented in their response. Norwest has however completed gravel stockpiling for Carpentaria Shire Council on numerous occasions over many years including during 2020. Variation between lower and upper estimated hours to complete gravel stockpiling was low illustrating confidence in their ability to adhere to estimated hours and thus cost.

Norwest have confirmed their availability and adherence to the requested program schedule to complete the works (weather dependent), however a detailed program and methodology of how the works will be completed was not supplied.

T's Plant Hire

Capability and experience was briefly documented in their response. T's Plant Hire has however completed gravel stockpiling throughout Cloncurry Shire and also for Burke Shire Council in the past. Although the response schedule requested a minimum and maximum estimated hours to complete the works, T's Plant Hire provided a single rate / lump sum.

3. FINANCIAL IMPLICATIONS

All costs associated with this contract are covered within the overall project budgets

4. RISK

Risk	Possible consequence	Mitigation
Contract variation – due to wet weather, latent conditions	Increase in Contract Sum	Minimum and maximum pricing obtained to allow for contingent events/circumstances

Risk	Possible consequence	Mitigation
Local Contractor non-award	<ul style="list-style-type: none"> ▪ Criticism of Council ▪ Requested review of procurement methodology 	No mitigation required
Program	Delay in related projects route are inconvenienced	<ul style="list-style-type: none"> • Work to start as soon as practical • Reliant projects have been scheduled accordingly

5. POLICY & LEGAL IMPLICATIONS

Council is also required to meet all relevant local government procurement requirements as outlined in the *Local Government Act 2009*, Local Government Regulation 2012 and in Council's Procurement Policy. These requirements have been met through the tender process involved with these projects.

6. OPTIONS

1. Council endorses the awarding of Contract 5606-5000-2, Gravel Stockpiling to Graham Bailey Earthmoving for the maximum value of 223,862 (ex GST); or
2. Council awards the contract to another tenderer.

7. RECOMMENDATION

1. That Council note the contents of the report and relevant attachments; and
2. That Council endorses the awarding of Contract 5606-5000-2, Gravel Stockpiling to Graham Bailey Earthmoving for the maximum value of 223,862 (ex GST); and
3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract.

04.03 Contract 5606-5000-2: Gravel Stockpiling

- 1. That Council note the contents of the report and relevant attachments; and**
- 2. That Council endorses the awarding of Contract 5606-5000-2, Gravel Stockpiling to Graham Bailey Earthmoving for the maximum value of 223,862 (ex GST); and**
- 3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract.**

Moved: Cr Clarke

Seconded: Cr Yanner

Carried 210408.06 4/0

05. Closed Session Reports

No closed session reports were received for the meeting.

06. Closure of meeting

The Chair declared the meeting close 3.06pm.

I hereby certify that these pages numbered 1 to 22– constitute
the Confirmed minutes of the Special Council Meeting of Burke
Shire Council held on Thursday 8 April 2021.

Mayor Cr Ernie Camp