



Confirmed Minutes  
Burke Shire Council Special Meeting  
Thursday 13 June 2024  
9.00am Council Chambers

---

01. Opening of Meeting .....	2
02. Record of Attendance .....	2
02.01 LGR 2012 Section 254K – Participating in meetings by audio link or visual audio link.....	2
03. Declaration of Interests .....	3
04. Executive Management Reports.....	4
04.01 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002.....	4
05. Closure of meeting.....	7

## 01. Opening of Meeting

**The Chair declared the meeting open at 9.14am.**

## 02. Record of Attendance

**Cr Ernie Camp; Mayor – Chair**  
**Cr John Clarke; Deputy Mayor**  
**Cr Clinton Murray**  
**Cr John Yanner**  
**Cr Paul Poole**

**Dan McKinlay; Chief Executive Officer**  
**Chris Wilson; Director of Engineering/ Deputy CEO**  
**Amir Akrami; Senior Engineering Manager**  
**Chelsea Nelson; People, Performance and Culture Manager**  
**Madison Marshall; Corporate Services and Governance Manager (Minutes)**  
**Sarath Jayasekara; Senior Project Engineer**

### **Apologies**

**Kim Chan; Economic and Community Development Manager**  
**Shannon Moren; Environmental Health, Local Laws and Facilities Manager**  
**Shaun Jorgensen; Finance and Technology Manager**

### 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:**

- **Cr John Clarke**
- **Cr Paul Poole**
- **Amir Akrami; Senior Engineering Manager**
- **Chelsea Nelson; People, Performance and Culture Manager**
- **Sarath Jayasekara; Senior Project Engineer**

**Moved: Cr Camp**  
**Seconded: Cr Murray**  
**Carried 240613.01 5/0**

### 03. Declaration of Interests

**i. Cr Clinton Murray - Item 04.01– 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002**

Cr Clinton Murray informed the meeting that he has a declarable conflict of interest in Item 04.01 – 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002 as I am employed by NorthLane the Consulting Engineering.

I have determined that this conflict of interest is not of sufficient significance that it will lead me to deciding on this matter that is contrary to the public interest as I was not advising the tendering panel. I will best perform my responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining Councillors must now determine whether I have a declarable conflict of interest in this matter and if so whether I may participate or must leave for the discussion and voting.

**03.01 Declaration of Interest – Cr Murray**

**That Cr Clinton Murray remains in the Chambers for discussion and vote on Item 04.01– 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002, as the conflict of interest raised is not of significant interest to lead him to make a decision that is contrary to the public interest.**

**Moved: Cr Yanner**

**Seconded: Cr Camp**

**Carried 240613.02 4/0**

**Vote against – 0**

**Vote ineligible – 1**

## 04. Executive Management Reports

### 04.01 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002

---

DEPARTMENT:	Engineering Services
RESPONSIBLE OFFICER:	Chris Wilson; Director of Engineering/ Deputy CEO
PREPARED BY:	Amir Akrami; Senior Engineering Manager
DATE REPORT PREPARED:	25 June 2024
LINK/S TO COUNCIL PLANS:	Corporate Plan - Goals, Strategies and Performance Indicators: Assets

---

#### 1. PURPOSE

This report provides Council with recommendations to appoint, with provisions, the Principal Contractor to carry out the works designated under the 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002 for the estimate as stated in Section 3.

#### 2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Throughout the rainfall events of 2023, Burke Shire incurred significant damage to a substantial extent of its road infrastructure. Consequently, numerous road restoration projects have been initiated, facilitated by funding programs administered by the Queensland Reconstruction Authority. Among the affected roads, Doomadgee West Road suffered extensive damage, with approximately 43,000 square meters of pavement and over 37 kilometers of table drains affected by the events. Package 8 of the 2023 restoration program includes pavement reconstruction and pavement stabilisation works on Doomadgee West Road to remedy the damages.

NorthLane Consulting Engineers Pty Ltd was commissioned to conduct the damage assessment, undertake project scoping activities, manage the funding application process and project manage/superintend the subsequently approved projects. This included exploring cost-effective options, leading to the integration of road stabilisation works into the approved project scope.

Upon endorsement of the tenderer from Council, the successful tender will be awarded, and works can commence.

#### The tender

The tender for the 2023 DRFA Restoration Works – Package 8 was released via VendorPanel on the 18<sup>th</sup> of April 2024 and closed on 13<sup>th</sup> of May 2024.

The evaluation panel reviewed each tender in accordance with the probity and evaluation plan and undertook a tender evaluation meeting on 22<sup>nd</sup> of May 2024 to discuss and agree on the consensus scoring.

The tender submissions received and the consensus scoring for the Tender are listed in Attachment 1 - 2023 DRFA - Tender Evaluation Report - Pkg 8.

Of the 5 tenders received, the evaluation panel concluded that Stabilised Pavements of Australia Pty Ltd tendered the preferred proposal.

## 3. PROPOSAL

That Council, having referenced the Tender Evaluation Report, endorses the recommendations of the Tender Evaluation Panel to the extent that the Contract is, in principle, awarded to Stabilised Pavements of Australia Pty Ltd to the amount of \$6,810,756.75 (ex GST).

## 4. FINANCIAL &amp; RESOURCE IMPLICATIONS

Table 1: Project Budget

<b>Queensland Reconstruction Authority</b>	<b>\$8,363,695.66</b>
<b>Funding Total</b>	<b>\$8,363,695.66</b>

## 5. RISK

<b>Risk Type</b>	<b>What could happen</b>	<b>Possible consequence</b>
Contract variation – due to wet weather, latent conditions	<ul style="list-style-type: none"> <li>▪ Increase in Contract Sum</li> </ul>	<ul style="list-style-type: none"> <li>• Project budget contingency allowed</li> <li>▪ Project Management “on the ground” available at most times</li> </ul>
Delays to works – wet weather, latent conditions, slower productivity	<ul style="list-style-type: none"> <li>▪ Not meeting the funding requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Monitor progress closely with Project Management “on the ground” overview</li> <li>1. Seek time extension from funding authority if necessary</li> </ul>

## 6. POLICY &amp; LEGAL IMPLICATIONS

The Council must also 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.

<b>Instrument</b>	<b>Reference</b>	<b>Details</b>
<i>Local Government Act 2009</i>	Sections 12 and 13 – responsibilities of councillors and employees	<p>Section 12 charges councillors with ensuring the local government achieves its corporate plan.</p> <p>Section 13 charges council employees with carrying out their duties in a way that ensures the local government achieves its corporate plan.</p>
<i>Local Government Act 2009</i>	Section 257	Council authorises the CEO to incur certain expenditure on behalf of Council by way of a delegation made by Council resolution.

Instrument	Reference	Details
<i>Local Government Regulation 2012</i>	Sections 228-238 – Default Contracting Procedures	These Sections in the Regulation provide the requirements for Procurement for contracts valued at \$200,000 and above.
Burke Shire Council Corporate Plan 2019/2024	Vision, Mission, Values	Local Government Principles and Sound Contracting Principles
Burke Shire Council Procurement Policy 2023		Regulate and guide All Council procurement and contracting activities from external parties.

## 7. CRITICAL DATES & IMPLICATIONS

Tender Award – June 2024

Required Commencement date – July 2024

Construction Practical Completion – 31 October 2024

Any delay in awarding this tender could potentially impact the Contractor's Program, consequently leading to a delay in commencing construction works and possibly extending them into the wet season.

## 8. CONSULTATION

Consultation has taken place with:

- NorthLane Consulting Engineers Pty Ltd
- Burke Shire Council Evaluation Panel

## 9. CONCLUSION

The contract should be awarded to Stabilised Pavements of Australia Pty Ltd.

## 10. OFFICER'S RECOMMENDATION

- a) That Council note the contents of the report and relevant attachments; and
- b) That Council awards the Contract to Stabilised Pavements of Australia Pty Ltd to the maximum amounts (ex GST) of:
  - i. \$6,810,756.75 (ex GST)
- c) Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract to the maximum values of the Project Budget as follows:
  - i. 2023 DRFA Restoration Works – Package 8: \$8,363,695.66.

**04.01 2023 DRFA Restoration Works – Package 8 Contract No.: 5601-5000-0002**

- a) That Council note the contents of the report and relevant attachments; and
- b) That Council awards the Contract to Stabilised Pavements of Australia Pty Ltd to the maximum amounts (ex GST) of:
  - i. \$6,810,756.75 (ex GST)
- c) Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract to the maximum values of the Project Budget as follows:
  - i. 2023 DRFA Restoration Works – Package 8: \$8,363,695.66.

Moved: Cr Yanner

Seconded: Cr Murray

Carried 240613.03 5/0

## 05. Closure of meeting

The Chair declared the meeting close at 9.20am.

I hereby certify that these pages numbered 1 to 7 – constitute the  
Confirmed Special Meeting minutes of the Council Meeting of Burke  
Shire Council held on Thursday 13 June 2024.

Deputy Mayor Cr John Clarke .....