

10.2.7. LATE REPORT - IS&E - 23/10/23 - Road resurfacing of Magpie Hollow Road

Strategic Direction: **Caring for Our Community** To retain, respect, and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages, and towns that make up the Lithgow LGA.

Developing Our Built Environment To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

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Department: Infrastructure and Economy

Responsible Officer: Director of Infrastructure and Economy

1. Executive Summary

An issue has been raised by Energy Australia concerning the condition of the road over the dam wall at Lake Lyell on Magpie Hollow Road. The road has the potential for water to enter the substrate through potholes in it and grass growing between the guardrail and the fence. Underneath the road in this area is a sealing layer to stop the water from the dam seeping through the dam wall structure. It is important that the sealing layer is not breached, and maintenance of the road surface assists in this regard.

In consultation with Energy Australia, Council has scheduled work to remove the guard rail, profile (remove) the top off the road, reseal the road and replace the guard rail. The cost of this work will be covered by Energy Australia.

As a part of this work a tender process has been undertaken for the replacement of the guardrail as the existing guardrail no longer complies with current standards. The tender has been assessed by a panel of experienced staff against the selection criteria.

The asphalt works are covered under contract VP344755, approved in the July Council meeting.

The total of works for the asphalt replacement and guardrail replacement will be approximately \$260,000, which will be paid by Energy Australia as a one-off contribution. EnergyAustralia will also pay to Council an Annual Maintenance Contribution of \$5000. These terms will be outlined in a Deed, to be finalised and signed by the two parties prior to the work commencing.

2. Administration's Recommendation

THAT Council:

1. Award the tender for the removal of the existing guardrail and installation of a new guardrail on Magpie Hollow Road as per the tender documents to Road Safety Barriers, with the schedule of rates to be used for any other associated guardrail works.
2. Approve the works to be undertaken by Bernipave Road Solutions on Magpie Hollow Road as per the quote supplied, with the supplied schedule of rates to be used for any other associated works.
3. Accept the offer from EnergyAustralia to fund these works, with a binding agreement for payment received ahead of the works commencing.
4. Authorise the General Manager to finalise the Deed relating to this matter.

3. Attachments

1. MOU - Energy Australia [10.2.7.1 - 12 pages]
2. MOU - Energy Australia - Annexure B [10.2.7.2 - 5 pages]
3. MOU - Energy Australia - Annexure C [10.2.7.3 - 2 pages]
4. Confidential - Magpie Hollow Road - Tender Evaluation [10.2.7.4 - 1 page]
5. Confidential - Magpie Hollow Road Reseal Contractor Evaluation and Quote [10.2.7.5 - 1 page]

4. Reference to any relevant previous minute

N/A

5. Background and discussion

EnergyAustralia owns Lake Lyell dam. There is a road which crosses Lake Lyell – for which the Council has a registered right of way. It is important that the road is maintained, both for public safety but also to ensure the integrity of the dam wall.

Road maintenance works (guardrail replacement and resealing of the road surface) have been developed in conjunction with EnergyAustralia.

As a part these works, tenders were sought through Vendor Panel for the works to remove the old guardrail and replace it with a compliant guardrail. The preferred tenderer nominated as a result of evaluation against the criteria is Road Safety Barriers. They were selected based on their understanding of the works and a suitable project timeline.

The asphalt works will be undertaken by Bernipave Road Solutions, who were a successful applicant in the previous Road Sealing Tender VP344755 and provided the best price for this work from amongst the Road Sealing Contractor Panel.

Works will take approximately 2 weeks to complete and are programmed to start on October 30th, 2023.

The quotes for the guardrail replacement and road resealing established a cost of \$260,000 for the works. EnergyAustralia will pay this amount and an annual contribution to Council of \$5000 which will be used for ongoing maintenance.

The works will be undertaken in a manner which still allows for through traffic, although there will be traffic management arrangements (lights, convoys, contra flow on one lane etc.,).

6. Implications

6.1. Policy

The procurement policy has been followed in procuring the services of Road Safety Barriers for the guardrail replacement and Bernipave Road Solutions for the sealing of the road. The procurement for both services have been conducted via Local Government Procurement with these 2 contractors providing the best safety/quality systems and price advantage.

WHS policies will be followed in the handing over of the site to the contractors with documentation to be completed and inductions by all workers to Lithgow Council's inductions procedure.

6.2. Legal

The subject matter of this report is a function of Council conferred by the Roads Act 1993 NSW, with Council being the roads authority for this section of road. As this section of road protects the structure of the dam wall, Energy Australia has agreed to pay for the works with Council managing the works process.

At the finalisation of the project the road will remain in the control of Council with the guardrail being updated to current standards and the line marking being renewed. The dam wall and associated infrastructure will continue to be in control of Energy Australia.

6.3. Risk Management

The companies involved are ISO45001 accredited which means they have safety systems in place from the start of works to completion. They will also be following Councils Contractor WHS Management Procedure to ensure compliance and a safe working environment.

6.4. Financial

- Budget approved – Council will receive funding for the complete project from EA. This report has the effect of allocating \$260 000 to the project.
- Cost centre – To be advised by Finance.
- Expended to date – the negotiation of this project with EA, and tendering for the works, are part of Council's business as usual infrastructure services management responsibilities – as such the cost has not been uniquely identified.
- Future potential impact – recurrent maintenance of the asset. But this project brings the asset up to high standard.

7. Consultation and Communication

Prior to works commencing there will be variable message boards on Magpie Hollow Road, residents and businesses in the locality will be letterbox dropped and there will be advice on the Council social media page. As there is no impact on private land and the adjacent landowner, (Energy Australia) is aware of these works, no further consultation is required.