

Wolgan Valley Access – Questions for Lithgow City Council

Background

The Wolgan Valley Association is seeking to understand why Lithgow City Council is refraining from prioritising the restoration of the existing Wolgan Road and is instead favouring the construction of a new road into the Valley. To this end, it has complained to Transport for NSW about Council's approach. In response, Council has asserted that much of what we have complained about has been done at the direction of Transport. In particular, Council has asserted that:

- Transport's procurement requirements preclude it from discussing the restoration of the existing Wolgan Road with external experts not already engaged by Council.
- Transport and RA are preventing Council from disclosing the cost calculations that sit behind its claim that repairing the existing Wolgan Road to an acceptable standard would be prohibitively expensive.
- Transport has directed Council to disregard the GHD recommendations that Council should focus on restoring the existing Wolgan Road until after a new slope risk assessment has been undertaken (which has not yet commenced) and that, in the meantime, it should proceed with expending funds on the preliminary designs and an EIS for two new road options.

Council and the Association have agreed to meet jointly with Transport to try to resolve the Association's concerns. It is in everyone's interests that that meeting commences with a clear understanding of Council's position.

Furthermore, Council's information officers have also invited the Association to narrow its GIPA request, and we have said that we would attempt to do so.

The answers which Council gives to the questions below will assist us in understanding why the restoration of the existing road has not been prioritised and in narrowing our request for information.

Questions

The GHD Report

1. When did Council receive the GHD report? (It's dated 5 March)
 - a. *The GHD authored Review of Wolgan Gap Slope Risk Assessments (GHD peer review) was received by Lithgow City Council (Council) on 5 March 2025.*
2. When was it provided to Councillors?
 - a. *The GHD peer review was provided to Transport for NSW (TfNSW) for review on 6 March 2025.*
 - b. *Council were advised of the receipt of the GHD peer review at the Infrastructure Committee Meeting held on 1 April 2025.*
 - c. *The May 2025 Wolgan Road Community update included details of Council's commitment, and TfNSW's agreement, to a new Slope Risk Assessment of the closed section of Wolgan Rd.*
3. When were Councillors first told that the GHD report recommended:
 - a. *Development of a short-term management plan to re-open the existing Wolgan Road on a limited / restricted basis; and*
 - b. *Council were advised of the receipt of the GHD peer review at the Infrastructure Committee Meeting held on 1 April 2025.*

- c. *Development of possible concept options for long-term risk mitigation measures to allow permanent re-opening of Wolgan Road?*
- d. *See above.*
4. Why did Council refuse to tell the community about GHD's recommendations for re-opening Wolgan Road?
- On receipt of the GHD peer review, Council requested input and guidance from TfNSW and NSW Reconstruction Authority (RA).*
 - This involved TfNSW seeking advice from their internal technical specialists, resulting in a recommendation that a new slope risk assessment of the closed section of Wolgan road be undertaken, and funded under the DRFA.*
 - By undertaking the new slope risk assessment, the project is addressing the initial GHD peer review recommendations.*
5. Why did Council, with WSP's assistance, hold two community meetings seeking the community's preferences for new road alignments as well as various other meetings (13 March Community update Teams meeting; 25 March newsletter community update; 4 April Project briefing; the 9 April meeting; 8 May Community Update Teams meeting; 14 May Workshop) without once mentioning the recommendations from GHD about re-opening the existing Wolgan Road?
- As per response at Q4.*
 - Council has been holding regular meetings with the community to provide project updates and invite input on key decisions. This included providing an update at a community meeting on 9 April 2025 about the receipt of the GHD peer review and that, in response, Council was exploring undertaking a new slope risk assessment. Updates on the progress of the procurement of the new slope risk assessment were provided at subsequent community meetings.*
 - At the 9 April 2025 meeting, community members expressed a desire to explore certain aspects of the project in greater depth. In response - and recognising the deep local knowledge within the community - Council issued an Expression of Interest to form a Community Consultative Group (CCG). This smaller group of Wolgan Valley residents meets in person to explore and interrogate key project elements.*
 - So far, the CCG has reviewed the Donkey Steps option, as previously requested at the 9 April 2025 meeting, and participated in a briefing and workshop on GHD's new slope risk assessment approach.*
 - Council remains committed to ongoing, meaningful engagement to ensure the community stays informed and can provide input into the project where appropriate.*
6. The community has called for a proper peer review of WSP's slope risk assessment since early 2023. What was the reason for only seeking the GHD review report after the road had been closed for 2 years?
- In January 2023, WSP conducted a slope risk assessment on the closed section of Wolgan Road, the current road closure was based on the findings of this assessment.*
 - WSP have significant experience in this field. The advice to close the road came from WSP experts, but also two of their executive team who internally reviewed the work that resulted in this finding.*
 - This assessment was accepted by TfNSW in its role as the Administering Agency, , and by the NSW Reconstruction Authority (NSW RA) as the Co-ordinating Agency.*

- d. Multiple strategic alignment options were evaluated prior to submission of the funding application, and based on the Multi Criteria Analysis work co-ordinated by Council, which Transport and RA participated in, NEMA approval was sought and received (through Transport and RA) progress an application based only on the alternate alignment options. In response to Community feedback, Council chose to undertake a peer review at that time.*
7. Are there any aspects of the GHD report which Council believes are wrong, and if so what and why? Has Council sought clarification or contested these matters with GHD? Has Council written to Transport contesting it?
- Council are not geotechnical experts.*
 - On receipt of the GHD peer review, Council sought input and guidance from TfNSW and RA, including TfNSW seeking advice from their internal technical specialists.*
 - We have professional advice from independently engaged, objective experts that supported a review of the WSP report. Council are acting on this advice objectively and await the expert advice of GHD.*
8. We understand that WSP has been provided with a copy of the GHD report. Have they given any feedback on it and what was that feedback?
- As per the Community email of 9 July 2025, Council has publicised both the GHD peer review and WSP's response to that review, on the Wolgan Gap Disaster Response webpage.*
9. Steve Cropper from radio 2LT has said that he was told by the Director of Infrastructure on or around 8 April that the recent peer review was consistent with the WSP slope risk assessment report. What has Council said to the media about the GHD report?
- That is a matter of public record.*
 - Council has only provided the media with publicly available project information.*
 - Only information that has already been provided to the Wolgan community will be made available to the general public.*
10. Council has said that it has not proceeded with GHD's recommendations about taking any steps to investigate the restoration of the existing Wolgan Road until after the further risk assessment is completed and that it has done this at the direction of Transport? Who within Transport directed Council not to action GHD's recommendations in this regard?
- On receipt of the GHD peer review, Council sought input and guidance from TfNSW and RA, including TfNSW seeking advice from their internal technical specialists.*
 - TfNSW internal technical specialists recommended undertaking a staged approach to the eight recommendations made in the GHD peer review and not pre-empting the outcome of the new slope risk assessment. This advice was accepted by Council.*
 - Consequently, GHD peer review recommendations 1 to 5 are being addressed as part of the new SRA process. Recommendations 6 to 8 will be considered based on the outcomes of the SRA and have been excluded for now.*
 - Following a competitive procurement process, GHD were awarded the role to undertake a new slope risk assessment on 25 June 2025.*
 - Council will continue to engage with the community once the findings are in hand and the next stage has been reviewed by TfNSW and RA and approved by TfNSW.*

11. On 28 April 2025, in the course of seeking Council approval for \$2.75 million worth of contracts for a new road solution to the Wolgan Valley, the Director of Infrastructure told Councillors that “Given the ongoing geological instability at Wolgan Gap, restoring the existing road is neither safe nor cost-effective.” Why did the Director of Infrastructure’s report not make any mention of the GHD report? What evidence post the GHD report did the Director of Infrastructure rely on in asserting that there was “ongoing geological instability at Wolgan Gap” and when was that evidence obtained? What evidence did the Director of Infrastructure rely on in asserting that it was neither safe nor cost effective to restore the existing road and when was that evidence obtained?
- In January 2023, WSP conducted a slope risk assessment on the closed section of Wolgan Road, the current road closure was based on the findings of this assessment.*
 - This assessment was accepted by TfNSW in its role as the Administering Agency, and by the NSW Reconstruction Authority (NSW RA) as the Coordinating Agency.*
 - Multiple strategic alignment options were evaluated prior to submission of the funding application, and based on the Multi Criteria Analysis work coordinated by Council, which Transport and RA participated in, NEMA approval was sought and received (through Transport and RA) to progress an application based only on the alternate alignment options.*
 - Noting the above, the June 2024 Funding application is based on the alternate alignment, and options within this corridor.*
12. Why did Council try to prevent GHD being eligible to tender to undertake the fresh slope risk assessment for Wolgan Road?
- GHD was initially excluded from the new slope risk assessment tender process as it was proposed to engage GHD under their current contract with Council to provide subject matter expertise, technical input and advice to Council’s Tender Evaluation Committee as part of the new slope risk assessment tender.*
13. Why is it nearly 4 months since the GHD report was completed and yet a further slope risk assessment has not been commenced?
- On receipt of the GHD peer review, Council sought input and guidance from TfNSW and RA, including TfNSW seeking advice from their internal technical specialists.*
 - TfNSW internal technical specialists recommended undertaking a staged approach to the eight recommendations made in the GHD peer review and not pre-empting the outcome of the new slope risk assessment. This advice was accepted by Council*
 - Consequently, GHD peer review recommendations 1 to 5 are being addressed as part of the new SRA process. Recommendations 6 to 8 will be considered following completion of the SRA and have been excluded for now.*
 - Following a competitive procurement process to five prequalified companies - GHD were awarded the role to undertake a new slope risk assessment on 25 June 2025.*
14. On or around 22 May 2025, Council wrote to the Commonwealth government saying that “Restoration of existing Wolgan Road not viable as cost estimates are well outside the available funding envelope. What studies or evidence did Council rely on in making this statement? What are the current cost estimates? How much is the available funding envelope?

- a. *In January 2023, WSP conducted a slope risk assessment on the closed section of Wolgan Road, the current road closure was based on the findings of this assessment.*
- b. *This assessment was accepted by TfNSW in its role as the Administering Agency, and by the NSW Reconstruction Authority (NSW RA) as the Co-ordinating Agency.*
- c. *Multiple strategic alignment options were evaluated prior to submission of the funding application, and based on the Multi Criteria Analysis work co-ordinated by Council, which Transport and RA participated in, NEMA approval was sought and received (through Transport and RA) progress an application based only on the alternate alignment options.*

Cost Estimates

15. WSP originally told Council that it would cost around \$20M to address the primary slope risks and around \$60M to bring slope risks within its assessment of tolerable industry standards. At the time the funding application was lodged WSP's estimates were at \$1.1B to restore the road to tolerable standards and we understand that it is currently at around \$1B. Council has said that Transport and RA are directing it not to release the detail of the costings to the community, even though this is now the primary justification for why the existing Wolgan Road cannot be restored. Is this correct?

- a. *Although DRFA guidelines generally exclude funding for new alignments, Council received approval from TfNSW and NSW RA to include alternative alignments in addition to the Wolgan Rd restoration case submitted in the June 2024 Funding Application.*
- b. *Both agencies agreed that restoring the existing road was not considered value for money, with costs forecast to be significantly higher than new alignment options.*
- c. *The application has only just been approved. Council stand by our commitment to release those elements of the Funding Application ASAP which are not commercial in confidence or might otherwise compromise future procurement efforts. We won't leave the community wondering what was removed or redacted though. Alongside those elements of the application which can be released, we will also include a summary overview of the documents which comprised the full application and highlight which sections had to be removed and detail why this occurred.*
- d. *Projects mature over time. Initial estimates were based on the limited information available and were indicative only. They were not intended to be relied on. As the understanding of the failure mechanism advanced, and it became clear that the application relied on a cost estimate, work was completed to introduce some rigour to a cost assessment.*

16. Does Council appreciate that the validity of the costings are directly related to the risks that need to be addressed and that the GHD report calls into question WSP's assumptions and assessments in the most fundamental way?

- a. *Council will await the outcomes of the new SRA.*

17. What studies have Council or WSP undertaken to determine the cost of restoring the existing Wolgan Road?

- a. *The June 2024 Funding Application has only just been approved.*
- b. *Council commit to release those elements of the Funding Application which are not commercial in confidence or might otherwise compromise future procurement efforts. Council won't leave the community wondering what was removed or redacted though. Alongside those elements of the application*

which can be released, we will also include a summary overview of the documents which comprised the full application and highlight which sections had to be removed and detail why this occurred.

Other Expert Advice

18. In May 2025 WVA consulted international slope stabilisation experts who having considered the WSP reports and twice inspected the existing Wolgan Road. They have expressed the view that the restoration of the Wolgan Road does not present particularly complex challenges, that it could be completed within 12-18 months, and at significantly less cost than the proposed new road solution. Moreover, they believe that a properly and safely restored road would have a similar operational cost profile to a new road. We asked Council to accompany those experts on a walk down the existing road to understand their perspective on why the road could be readily restored, but Council refused for a range of reasons including that it would be contrary to Transport's procurement policies. Is meeting with independent experts to discuss possible solutions contrary to Transport's policies?
- a. *Any contractor appointed to give advice to Council must be competitively and objectively procured for this advice to be relied upon in making significant project decisions.*
 - b. *The most significant reason why Council has confirmed it will not walk the Old Wolgan Road is that risk assessments on file indicate an intolerable risk. If Council acts contrary to that advice, should something occur, Council staff would not be covered by its insurer.*
19. Council also said that the existing road is not safe enough to walk on and doing so for Council officers is contrary to Council's insurance policies. What insurance policies does Council have whose terms prevent it from inspecting a council road?
- a. *No explicit policy exists. However, it is sensible to assume that if Council has professional advice available to it that a route is unsafe to traverse, then it chooses to do so, that this will likely jeopardise the employee's coverage.*
 - b. How can Council make assessments about the reparability of the existing road if it refuses to inspect it?
 - i. *Council have engaged GHD to undertake a new SRA to inform future decisions.*
 - c. Why have some of Council's maintenance vehicles continued to use the existing road for much of the last two years in accessing the Valley?
 - i. *Council will investigate this matter and if such travel is occurring, it will cease.*

Other matters

20. Has WSP been closely monitoring the existing Wolgan Road since it was closed?
- a. *No.*
 - b. The February 2024 Project Manager Brief to Council said that WSP had been engaged to assess and monitor the instability of the Wolgan Road?
 - i. *WSP had been previously engaged to assess and monitor slope stability. They remain engaged by Council for other slope instability assessments.*
 - c. How has WSP been undertaking the monitoring?
 - i. *Not applicable, see response to Question 20b above.*
 - d. Why has the community not been updated on the results of that monitoring?
 - i. *Not applicable, see response to Question 20b above.*
 - e. What has the monitoring found?

i. Not applicable, see response to Question 20b above.

21. Why has Council chosen to pursue an alternative alignment for a new road (Option 1) that WSP ruled out on environmental grounds in October 2023?
- Option 1 was considered to have unacceptable impacts on the cliff line, which was avoided by developing Options 2, 3 and 5 which included long bridges to bypass the cliffs.*
 - Option 1 was subsequently reconsidered due to the higher costs of the long bridge options.*
 - Initially Option 1 scored low on environmental and cultural heritage criteria but scored well on cost. Option 1 has since been refined to lessen the environmental and cultural heritage impacts, with the current alignments greatly reducing the impact on the upper cliff line.*
22. What happened to an early contractor involvement (ECI) approach which was discussed with the community in October 2023?
- As part of the June 2024 Funding Application, a delivery strategy was produced and endorsed by TfNSW and RA.*
 - With the project now funded, the delivery strategy will be revisited. This will involve input from Industry specialists, TfNSW, NSW RA and other stakeholder engagement – where all suitable delivery methodologies will be considered.*
23. Has Council spoken with Transport for NSW about ECI options and what was the advice?
- As part of the June 2024 Funding Application, a delivery strategy was produced and endorsed by TfNSW and RA.*
 - Once the project is funded the delivery strategy will be revisited. This will involve input from Industry specialists, TfNSW, NSW RA and other stakeholder engagement – where all suitable delivery methodologies will be considered.*
24. If the slope risk assessment indicates that the slope risk on the existing Wolgan Road can be managed, will it consider a design and construct approach? If not, why not?
- As part of the June 2024 Funding Application, a delivery strategy was produced and endorsed by TfNSW and RA.*
 - With the project now funded, the delivery strategy will be revisited. This will involve input from Industry specialists, TfNSW, NSW RA and other stakeholder engagement – where all suitable delivery methodologies will be considered.*
25. If Council is committed to parallel processes to expedite the outcome, why won't it (didn't it) immediately commence work on a preliminary design for restoring the existing road that could run in parallel with the slope risk assessment?
- In collaboration with TfNSW and NSW RA, Council is pursuing three workstreams concurrently to avoid program delays:*
 - Procurement of a new SRA of the closed Wolgan Road section.*
 - Development of the Donkey Steps alignment (Option 3).*
 - Development of a new alignment option (Option 1D).*
 - Following completion and assessment of the new SRA there may be several available next steps including:*
 - Development of a short-term management plan to re-open the existing Wolgan Road on a limited /restricted basis,*

- ii. *Development of possible concept options for long-term risk mitigation measures to allow permanent re-opening of Wolgan Road, and*
- iii. *Design and construction of a preferred option that provides a pragmatic level of risk reduction whilst maintaining value for money.*

26. Council has said that if there was a way to reconstruct the existing road for less money, faster and with a proper level of safety and functionality it “would grab it with both hands”, How can the community help it see and pursue that opportunity?

- a. *The DRFA application is based on identifying the most value for money solution of restoring Wolgan Valley access.*
- b. *Maintaining open and transparent communication between community and Council is essential for identifying opportunities and fostering mutual understanding.*
- c. *As a public authority, the Council is limited in the process it must follow to procure information. Council is following all due process to define whether the closed Wolgan Road section can be re-used, and it will continue to engage with the community as it progresses.*

27. What percentage risk estimate does Council put on being able to get environmental approval for a new road given GHD’s review, the likely opposition from the community, traditional owners and others, WSP’s written dismissal of the East Donkey Steps options on environmental grounds, and the contrary evidence that could be led about the reparability of the existing Wolgan Road? Is it unrealistic to think that it could take over 4 years to get the necessary approvals, if at all?

- a. *The project has and will continue to liaise with statutory bodies and the Community to identify value for money resilient options to reinstate access to Wolgan Valley.*

28. Why was a full risk assessment (i.e. one that considered drivability) not done on the Donkey Steps?

- a. *This information has been provided.*

29. Why was it not done after the existing Wolgan Road failed to collapse by April 2023 as WSP originally predicted and the existing road presented as a more driveable option?

- a. *In January 2023, WSP conducted a slope risk assessment on the closed section of Wolgan Road, the current road closure was based on the findings of this assessment.*
- b. *This assessment was accepted by TfNSW in its role as the Administering Agency, and by the NSW Reconstruction Authority (NSW RA) as the Co-ordinating Agency.*
- c. *Multiple strategic alignment options were evaluated prior to submission of the funding application, and based on the Multi Criteria Analysis work co-ordinated by Council, which Transport and RA participated in, NEMA approval was sought and received (through Transport and RA) progress an application based only on the alternate alignment options.*