



EXTRAORDINARY MEETING OF COUNCIL

AGENDA

1 February 2022 at 12:00pm

Kate Jessep
General Manager



REQUEST FOR EXTRAORDINARY COUNCIL MEETING

s366 of the Local Government Act

REASON FOR EXTRAORDINARY MEETING for 1 February 2022 at 12:00pm.

1. UPC REQUEST FOR SUPPORT TO COMMENCE THE CONSTRUCTION OF THE NEW ENGLAND SOLAR FARM

REQUESTED BY:

Councillor Name	Councillor Signature	Dated
Cr Robert Crouch	<i>R J Crouch</i>	31/01/2022

Councillor Name	Councillor Signature	Dated
Cr		

BRUCE McMULLEN B McMullen 31/1/2022

TABLE OF CONTENTS

1.	Welcome - Opening of Extraordinary Meeting	4
2.	Prayer.....	4
3.	Acknowledgement of Country	4
4.	Webcast Information	4
5.	Apologies	4
6.	Disclosures & Declarations of Interest	4
7.	Report to Council.....	4
	7.1.UPC REQUEST FOR SUPPORT TO COMMENCE THE CONSTRUCTION OF THE NEW ENGLAND SOLAR FARM.....	4
8.	Confidential Matters – Nil.....	18
9.	Closure of Extraordinary Meeting	18

1. WELCOME - OPENING OF EXTRAORDINARY MEETING

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

4. WEBCAST INFORMATION

5. APOLOGIES

6. DISCLOSURES & DECLARATIONS OF INTEREST

7. REPORT TO COUNCIL

**7.1. UPC REQUEST FOR SUPPORT TO COMMENCE THE CONSTRUCTION OF
THE NEW ENGLAND SOLAR FARM**

Department:	Infrastructure & Development
Prepared by:	Director Infrastructure and Development
TRIM Reference:	UINT/22/656
Attachments:	UINT/22/658 – 1. USC Defect List UINT/22/657 – 2. Letter from UPC\AC Renewables dated 27 January 2022

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.3 A safe and efficient network of arterial roads and supporting infrastructure
Strategy:	2.3.1 Provide an effective road network that balances asset conditions with available resources and asset utilisation
Activity:	2.3.1.1 Deliver road and drainage maintenance services and capital works programs

SUMMARY:

1. The New England Solar Farm is a State Significant Development with the consent authority being the NSW Government Independent Planning Commission.
2. Within Schedule 3 of the consent conditions for the development, in relation to Road Upgrades and Site Access, it is provide that: *"4. Prior to commencing construction, the Applicant must implement the road upgrades identified in Appendix 4. These upgrades must be carried out to the satisfaction of the relevant roads authority, unless the Secretary agrees otherwise."*
3. The applicant (UPC) has not constructed the road to the satisfaction of Council but are requesting Council support to commence the construction while bonding and providing a commitment to undertake the necessary rehabilitation works by 22 February 2022.

RECOMMENDATION:

That Council, upon receipt of a satisfactory bond of \$300,000, writes to UPC\AC Renewables advising that while the roads (Barleyfields Road and Big Ridge Road Segments 1 and 3) have not been constructed to Council's satisfaction, acceptable arrangements including bonding and a commitment to complete the works by 10 March 2022 have mitigated the associated risk and Council has no objection to the commencement of the works associated with the construction of the solar farm.

REPORT:

4. UPC\AC Renewables has not constructed the roads (Barleyfields Road and Big Ridge Road Segments 1 and 3) to an acceptable standard and hence to Council's satisfaction.
5. The defects that need to be addressed as a matter of urgency are detailed in Attachment 1.
6. Council estimates cost to rectify these defects is in the order of \$300,000 based on unit rates and a 20% allowance for contingency and project management.
7. UPC\AC Renewables has offered that their contractor will provide a bond of \$300,000 to cover the cost of the outstanding works.
8. UPC\AC Renewables has advised that the works will be completed by 10 March 2022.

CONCLUSION:

9. UPC\AC Renewables has not constructed the roads to the satisfaction of Council but have requested Council support the commencement of construction while bonding and providing a commitment to undertake the necessary rehabilitation works by 10 March 2022.

COUNCIL IMPLICATIONS

10. Community Engagement/Communication

UPC\AC Renewables have proposed to provide notice boards and notifications regarding the increase in construction related traffic.

11. Policy and Regulation

N/A

12. Financial/Long Term Financial Plan

The rehabilitation of the failures of the new works will result in the road upgrades meeting the Council standards to support the increased traffic created by the State Significant Development (SSD). The construction of Big Ridge Road - Segments 4 and 5 and upgrades of the northern section of Barleyfields Road and Big Ridge Road Segments 1 and 3 will provide for an increase in the road asset values and associated depreciation.

13. Asset management/Asset Management Strategy

The construction of the new assets and upgrades to acceptable standards aligns with appropriate asset management practices.

14. Workforce/Workforce Management Strategy

N/A

15. Legal and Risk Management




The lodgement of the bond prior to the commencement of construction mitigates the financial risk to Council.


16. Performance Measures

Roads constructed to a satisfactory standard – no pavement failures.

17. Project Management






The works will be undertaken by the developer.

Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
Barleyfields Rd (north)										
1	0	40	40	(7.2+32)/2= 19.6	784	Stailised patch required		\$ 30.00	\$ 23,520.00	See pics- potholed and pitted surface, substandard approach to NEH, Substandard exit from NEH. Intresection has incorrect cross fall and holds water in potholes and puddles. These are created hazards for road users. Due to holding water-incorrect crossfalls road will continue to pothole. Additionally, seal is under enormous pressure due to turning movements of B doubles for example. Pavement to be stabilised 300mm and sealed with S45R crumbed rubber additive, polymer modified bitumen 2 coat seal which can cope with the shear forces. The works are to extend as far as the width of the swept paths, i.e. from the splayed width of the give way line at the intersection to the road width of 7.2 at Ch 40m.
2	130	175	45	7.2	324	Stabilised patch required		\$ 30.00	\$ 9,720.00	Similar to above, poor ride, rutted and uneven approach to a rail crossing. Unacceptable for new work. Stabilised patch required
3	230					Minor Rutting. Observation only		Monitor		ok
4	280					Minor Rutting. Observation only		Monitor		ok
5	584	589	5	3	15	Repaired pothole. Observation only.		Monitor		ok

Access Roads USC Defects List							Vers 2 - 19/1/2022				USC ASSESSMENT
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo		Rate	Cost	
5	1060	1080	20	7.2	144	Prior patching failing again. Stabilised patch 300mm deep required.			\$ 30.00	\$ 4,320.00	Stabilised patching 300mm deep
6	1150	1185	35	2	70	Rutting. Stabilised patch 300mm deep required.			\$ 30.00	\$ 2100.00	Stabilised patching 300mm deep
6a	1234	1270	36	2	72		See pics				Rut forming - monitor
7	1340	1342	2	2	4	Isolated depression. Monitor.			\$ 8.45	\$ 33.80	pothole repair with bitumen seal, ok
8	1358	1385	27	7.2	194.4	Isolated depression. Monitor.			\$ 8.45	\$ 1,642.68	ok
9	1380	1480			1822	Stabilised intersestion required. Full intersection up to CH 78 on Big Ridge Road			\$ 30.00	\$ 54,660.00	Stabilised patching 300mm deep, and application of a S45R crumbed rubber 2 coat seal to cope with heavy vehicle turning movements. Should there be successive hot days trucks using this intersection are likely to strip the seal off. Relinemarking after repaired.
				SUBTOTAL	2861.4						






Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
Segment 1 Big Ridge Road										
10	100	103	3.2	1.1	3.52			\$ 30.00	\$ 105.60	Stabilised patch required
11	145	280	135	7.2	972	Bleeding		\$ 8.45	\$ 8,213.40	ok
12	335	339	4	2.6	10.4	Bleeding		\$ 8.45	\$ 87.88	ok
13	345	345.7	0.7	0.7	0.49	Isolated pothole. Monitor.		\$ 8.45	\$ 4.14	ok
14	410	423	13	3	39	Bleeding		\$ 8.45	\$ 329.55	ok, poor ride over patch however appears sound repair.
15	615	625	10	7.2	72	Bleeding		\$ 30.00	\$ 2,160.00	Stabilised patch required. To enable better finish and transition from patch to existing road. Minor rutting in bleeding areas - likely failure developing.





Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
16	1025	1040	15	2.5	37.5	Minor depression		\$ 30.00	\$ 1125.00	Depression at driveway unacceptable, poor ride along road and for entering and exiting traffic. Turning movements in wet area, creation of pothole. Stabilised patch required to get eveness along the road correct and adequate cross fall so road doesn't hold water.
17a	1190	1250	60	7.2	432	Bleeding. Seal repair only.		\$ 8.45	\$ 3,650.40	ok
17b	1250	1300	50	7.2	360	Full rehabilitation as per previous advice.	See above.	\$ 30.00	\$ 10,800.00	Ok
				SUBTOTAL	1926.91					

Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
Segment 3 Big Ridge Road										
18	3860	3930	70	7.2	504	Bleeding inbound lane at previous repair. Reseal only. Propose half width only. Calculation based on full width.		\$ 30.00	\$ 15,120.00	Previous repairs showing signs of failure. Poor quality repairs, micro cracking rutting and uneven. Stabilised patch required over full road width
18a	3780	3784	4	2.0	8			\$ 30.00	\$ 240.00	See pics - new pothole and failure developing, stabilised patch required
19	3990	4050	60	3.6	216	Previous repair not extended to edge of seal. Reseal only.		\$ 30.00	\$ 6,480.00	Potholes extending into passenger wheel path, uneven prior patching, stabilised patch required.
20	4085	4110	25	7.2	180	Minor rutting on wheel path		\$ 8.45	\$ 1,521.00	ok
21	4160	4165	4.5	7.2	32.4	Minor depression near sealing overlap		\$ 15.70	\$ 508.68	ok
22	4220	4226	6	1	6	Isolated pothole		\$ 30.00	\$ 180.00	Pavement failure, poor quality repair, do again, with stabilised patch.

Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
23	4295	4305	10	3.6	36	Minor depression near sealing overlap		\$ 30.00	\$ 1080.00	Pavement failure starting at old patch, stabilised patch required
24	4295	4395	100	3.6	360	Minor rutting outbound lane		\$ 15.70	\$ 5,652.00	ok
25	4395	4410	15	7.2	108	Bleeding on centerline at interface with concrete causeway		\$ 30.00	\$ 3,240.00	ok
26	4450	4480	30	7.2	216	Minor deformation on patch inbound lane		\$ 30.00	\$ 6,480.00	ok
27	4500	4520	20	2	40	Minor rutting on centerline		\$ 30.00	\$ 1,200.00	ok
28	4620	4630	10	3.4	34	Deformation on patch		\$ 30.00	\$ 1020.00	Patch unsound starting to fail. Stabilised patch required.

Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
29	4715	4719	4.4	2.6	11.44	Depression		\$ 30.00	\$ 343.20	Stabilised patch, poor quality repair - uneven ride
30	4775	4828	53	7.2	381.6	Bleeding inbound lane		\$ 30.00	\$ 11,448.00	Pavement failure over multiple patches
31	4870	4895	25	7.2	180	Bleeding inbound lane		\$ 8.45	\$ 1,521.00	ok
32	5070	5240	170	7.2	1224	Bleeding inbound lane		\$ 8.45	\$ 10,342.80	ok
32a	5218	5220	2	5.0	10			\$ 30.00	\$ 300.00	Stabilised patch required off end of culvert, prior to resealing segment. See pic of markings. On eastern side inbound lane.
33	5230	5235	5	1	5	3 x isolated potholes		\$ 8.45	\$ 42.25	ok, to be patched prior to running reseal over segment

Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
34	5260	5266	6	2.7	16.2	Minor depression		\$ 30.00	\$ 486.00	Stabilised patch required, pavement unsound shove developing
35	5270	5300	30	2.7	81	Rutting on inbound lane		\$ 30.00	\$ 2,430.00	Stabilised patch required, rut in passenger side lane in already poorly repaired road. Shove developing.
36	5320	5430	110	3.5	385	Rutting on inbound lane passenger side.		\$ 30.00	\$ 11,550.00	Stabilised patch required, rut in passenger side lane in already poorly repaired road. May be subgrade issue related, geotechnical review to provide confidence repair of stabilised patch adequate. See photos during rain event, identifies rutted area.
37	5330	5430	100	2.2	220	Rutting on outbound lane passenger side.		\$ 30.00	\$ 6,600.00	Stabilised patch required, pavement unsound shove developing
38	5540	5590	50	3.6	180			\$ 30.00	\$ 5,400.00	ok, Stabilised patch required
39	5590	5710	120	7.2	864			\$ 30.00	\$ 25,920.00	ok, Stabilised patch required

Access Roads USC Defects List							Vers 2 - 19/1/2022			
Item #	Chainage Start	Chainage End	Length	Width	Area m2	Description	Photo	Rate	Cost	USC ASSESSMENT
40	5940	5950	10	2.1	21	Stabilised patch required		\$ 30.00	\$ 630.00	Seal flushed in part and cracking, pavement unsound. Requires proper patch.
41	6270	6305	35	7.2	252	Stabilised patch required		\$ 30.00	\$ 7,560.00	Flushed areas commencement of rutting and cracking of seal, indicate pavement unsound
42	6420	6427	7.7	2.8	21.56	Seal repair only.		\$ 8.45	\$ 182.18	ok
43	6610	6630	20	3.5	70	Stabilised patch required		\$ 30.00	\$ 2100.00	Failed repair, stabilise are and pick up flushed seal at edge of join.
				SUBTOTAL	5645.2					

TOTAL 10,434

\$ 252049.56



NESF Pty Ltd
ACN 634 831 262
Suite 2, Level 2, 15 Castray Esplanade
Battery Point, TAS, 7004

27 January 2022

Uralla Shire Council
32 Salisbury St
URALLA NSW 2358

Attention: The General Manager

New England Solar Farm – Completion of Road Upgrades

The Development Consent for New England Solar Farm, requires the upgrade of Barleyfields Rd and Big Ridge Rd are described in SSD-9255, Schedule 3, Condition 4 of the Conditions of Consent. The Road Upgrades to the New England Highway do not form part of this letter as Transport for NSW is the relevant road authority. The road upgrades required by Development Consent for New England Solar Farm are now complete. Uralla Shire Council staff and UPC\AC have not reached agreement on the completion of the works to Council's satisfaction.

This letter is to seek Uralla Shire Council's support to commence construction of the New England Solar Farm while the remaining items are resolved in a collaborative manner. Finalisation of the road upgrades, where Council is the roads authority, is the final hurdle to commencement of works on the solar farm.

UPC\AC Renewables and Green Light Contractors met with Council on 25 January 2022 to reach an agreement as to how to progress the project with the commencement of construction, while mitigating risk to Council. As a result of that meeting UPC\AC Renewables, supported by Green Light Contractors, commits to the following –

- Green Light Contractors will provide a bond of \$300,000 for the repairs of the items listed in the attached; the Bond will be released by Council 4 weeks after the attached list of works are completed.
- Repair works will commence within 1 week of this agreement, all repair works will be completed within 6 weeks of the date of this letter.
- Council will be informed of all stages of the works to allow for inspections to take place at Council's discretion
- Council and UPC\AC will meet on the completion of the repairs in the attached list to agree the scope and timing of the re-sealing works, as previously agreed on 11 November 2021 which Council is holding two Bonds totalling \$350,000 to complete.
- UPC\AC reconfirms our commitment to weekly maintenance inspections and monthly maintenance reporting to Council; any new defect identified as a priority will be repaired within 2 days, with all defects repaired within 2 weeks.

Council has confirmed -

- Big Ridge Rd – Segments 4 and Segment 5 have been accepted.

With the above assurances and commitments in place, we seek Council's support to the commencement of construction of the New England Solar Farm, as a matter of urgency to allow the works to proceed and the employment and economic benefits to the community to flow.

We request Council write to UPC\AC Renewables confirming that that while there are repairs required to the access roads (Barleyfields Road (north) and Big Ridge Road Segments 1 and 3), acceptable arrangements including bonding and a commitment to complete the works within 6 weeks are in place, therefore Council has no objection to the commencement of the works associated with the construction of the New England Solar Farm.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Tim Greenaway', with a stylized flourish at the end.

Tim Greenaway
NESF Project Director

8. CONFIDENTIAL MATTERS – NIL

9. CLOSURE OF EXTRAORDINARY MEETING

END OF BUSINESS PAPER