

ATTACHMENTS TO VARIOUS REPORTS ENGINEERING & WORKS COMMITTEE

MONDAY 12 MARCH 2012

ATTACHMENT TO EWC 6A – 3/2012

EIGHT MILE CREEK FLOOD STUDY

ATTACHMENT 1 – 6A

**Copy of the Report from the
Engineering & Works Committee
Monday 14 November 2011**

AlburyCity – Engineering & Works Committee

AGENDA

6B Eight Mile Creek Flood Study Public Exhibition (FIL11/00086)

DATE 4 November 2011

CONFIDENTIAL YES NO If yes please tick one of the following reasons
Personnel Matters Commercial Legal Security Personal Hardship

MEETING DATE Monday 14 November 2011

FURTHER ENQUIRIES TO Jeff Baldock PHONE 6023 8219
Engineering

Background

Council commissioned URS Australia Pty Ltd on 7 April 2009 to undertake the Eight Mile Creek Flood Study to better define the nature and extent of flood behaviour in the catchments of the Eight Mile Creek including the tributaries of Woolshed Creek, Six Mile Creek, Seven Mile Creek and Nine Mile Creek catchments. *Attachment 1* shows the extent of the catchment that comprises the study area.

Issues

The objective of the study was to define flood behaviour in the Eight Mile Creek catchment for flood frequencies ranging between 1 and 500 year Average Recurrence Interval, as well as for the Probable Maximum Flood.

Flood behaviour in the study area was defined using a computer based hydrologic model of the catchment to generate flood flows and a hydraulic model of the stream channels and floodplains to convert flows into flood levels and velocities. As there was minimal historic flood data available for the catchment, a sensitivity analysis was carried out to ascertain the likely variability in results.

The hydrologic and hydraulic models were used as the basis for defining flood behaviour in the study area for each recurrence interval storm. The key findings of the study were as follows:

- A large area is inundated above the Thurgoona Drive Bridge which acts as a flood storage area whilst flood flows push through under the bridge.
- The flood waters south of the Riverina Highway split with approximately 30% of flow continuing along the creek alignment and the remaining 70% breaking out of the banks and flowing across the floodplain to the River Murray.
- The majority of flooding, or out of bank flow, occurs along the main reach of the Eight Mile Creek from confluence of the Woolshed/Eight Mile Creeks to the River Murray. The smaller tributaries feeding into the Eight Mile Creek have smaller catchments and steeper grades, consequently the flood extents are quite narrow.
- At Probable Maximum Flood event, downstream of the Riverina Highway, the floodplain is fully engaged.

AlburyCity – Engineering & Works Committee

AGENDA

Further investigations will need to be carried out as part of the future *Floodplain Risk Management Study* to assess the cumulative impact of possible future development on flood behaviour in the study area. The future *Floodplain Risk Management Study* will also need to consider issues such as total hazard and climate change impacts to determine appropriate development controls for the floodplain.

This Flood Study forms part of a suite of studies to update flood information across the entire local government area. Together with the Eight Mile Creek Flood Study, these studies will form the basis for preparing the *Floodplain Risk Management Plan* for Albury. These investigations are required for AlburyCity to determine appropriate Flood Planning Levels for future development control and to comprehensively manage flood risk in the study area. This will include a detailed assessment of available floodplain risk management options including:

- property modification measures such as development controls;
- response measures including community awareness and readiness to support emergency response in the event of a major flood; and
- flood amelioration measures such as levees, detention basins and floodway works.

The Consultant has issued draft reports to the Floodplain Management Committee for review and comment. All comments received by the Consultant have been considered and where necessary, amendments made.

Conclusion

The project has now advanced to the stage where the draft report is required to be exhibited for community feedback before progressing to the final report and Council adoption stages. It is proposed that copies of the draft report be exhibited on the Council website and at the Council Administration Building, Thurgoona Community Centre and at the Council Libraries (Albury Library/Museum and Lavington Library).

The program for completion of this project is:

- exhibit the *draft* report during December 2011 and January 2012;
- consider all comments received and, where necessary make changes; and
- prepare final report for Council adoption in February 2012.

Recommendation

That the Committee recommends to Council that Council:

- a. receive and note the report; and
- b. place the *draft* Eight Mile Creek Flood Study Report on public exhibition for a period of six weeks, commencing 2 December 2011.

ATTACHMENT 2 – 6A

**Submission Received from the
Thurgoona Progress Association**

Thurgoona Progress Association

Inc

thurgoonaprogress@gmail.com

c/o Thurgoona Community Centre

Kosciuszko Road,

Thurgoona NSW 2640



Submission to Albury City Council by the Thurgoona Progress Association.

Eight Mile Creek Flood Study

Part A: Observations on the Study

The Eight Mile Creek Flood Study states (page 1) that its primary objective is to estimate the flood behaviour under “existing conditions”. The Thurgoona Progress Association (TPA) is of course concerned with the impacts of future development on the creek system.

The TPA also presumes that this study covers the whole Woolshed Creek catchment, not just the Eight Mile Creek tributary.

The Modelling

It appears that the modelling of flows in Eight Mile Creek was limited by:

- the availability of only two significant recent flood events (quoted in the report), which occurred in 1974 and 1983, before any significant urbanisation of the catchment.
- the unavailability of any useful stream gauge data, or any rainfall records judged to correlate with the Eight Mile Creek catchment, and
- the reliance on anecdotal information on flows and flooding.

Considering the above, how reliable would the results be as a basis for predicting future flooding extent? The TPA is not critical of the draft study, but due to the lack of good data to base the study on, the TPA believes that a precautionary approach should be taken when applying the draft study results.

Will the Floodplain Risk Management Plan mentioned in the report be the document which deals with the management of increased flows, and the flooding problems that already exist at the Riverina Highway and on the properties downstream? This is an important question the TPA would like answered.

Other comments on the Flood Study:

Section 4.2 The study states that the Norske Skog dam is “represented in the modelling as a retarding basin node”. Is this saying that the dam will act as a retarding basin?

If the dam is still as originally constructed, no catchment water from upstream of the dam, enters the dam. It is purely a storage for effluent water, and flows from upstream are diverted around the dam, as shown in figure 4-1 of the report.

If this is the case, why is it referred to as a retarding basin node? What is its relevance to the flood study and any flow calculations?

Section 4.3 The report states that the XP-RAFTS model was unable to be calibrated, because there was very little good information to base the modelling on. If this is the case, and considering the paucity of relevant base information, what level of confidence can the TPA have in the modelling? **How relevant are the results as a basis to plan for future run-off following further development?** What precautionary measures need to be taken when applying the results of the study?

Figure 6-2 This figure in the report shows existing residential areas which would be affected by a 100yr flood + 500mm flood event. Does ACC see this as a major concern in the light of increased flows as a result of future development?

Section 6.6.2 This section refers to Mitchell Park retarding basins. Are these still to be constructed or are they existing? Is the reference to the retention basins adjacent to Elizabeth Mitchell drive?

This may be just a misunderstanding on the part of the TPA as to what is a retention basin and what is a retarding basin. Our understanding has been:

Retention basin: A small storage designed to trap stormwater runoff and reduce silt loads downstream. Usually retains some water after rainfall events, but would be ineffective against high flows such as a 1 in 100 yr flood. Often associated with a small wetland.

Retarding basin: Large dam with a controlled outlet such as a culvert or pipe, with outflows matched to creek capacity downstream. Intended to create short term storage and controlled release of flows during large flood events. Does not retain any permanent water. *eg. Retarding structure on Bungambrawatha Creek immediately upstream of Union Road.*

There should be a definition of these terms in the glossary of the study, and in any future studies.

Part B. Floodplain Risk Management Plan.

On page 20, Section 9.4, the report outlines that a Floodplain Risk Management Plan “can be prepared”.

The areas of concern which the TPA would like to see addressed in any future studies and management plans are:

1. protection and maintenance of the natural creek systems
2. the limitation of future flows in the creek system to historical levels
3. the preservation of all floodplain areas against urban encroachment
4. realistically located future development
5. effective management of increased run-off from new and existing developments

6. some resolution of existing flooding problems at the Riverina Highway and on the properties downstream (eg. a floodway diversion to the river, subject to landholder approval)
7. resolution of the flooding issues along the eastern side of Elizabeth Mitchell Drive, (including onto the road surface) south of Corry's road, especially in the light of further development at the southern end of Mitchell Park, and at the old Drive In Theatre site

The TPA considers that preparation of a Floodplain Risk Management Plan is essential, and that it must be designed and implemented in consideration of the seven points outlined above.

The TPA would also like to see any future Risk Management Plan include the following:

1. Natural Creek Systems – Preservation and Promotion centred around:
 - erosion control
 - no concrete drains
 - recreation areas, walking tracks, signage
 - Barr's Reserve TSR – (a possible future Botanical Gardens)
 - integration of Retarding Basins into public access areas
 - co-operative programs between CSU, TAFE, ACC, the community and the LPMA.
2. Preservation of the Flood Plain
 - urban development approvals not allowed on the historical floodplain, identified by vegetation, fencing, existing maps, and anecdotal evidence
 - preservation of biodiversity and environmental values within the floodplain which would add to environmental resilience

The TPA feels that this is a critical area of community concern and that ACC policy should not allow urban development on any floodplain within their jurisdiction.

3. Future Development Sites
 - Not on floodplains
 - Sited in areas which have space for retention and retarding basins
4. Funding
 - The TPA considers that developers should contribute to the infrastructure required to treat stormwater and manage increased flows resulting from development

- The Thurgoona Wirlinga Precinct Plan must include provision for this infrastructure, to deal with existing flooding problems, and to plan for future infrastructure requirements.

5. Research Funding

1. Establish long term gauging stations and rainfall recording stations.
2. Refer to the CRC \$30 million funding for Water Sensitive Cities as announced by the Federal Minister for Innovation, Industry, Science and Research, in November 2011. The three principles set for a Water Sensitive City are:-
 - **Cities as Water Supply Catchments:** meaning access to water through a diversity of sources at a diversity of supply scales;
 - **Cities Providing Ecosystem Services:** meaning the built environment functions to supplement and support the function of the natural environment; and
 - **Cities Comprising Water Sensitive Communities:** meaning socio-political capital for sustainability exists and citizens' decision-making and behaviours are water sensitive.

The TPA believes that the ACC attributes may qualify Council as a Water Sensitive City and thus open opportunities to access research funding in cooperation with the research groups at CSU and TAFE.

Future Concept

The TPA vision for the future of the Woolshed Creek/Eight Mile Creek catchment is for a retardation basin complex slowing down the excess flows resulting from development, in order to preserve the natural creek system. A series of smaller retaining basins to be located at new developments for the treatment of stormwater run-off, as currently happens.

The larger retardation basin complex should complement existing wetlands and lagoons, and provide recreational areas similar to the retarding basin upstream of Union Road.

Wetlands should be used to build up the biodiversity, and in particular the vegetation to promote habitat for Threatened Species such as the Squirrel Glider, Sloanes Froglet, and the Regent Honeyeater. These areas should promote increased community awareness and usage.

The Thurgoona/Wirlinga community is there for the long term and has to wear the result of engineering solutions in any management plan. Engineering solutions are short term. There must be a cooperative and open approach to this final management plan between ACC engineers and the community, and not a combative approach.

Prepared by Professor David Mitchell, David Sexton and Arthur Latta for the Thurgoona Progress Association.

ATTACHMENT 3 – 6A

Eight Mile Creek Flood Study

(To be tabled at the Meeting)

ATTACHMENT TO EWC 6B – 3/2012

**ALBURY TO GREATER HUME
MURRAY RIVER FLOOD STUDY**

ATTACHMENT 1 – 6B

**Copy of the Report from the
Engineering & Works Committee
Monday 12 December 2011**

AlburyCity – Engineering & Works Committee

AGENDA

EWC 6 – REPORTS FOR DISCUSSION

6A Draft Murray River Flood Study (FIL10/01923)

DATE 2 December 2011

CONFIDENTIAL YES NO If yes please tick one of the following reasons
Personnel Matters Commercial Legal Security Personal Hardship

MEETING DATE Monday 12 December 2011

FURTHER ENQUIRIES TO Jeff Baldock PHONE 6023 8219
Engineering

Background

Council commissioned GHD Pty Ltd in October 2010 to undertake the AlburyCity Murray River Flood Study to better define the nature and extent of Murray River flooding conditions within the AlburyCity Local Government Area from the Hume Dam wall to the city's western boundary. *Attachment 1* shows the extent of the study area.

Issues

The objective of the study was to define Murray River flooding conditions under existing floodplain and land use conditions for the 5, 10, 20, 50, 100, 200 and 500 year average recurrence interval (ARI) flood events. Flooding conditions for more extreme events for example; dam break scenarios and the Probable Maximum Flood [PMF]) are to be investigated in a separate future study to be undertaken by the Murray Darling Basin Authority (MDBA).

The study has been carried out in accordance with the NSW Government's Floodplain Development Manual (2005). Council received funding assistance for the study from the NSW State Government through the Office of Environment and Heritage (OEH).

Much of the data collected for the study was identified and sourced during the preceding Murray River Flood Scoping Study instigated by Council (GHD 2010). Data included historical flood data, for example; recorded flows, flood heights, flood photographs, infrastructure design plans and terrain elevation data.

Flood behaviour in the study area was defined using a computer based hydrologic model of the catchment to generate flood flows. The key findings of the study were as follows:

- On the downstream side of Albury, the current study adopted 100 year ARI flood heights are generally lower than the previously defined flood heights. The previously defined 100 year ARI flood heights were based on one dimensional (1D) hydraulic modelling undertaken in the early 1990s. The differences are thought to be due to differences between the respective modelling approaches and the calibration data used.

AlburyCity – Engineering & Works Committee

AGENDA

- At and upstream of Albury, the current study adopted 100 year ARI flood heights vary either side of the previously defined flood heights.
- The South Albury levee is marginally lower than the 100 year ARI flood level at three locations (Noreuil Park, downstream side of the Lincoln Causeway and Abercorn Street).
- The combined hydraulic effect of the Hume Freeway and Wodonga Rail Bypass has been to increase flood levels by not more than 100mm with the exception of localised areas close to the upstream side of the Freeway.
- The highest impact potential climate change scenario results in an increase in 100 year ARI flood levels by 2070 of between 0.3 and 0.6 metres. The lowest end climate change impact scenario will result in a small decrease in 100 year ARI flood levels by 2070.

Notable flood height data provided at points of interest to the SES, to assist with emergency response activities is as follows:

- Road access to the Doctors Point precinct is inundated in a 10 year ARI flood event including both Doctors Point Road and Mungabareena Road.
- Lincoln Causeway is first overtopped in around a 400 year ARI event.
- Hume Freeway and the Melbourne Sydney Railway are not overtopped by the 500 year ARI event.
- Some roads and the stormwater treatment area in the Eastern View Estate are subject to 100 year ARI inundation although building flood levels are not overtopped.
- The developed Gateway Island strip area between the Lincoln Causeway and the Murray River is inundated in around a 20 year ARI flood event.

Further investigations will need to be carried out as part of the future *Floodplain Risk Management Study* to assess the cumulative impact of possible future development on flood behaviour in the study area. The future *Floodplain Risk Management Study* will also need to consider issues such as the flood hazard and climate change impacts to determine appropriate development controls for the floodplain.

This Flood Study forms part of a suite of studies to update flood information across the entire local government area. Together with the Murray River Flood Study, these studies will form the basis for preparing the Floodplain Risk Management Plan for Albury.

These investigations are required for AlburyCity to determine appropriate Flood Planning Levels for future development control and to comprehensively manage flood risk in the study area. This will include a detailed assessment of available floodplain risk management options including:

- property modification measures such as development controls;
- response modification measures including community awareness and readiness to support emergency response in the event of a major flood; and
- flood amelioration measures such as levees, detention basins and floodway works.

AlburyCity – Engineering & Works Committee

AGENDA

The *draft* report has been considered by a technical sub-committee of the AlburyCity Floodplain Risk Management Committee. All comments received by the Consultant have been considered and where necessary changes made to the *draft* report.

Conclusions

The project has now advanced to the stage where the *draft* report is required to be exhibited for community feedback before progressing to the final report and Council adoption stages. It is proposed that copies of the draft report be exhibited on the Council website and at the Council Administration Building and at the Council Libraries (Albury Library/Museum and Lavington Library).

The program for completion of this project is:

- exhibit the *draft* report during January and February 2012;
- consider all comments received and, where necessary make changes; and
- prepare a final report for Council adoption in March 2012.

Recommendation

That the Committee recommends to Council that Council:

- a. receive and note the report; and
- b. place the *Draft* Murray River Flood Study Report on public exhibition for a period of six weeks, commencing 7 January 2012.

- **Attachments**

1. Figure 1.1 – Study Catchment.
2. *Draft* Murray River Flood Study Report (*to be tabled at the meeting*).

ATTACHMENT 2 – 6B

**Submission Received from the
Murray Darling Basin Authority**

Murray-Darling Basin Authority
GPO Box 1801 Canberra ACT 2601
p: (02) 6279 0524
f: (02) 6230 6005
e: robert.wilson@mdba.gov.au
w: www.mdba.gov.au

Comments on 'Albury City to Greater Hume Murray River Flood Study', Draft Final Report, GHD, 20 December 2011:

- 1) Page i (6th para) - request change of terminology in the third sentence from 'dam failure scenario' to 'dam break scenario'
- 2) Page ii (3rd para) – request deletion (or rewording) of second sentence "*This reflects the and the continued influence of the Hume Dam in these smaller events*". There will be times when the dam has no influence. For example, when the storage is full (or near full) and the releases from the dam are likely to match inflows (as noted on page 26 (third para) of the report).
- 3) Page 13 (Section 4.5.1 2nd para) – reference to MDBA approval for use of the 2001 LIDAR data set has been added since the previous draft. I was not aware of the MDBA giving any explicit approval. Whilst sharing of data is a sensible use of resources the concerns about 'ground truthing' of any data as noted in Item 6 of our letter of 6 December 2011 need to be addressed. The statement made in Section 4.5.2 (second para, first sentence) about good agreement does not represent any independent verification of the accuracy of the data. In Section 4.5.1 reference to the specification accuracy of +/- 120mm is meaningless without some verification against actual.
- 4) Page 26 (2nd para). Please delete (or reword) second sentence '*The Hume Dam provides significant attenuation of peak flows for these smaller events*'. This statement can be incorrect if the storage is full or near full (as noted above) irrespective of the magnitude of the event. In the 3rd para on page 26 of the report that comment applies to all flood events when the storage is full not just the 'larger' events. Please reword this sentence to cover all flood events

Robert Wilson
Senior Assets Engineer, River Murray

ATTACHMENT 3 – 6B

**Albury to Greater Hume
Murray River Flood Study**

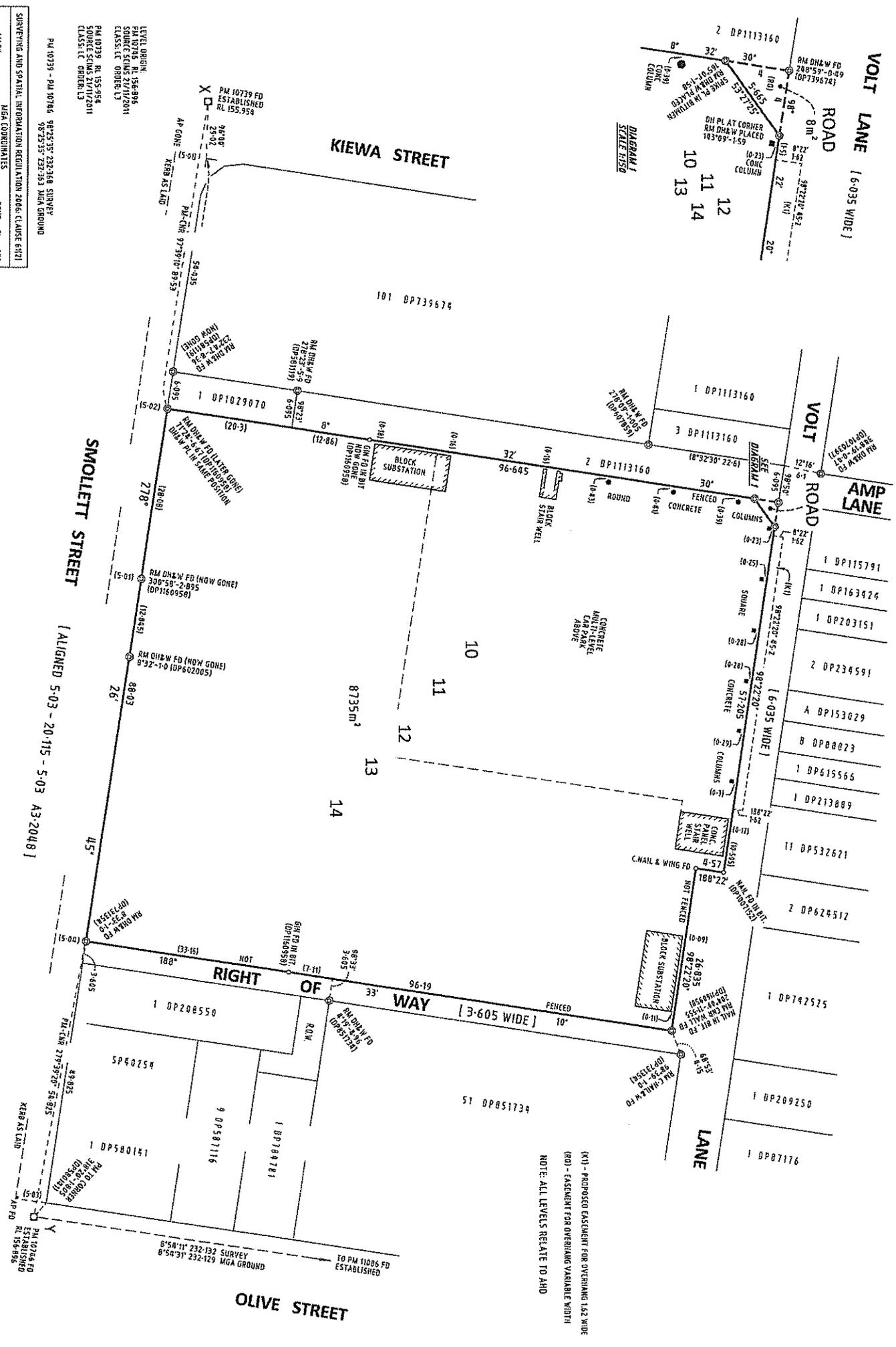
(To be tabled at the Meeting).

ATTACHMENT TO EWC 6C – 3/2012

VOLT LANE CAR PARK CLASSIFICATION

ATTACHMENT 1 – 6C

DP1170273



LEGAL BOUNDARY
 E110245
 CLASS: LC ORDER L3
 CLASS: LC ORDER L3
 CLASS: LC ORDER L3

PM 10739 - PM 10786 9825357 232348 SURVEY
 9825353 232303 MGA GROUND

SURVEYING AND SPATIAL INFORMATION REGULATION 2006, CLAUSE 61(2)			
MARK	HEIG. COORDINATES	ZONE	CL. 000
PM 10739	4925358 181	6066883 946	55 3 2
PM 10786	4925888 948	6066889 430	55 3 2
PM 10886	4926248 476	6067878 641	55 3 2

SOURCE SCDS 27/11/2011			
MARK	HEIG. COORDINATES	ZONE	CL. 000
PM 10739	4925358 181	6066883 946	55 3 2
PM 10786	4925888 948	6066889 430	55 3 2
PM 10886	4926248 476	6067878 641	55 3 2

Surveyor: Bruce Walpole
 Date of Survey: 27/09/2011
 Surveyor's Ref: 11057
 2011M7100 (1453) Additional Sheets

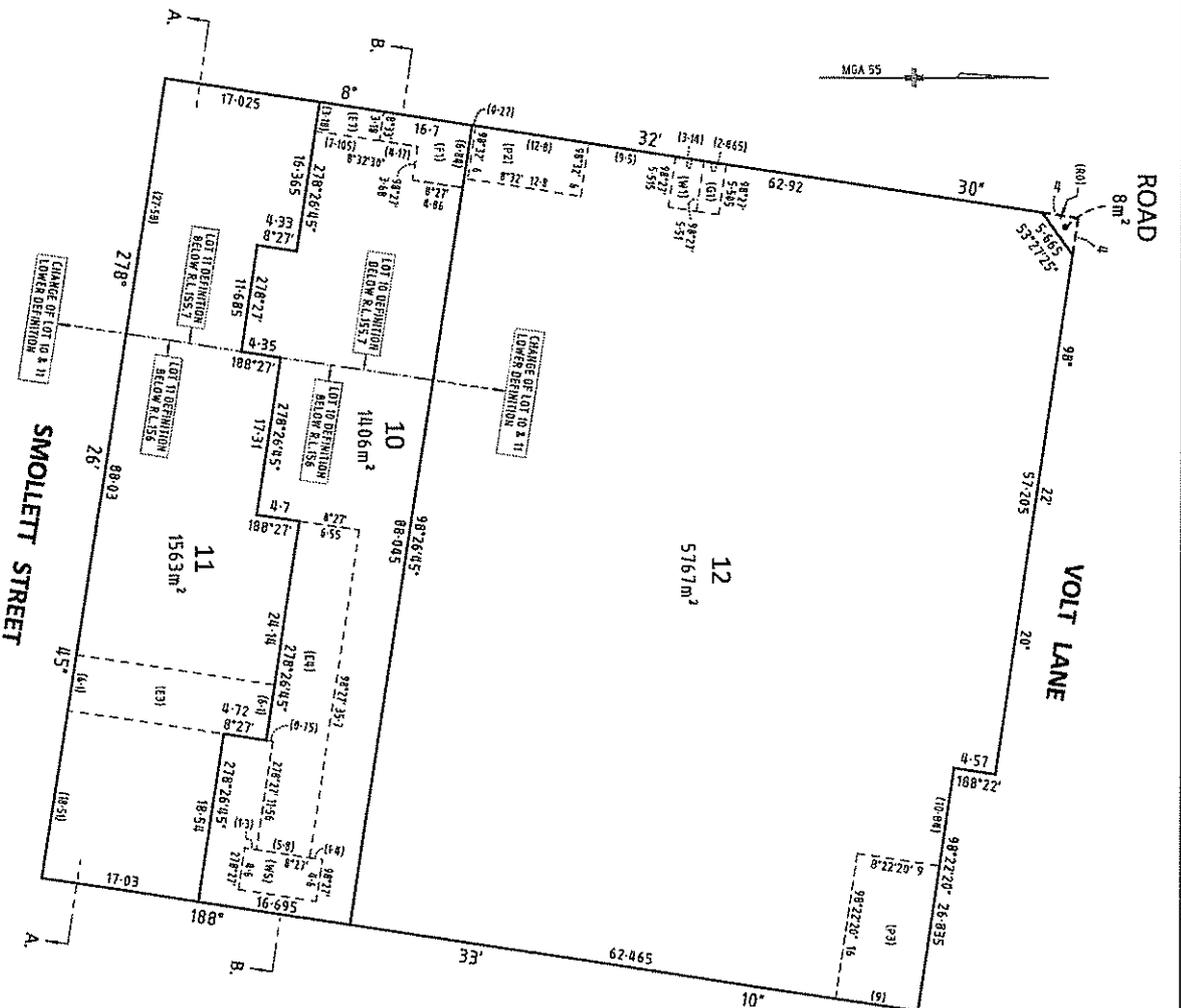
PLAN OF SUBDIVISION OF LOTS 10, 11 &
 12 IN DP1160958 AND PROPOSED
 EASEMENT OVER VOLT LANE

LGA: ALBURY
 Locality: ALBURY
 Subdivision No.: 4464
 Lengths are in metres. Reduction Ratio 1:400

Registered:
 20/12/2011

DP1170273

(K1) - PROPOSED EASEMENT FOR OVERHANG 162 WIDE
 (RO) - EASEMENT FOR OVERHANG VARIABLE WIDTH
 NOTE: ALL LEVELS RELATE TO AHD



STRATUM LOTS 10 AND 11 DEFINITION
 BELOW R.L. 155.7 AND 156 WHERE SHOWN AND
 STRATUM LOT 12 DEFINITION BELOW R.L. 155.7

SCALE 1:400

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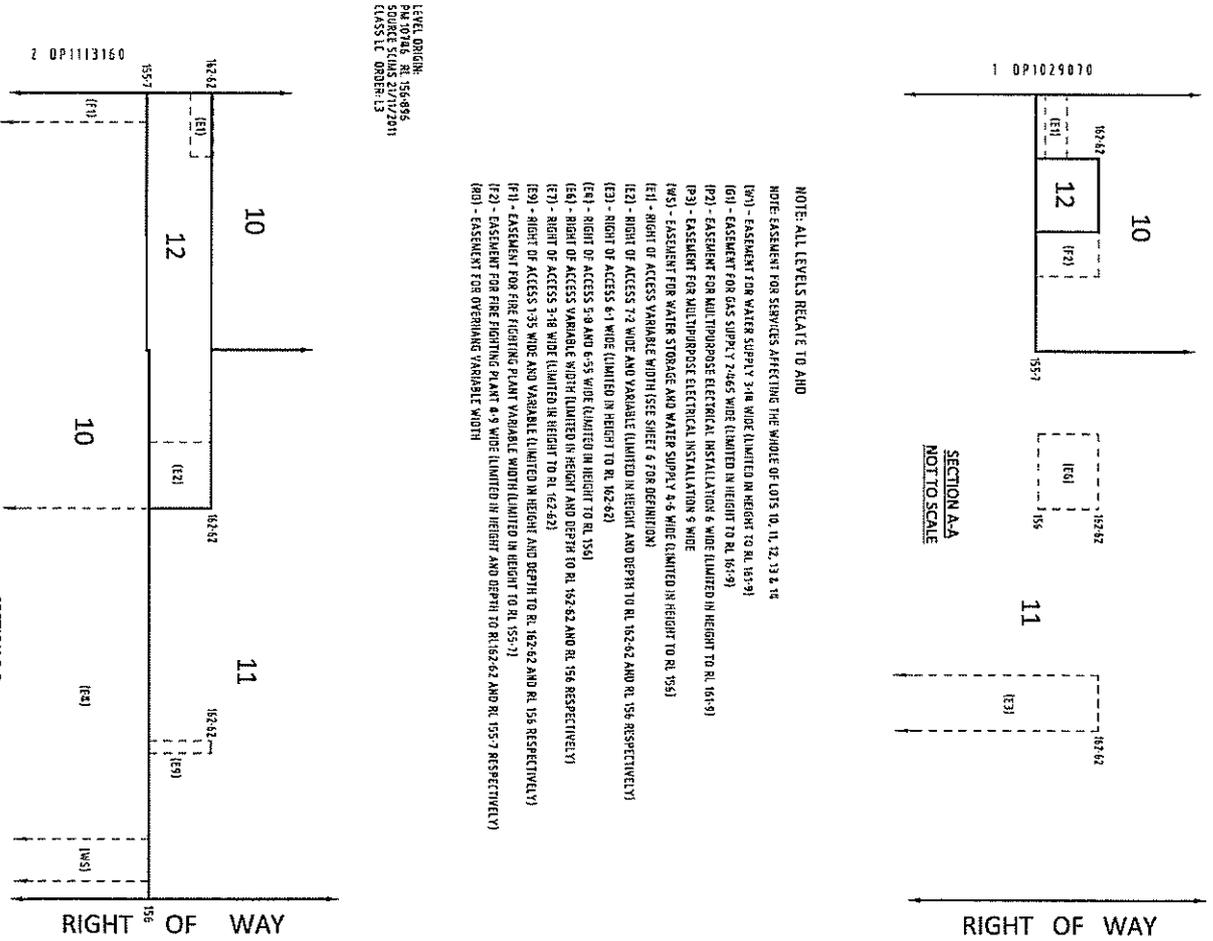
Surveyor: Bruce Walpole
 Date of Survey: 27/09/2011
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PLAN OF SUBDIVISION OF LOTS 10, 11 &
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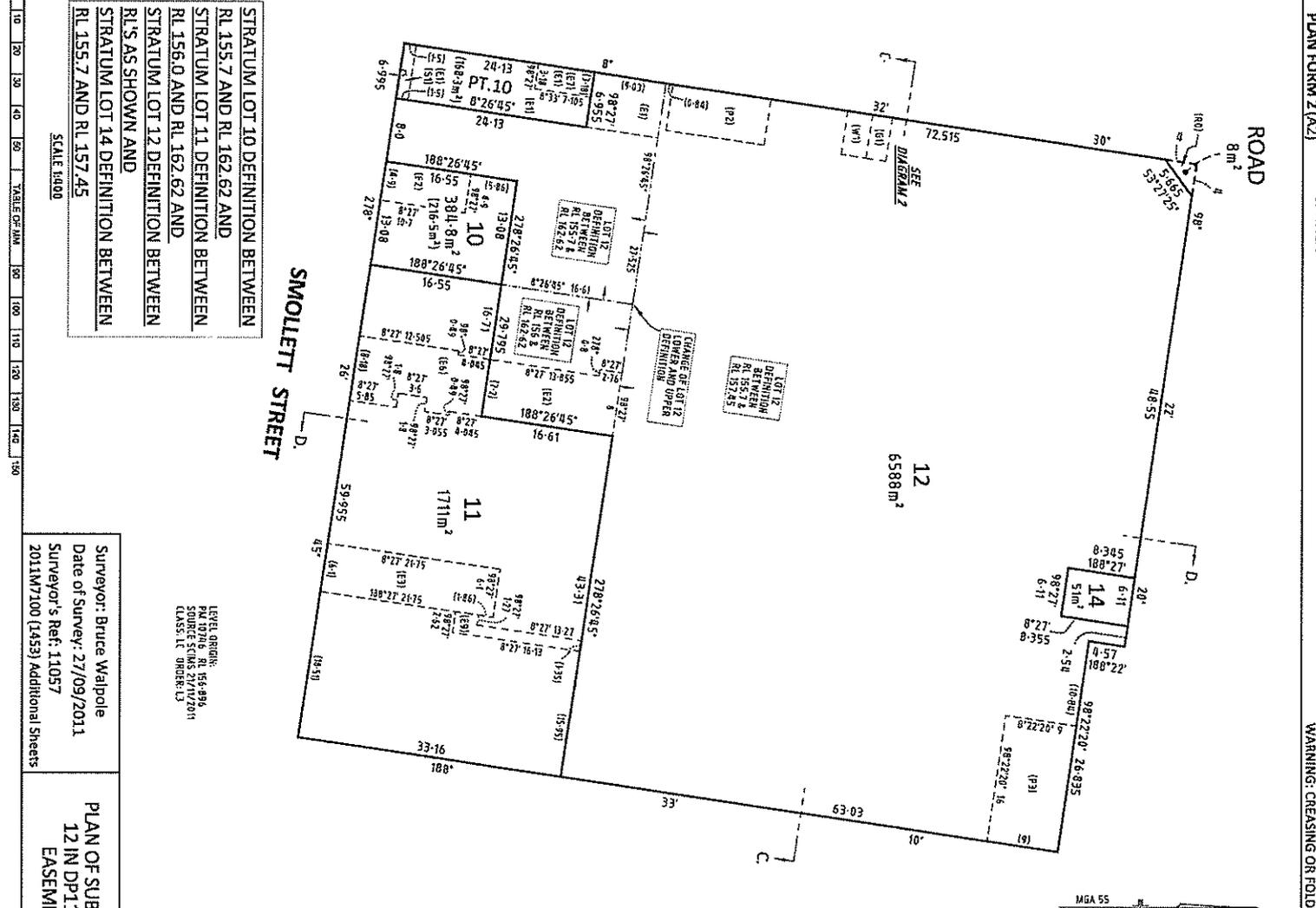
LGA: ALBURY
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 Lengths are in metres. Reduction Ratio 1:400

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 20.12.2011

DP1170273



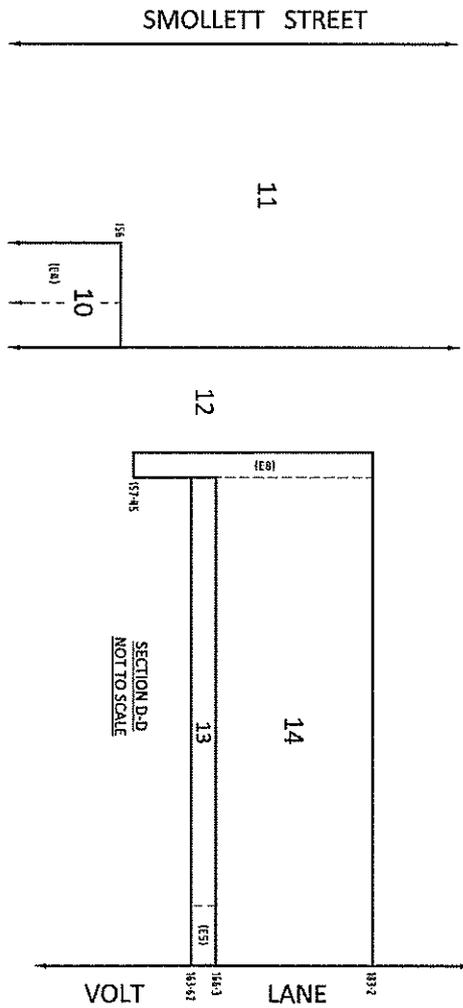
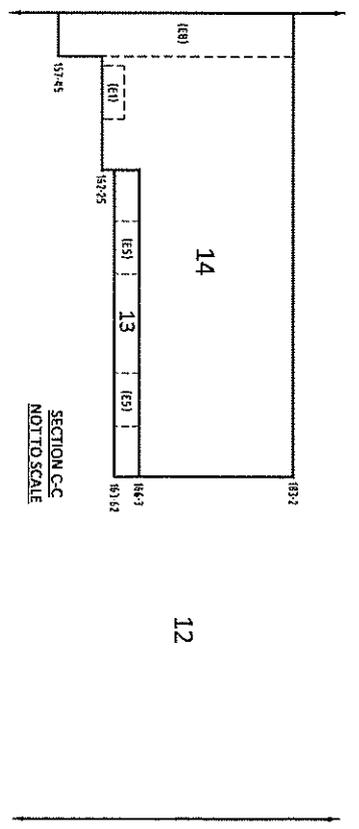
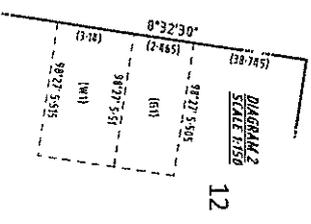
NOTE: ALL LEVELS RELATE TO AND
 NOTE EASEMENT FOR SERVICES AFFECTING THE WHOLE OF LOTS 10, 11, 12, 13 & 14
 (W1) - EASEMENT FOR WATER SUPPLY 3.0M WIDE (LIMITED IN HEIGHT TO RL 163.91)
 (G1) - EASEMENT FOR GAS SUPPLY 2.665 WIDE (LIMITED IN HEIGHT TO RL 163.91)
 (P2) - EASEMENT FOR MULTIPURPOSE ELECTRICAL INSTALLATION 6 WIDE (LIMITED IN HEIGHT TO RL 161.59)
 (P3) - EASEMENT FOR MULTIPURPOSE ELECTRICAL INSTALLATION 9 WIDE
 (W3) - EASEMENT FOR WATER STORAGE AND WATER SUPPLY 4.5 WIDE (LIMITED IN HEIGHT TO RL 155.1)
 (E1) - RIGHT OF ACCESS VARIABLE WIDTH (SEE SHEET 6 FOR DEFINITION)
 (E2) - RIGHT OF ACCESS 7.2 WIDE AND VARIABLE (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156 RESPECTIVELY)
 (E3) - RIGHT OF ACCESS 6.1 WIDE (LIMITED IN HEIGHT TO RL 162.62)
 (E4) - RIGHT OF ACCESS 5.0 AND 6.55 WIDE (LIMITED IN HEIGHT TO RL 162.62 AND RL 156 RESPECTIVELY)
 (E5) - RIGHT OF ACCESS 3.0 WIDE (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156 RESPECTIVELY)
 (E6) - RIGHT OF ACCESS 1.35 WIDE AND VARIABLE (LIMITED IN HEIGHT AND DEPTH TO RL 155.7)
 (F1) - EASEMENT FOR FIRE FIGHTING PLANT VARIABLE WIDTH (LIMITED IN HEIGHT TO RL 162.62 AND RL 155.7 RESPECTIVELY)
 (F2) - EASEMENT FOR FIRE FIGHTING PLANT 6.9 WIDE (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 155.7 RESPECTIVELY)
 (R0) - EASEMENT FOR OVERHANG VARIABLE WIDTH



STRATUM LOT 10 DEFINITION BETWEEN
 RL 155.7 AND RL 162.62 AND
 STRATUM LOT 11 DEFINITION BETWEEN
 RL 156.0 AND RL 162.62 AND
 STRATUM LOT 12 DEFINITION BETWEEN
 RL'S AS SHOWN AND
 STRATUM LOT 14 DEFINITION BETWEEN
 RL 155.7 AND RL 157.45

SCALE 1:400

0	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150
TABLE OF MM															



- NOTE: ALL LEVELS RELATE TO AHD
 NOTE: EASEMENT FOR SERVICES AFFECTING THE WHOLE OF LOTS 10, 11, 12, 13 & 14
- (W1) - EASEMENT FOR WATER SUPPLY 3.74 WIDE (LIMITED IN HEIGHT TO RL 161.9)
 - (G1) - EASEMENT FOR GAS SUPPLY 2.465 WIDE (LIMITED IN HEIGHT TO RL 161.9)
 - (P2) - EASEMENT FOR MULTIPURPOSE ELECTRICAL INSTALLATION 6 WIDE (SEE SHEET 2 FOR DIMENSIONS) (LIMITED IN HEIGHT TO RL 161.9)
 - (P3) - EASEMENT FOR MULTIPURPOSE ELECTRICAL INSTALLATION 9 WIDE
 - (E1) - RIGHT OF ACCESS VARIABLE WIDTH (SEE SHEET 6 FOR DEFINITION)
 - (E2) - RIGHT OF ACCESS 7.2 WIDE AND VARIABLE (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156 RESPECTIVELY)
 - (E3) - RIGHT OF ACCESS 6.1 WIDE (LIMITED IN HEIGHT TO RL 162.62)
 - (E4) - RIGHT OF ACCESS VARIABLE WIDTH (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156.62 RESPECTIVELY)
 - (E5) - RIGHT OF ACCESS VARIABLE WIDTH (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156.62 RESPECTIVELY)
 - (E6) - RIGHT OF ACCESS 3.08 WIDE (LIMITED IN HEIGHT TO RL 162.62)
 - (E7) - RIGHT OF ACCESS VARIABLE WIDTH (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 157.45 RESPECTIVELY)
 - (E8) - RIGHT OF ACCESS VARIABLE WIDTH (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156 RESPECTIVELY)
 - (E9) - RIGHT OF ACCESS 1.35 WIDE AND VARIABLE (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 156 RESPECTIVELY)
 - (P2) - EASEMENT FOR FIRE FIGHTING PLANT 4.9 WIDE (LIMITED IN HEIGHT AND DEPTH TO RL 162.62 AND RL 155.7 RESPECTIVELY)
 - (E10) - EASEMENT FOR OVERHANG VARIABLE WIDTH
 - (E11) - EASEMENT FOR SIGNAGE 1.5 WIDE (LIMITED IN HEIGHT AND DEPTH TO RL 161.5 AND 164.7 RESPECTIVELY)

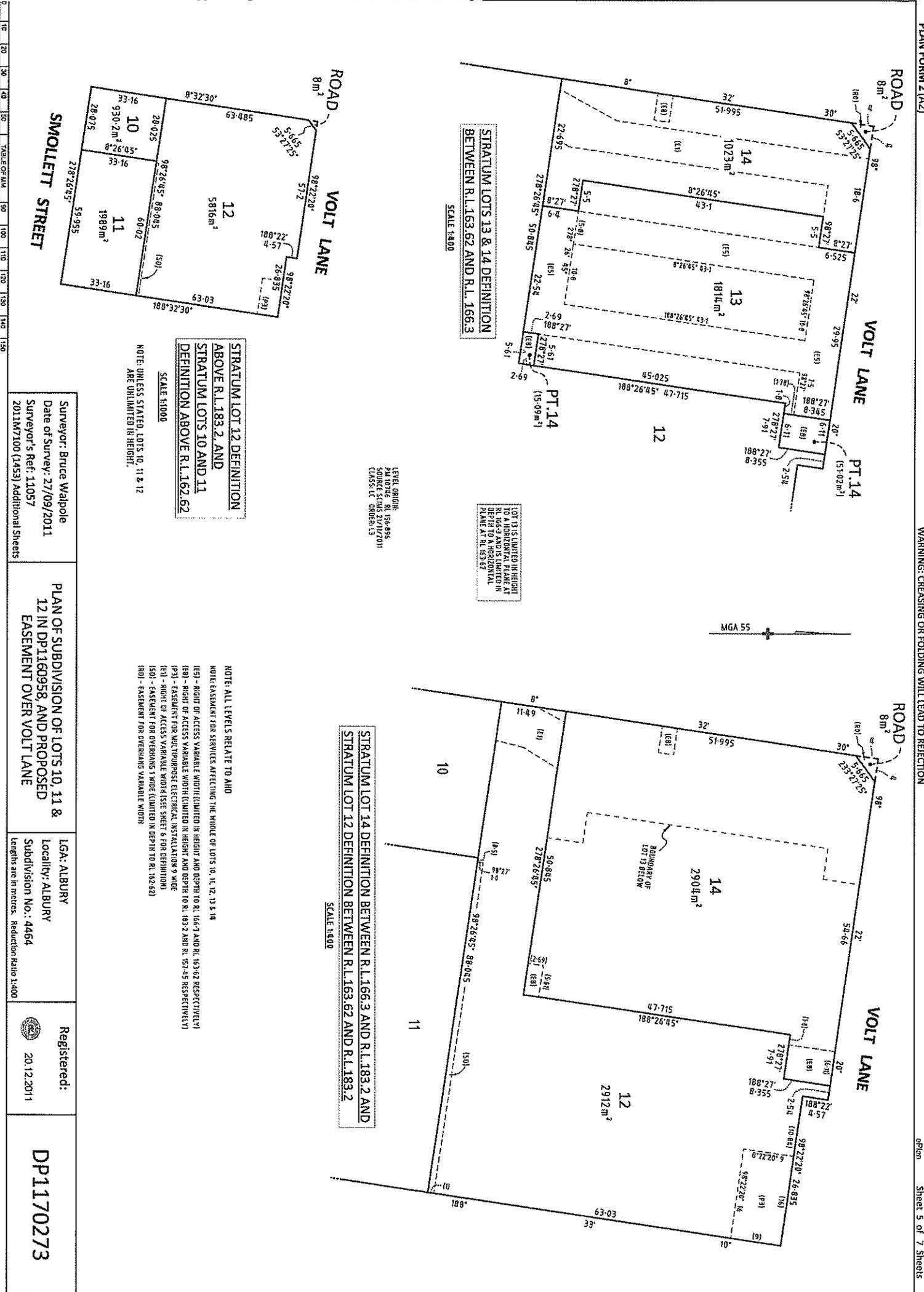
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PLAN OF SUBDIVISION OF LOTS 10, 11 &
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LGA: ALBURY
 Locality: ALBURY
 Subdivision No.: 4464
 Lengths are in metres. Reduction Ratio 1:400

Registered:
 20.12.2011

DP1170273



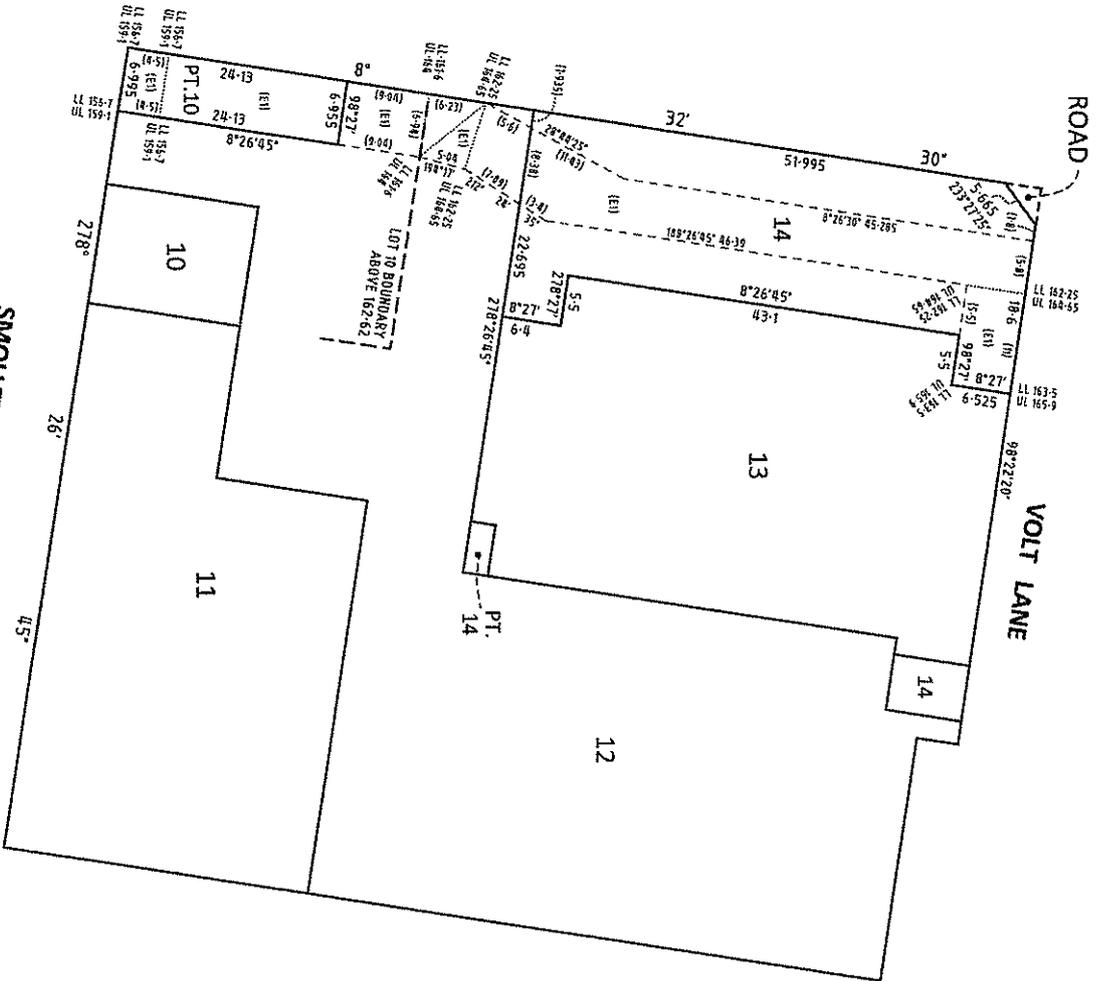
Surveyor: Bruce Walpole
 Date of Survey: 27/09/2011
 Surveyor's Ref: 11057
 2011M7100 (453) Additional Sheets

**PLAN OF SUBDIVISION OF LOTS 10, 11 &
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 EASEMENT OVER VOLT LANE**

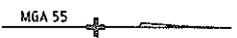
LGAT: ALBURY
 Locality: ALBURY
 Subdivision No.: 4464
 Lengths are in metres. Reduction Ratio 1:400

Registered:
 20.12.2011

DP1170273

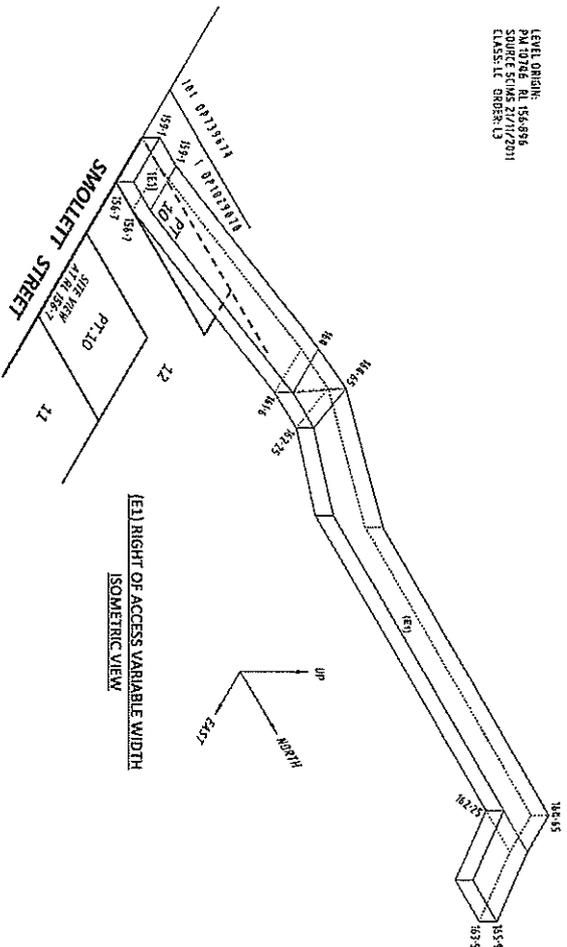


DEFINITION OF (E1) RIGHT OF ACCESS VARIABLE WIDTH
 SCALE 1:400



NOTE: ALL LEVELS RELATE TO AND
 NOTE: EASEMENT FOR SERVICES AFFECTING THE WHOLE OF LOTS 10, 11, 12, 13 & 14
 (E1) - RIGHT OF ACCESS VARIABLE WIDTH (LIMITED IN HEIGHT AND DEPTH AS DESCRIBED IN FOLLOWING NOTE)
 NOTE: THE RIGHT OF ACCESS VARIABLE WIDTH MARKED (E1) IS LIMITED IN STRATUM TO THE HORIZONTAL AND INCLINE PLANES OF THE SURFACE OF THE EARTH UNLESS THE DENOTES THE LEVELS OF THE CORNERS OF THE UPPER PLANES

LEVEL ORIGIN:
 P.M. ADJAC. RL 156.898
 POINT S10 2107/2011
 CLASS: LT 09/08/81



(E1) RIGHT OF ACCESS VARIABLE WIDTH
 ISOMETRIC VIEW

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150

Surveyor: Bruce Walpole
 Date of Survey: 27/09/2011
 Surveyor's Ref: 11057
 2011M7100 (1453) Additional Sheets

PLAN OF SUBDIVISION OF LOTS 10, 11 &
 12 IN DP1160958, AND PROPOSED
 EASEMENT OVER VOLT LANE

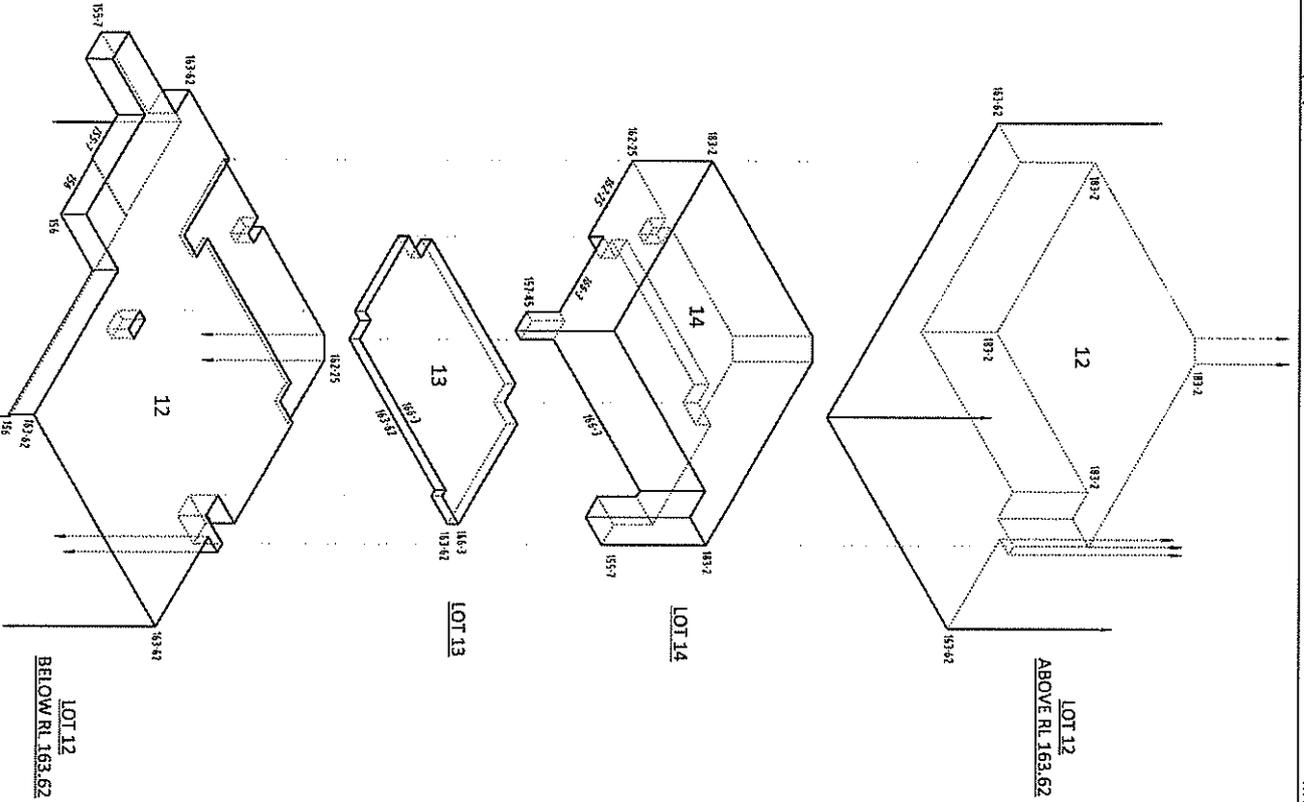
LGA: ALBURY
 Locality: ALBURY
 Subdivision No.: 4464
 Lengths are in metres. Reduction Ratio 1:400

Registered:
 20.12.2011

DP1170273

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150

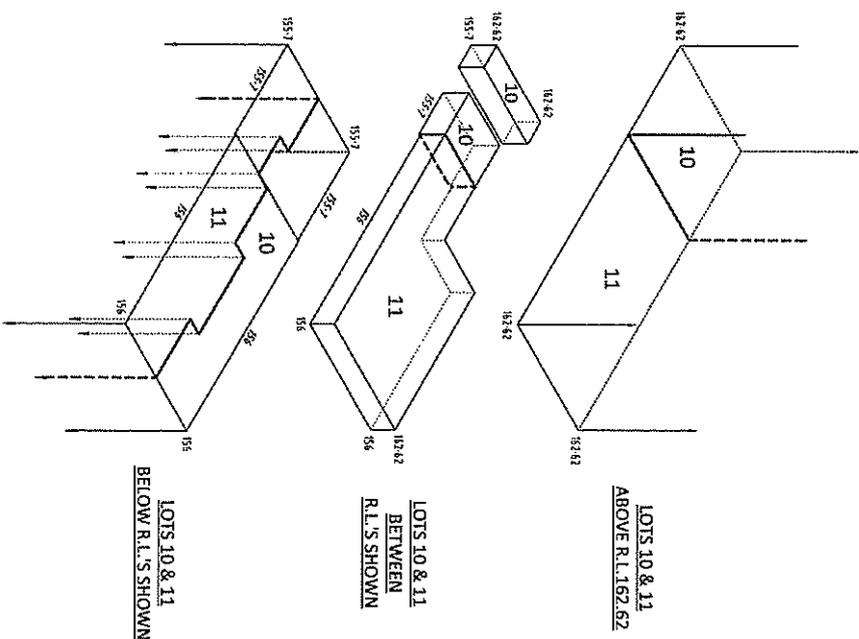
**EXPLODED ISOMETRIC DIAGRAM
 OF LOTS 12, 13 AND 14**



LEVEL ORIGIN:
 POINT 1000 156.894
 SOURCE CODE 27/02/2011
 CLASS: LC ORDER: 13

NOTE: ALL LEVELS RELATE TO AND

**EXPLODED ISOMETRIC DIAGRAM
 OF LOTS 10 AND 11**



LOTS 10 & 11
 ABOVE R.L. 162.62

LOTS 10 & 11
 BETWEEN
 R.L.'S SHOWN

LOTS 10 & 11
 BELOW R.L.'S SHOWN

Surveyor: Bruce Walpole
 Date of Survey: 27/09/2011
 Surveyor's Ref: 11057
 2011M7200 (2453) Additional Sheets

PLAN OF SUBDIVISION OF LOTS 10, 11 &
 12 IN DP1160958, AND PROPOSED
 EASEMENT OVER VOLT LANE

LGA: ALBURY
 Locality: ALBURY
 Subdivision No.: 4464
 Lengths are in metres. Reduction Ratio 1:1000

Registered:
 20.12.2014

DP1170273

ATTACHMENT 2 – 6C

**Submission Received from
Mr Graeme Richardson**

Submission on Volt lane (embargoed against being used for purposes of Corrupt disclosure and use of [personal information](#) by [public sector officials](#))

Volt Lane Car Park Classification

Council is required to classify property it has recently become the owner of as either community or operational as defined in Chapter 6 Part 2 of the Local Government Act 1993. Lot 14 DP1170273 has recently been transferred into Council's ownership. Lot 14 principally defines the position of the (5) car parking decks in Council's Volt Lane Public Carpark. It is intended that Council will pass the following resolution classifying the (5) decks of the Volt Lane Public Carpark as operational property. The Albury City Council classifies the following land as operational as defined in Chapter 6 Part 2 of the Local Government Act 1993: 1. Lot 14 DP1170273 which is principally the (5) concrete car parking decks and the complete lift well and fire escapes servicing the (5) decks of the Volt Lane Carpark in Albury, but not including the upper level of first deck of this carpark. Council's surveyor Mr Chris Newnan will accept written submissions on this proposed classification until 18 February 2012. Submissions should be addressed to Chris Newnan, 553 Kiewa Street, Albury NSW 2640.

Note to Part 2 Chapter Six Local Government Act 1993

This Part requires all land vested in a council (except a road or land to which the [Crown Lands Act 1989](#) applies) to be classified as either "community" or "operational".

The classification will generally be achieved by a local environmental plan but may, in some circumstances, be achieved by resolution of the council (see sections 31, 32 and 33).

The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). **The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.**

Community land must not be sold (except in the limited circumstances referred to in section 45 (4)). Community

land must not be leased or licensed for more than 21 years and may only be leased or licensed for more than 5 years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is obtained. No such restrictions apply to operational land. Classification or reclassification of land does not affect any estate or interest a council has in the land.

Community land would ordinarily comprise land such as a public park. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage.

The use and management of community land is to be regulated by a plan of management. Until a plan of management is adopted, the nature and use of the land must not change.

What is the end game? “Land which facilitates the carrying out by a council of its functions or land which may not be open to the general public”.

Isn't it essentially a Car Public Park?

"From today, we are providing our community with almost 500 more reasons to shop in central Albury. We're delivering 497 car parking spaces over five storeys, three hours of free parking; 24 hours, seven days a week," Cr Glachan said.

Reading from public responses it appears “We paved paradise and put up a parking lot”.

So for Community or Operational, should I mention Indian-giver”?

What is the operational long-term plan – privatization?

Shouldn't Council strive to keep the public better informed?

Is Council bound by rules and legislation to hold a public hearing?

Provide reasons why the future is operational and not community?

“All public land must be classified by council as either “community” or “operational” land (ss.25 – 26). The main effect of classification is to restrict the alienation and use of the land. “Operational” land has no special restrictions other than those that may apply to any piece of land. The decision to sell some time in the future is unfettered.

Community land is different. Classification as community land reflects *the importance of the land to the community because of its use or special features. Generally, it is land intended for public access and use*, or where other restrictions applying to the land create some obligation to maintain public access (such as a trust deed, or dedication under section 94 of the Environmental Planning and Assessment Act 1979). This gives rise to the restrictions in the Act, intended to preserve the qualities of the land.

Community land:

- cannot be sold
- cannot be leased, licenced or any other estate granted over the land for more than 21 years
- must have a plan of management prepared for it.”

Why is council not holding a public hearing?

“Prior to a resolution to reclassify “section 94 land”, a council **must hold a public hearing** into the proposed reclassification (s.29(2)), and also give at least 28 days public notice of the proposed resolution, with the opportunity to make submissions (s.32(4)).”

Now does what immediately following sound like Fromholtz Park

revisited?

From DLG – Practice Notes No 1 Revised May 2000. Guidelines in place at the time of the Public briefing on Fromholtz Park.

“Many councils complain of a poor response from the public during consultation. This may be in part due to the description of the land in council’s public notices. Nominating land by lot and DP number only does not adequately explain the land to the public. The land should be described in an accessible way, such as by name (“Ewen Park”) and/or street location (“cnr of Park and River Streets”). Inclusion of a map showing the location of the land may also be useful. Technical, legal descriptions may defeat the purpose of public consultation and may result in difficulties further on when the public is made aware of council’s intentions too late”.

So not only did Council at the time act outside DLG - PRACTICE NOTE No.1, REVISED May 2000 from which I have quoted. It is obvious Councillors were badly briefed by Council Staff at the time. Worst the public were not informed in accord with the Practice Note instructions.

When one Councillor stood up, Cr Wareham, all hell broke loose as he was vilified for doing so. Generally a miscarriage of justice is followed by an unreserved apology. If he indeed did criticize staff then according to the DLG Practice Notes it was absolutely justified. Clearly his defence was contained in the Practice note.

Why didn’t the serving General Manager, at the time, convey that Cr Wareham had raised a very valid point to Councillors.

That it wasn’t was unforgivable, and what followed was a disgrace and a travesty of justice, particularly as the General Manager then sat on the Conduct Review Committee. On reflection it was unique, rather than bring attention to its own ignorance on land management, Council tried to bury Cr Paul Wareham.

It was an Act of bastardry!

There are people, Councillors and Management, still with Council who should bow their heads in shame. Cr Wareham got it right and his accusers tried to claim the high moral ground by vilifying him.

Going back to the last sentence of the DLG Guidelines commencing with Technical. It is worth repeating

Technical, legal descriptions may defeat the purpose of public consultation and may result in difficulties further on when the public is made aware of council's intentions too late".

That is exactly what happened with Fromholtz Park. The public was "mushroomed" and badly informed and only Cr Wareham stood up for them. The attempt then to sack Cr Paul Wareham was something done that was mean, nasty, immoral, and basically against what a decent person would do.

Who should the "buck" have stopped with back then, who didn't read the DLG - PRACTICE NOTE No.1, REVISED May 2000 on Land Management?

Extract from the Elephant's Child

"I keep six honest serving-men

(They taught me all I knew);

Their names are What and Why and When

And How and Where and Who.

I send - - -".

If Council is sincere in requesting submissions, and based on personal experience, I will admit to being ultra cynical, hold a public forum so that the public is better informed?

Graeme Richardson

13 February 2012.