

STORMWATER DESIGN STATEMENT - EASEMENT**PROJECT:** Proposed Homes NSW Development**DATE:** 13th May 2025**CLIENT:** Brewster Murray Architects**REFERENCE:** 230930**ADDRESS:** 310, 314 Swan St & 984, 988 Corella St, North Albury NSW 2640

We confirm having reviewed the existing registered easement within the proposed development at the property noted on this statement. The survey completed by TSS Total Surveying Solutions dated 18/10/2023 (Job reference 230717) denotes this easement (A) as 1.5m wide with DP1142959 and a Ø225mm PVC pipe servicing upstream flows.

Advice on building requirements relating to the easement was provided by Charles Fransen (Albury City Council Senior Land Surveyor) on 29/04/2025 where it was instructed that any development MUST:

- Allow for Council maintenance or replacement of the stormwater asset within the easement and
- Be clear of obstructions to flow.

As the proposed architectural ground floor design completed by Brewster Murray Pty Ltd Sheet DA05 dated 07/02/2025 (Project No. BH2CY) has no proposed building obstructions within the existing easement and the proposed driveway maintains flows to Swan Street, we confirm the proposed design satisfies Council's requirements around the existing easement.

Please refer attached for correspondence with Council.

Note: Structural design considerations around protection of stormwater pipe in easement and ensuring the works are outside the existing pipe's zone of influence should be carried out and detailed by the structural engineer.

Yours faithfully,

For & on behalf of Greenview Consulting,

Prepared by:

Ralph Camilet

Civil Engineer

Reviewed by:

Alistair McKerron B.E., M.I.E.(Aust.), CP Eng., NPER no 2220277

Project Engineer

RE: AlburyCity response to potential social housing RFB at 310-314 Swan St/ 984-992 Corella Street, North Albury [Filed 29 Apr 2025 16:56]

CF

Charles Fransen <Charles.Fransen@alburycity.nsw.gov.au>

To

Anthony Geck

Cc

Brad Willis; Ralph Camilet; John Pickersgill; Ryan Hastie

Follow up.
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Hi Anthony,

I'm not sure of the future proposals, but currently there appears to be piped stormwater infrastructure within the easement. Our records show a 225mm PVC stormwater pipe.

The existing easement is worded in such a way that it carries the standard terms and conditions contained in Schedule 4A of the *Conveyancing Act* (see below). This only directly mentions pipes, but does allow Council to "...drain water in any quantities across and through the land...". This would allow for overland flow, but the easement contains no mention of maintaining the land for this purpose (i.e. the easement does not permit Council to construct or maintain open channel drainage).

Part 3 Easement to drain water

Full and free right for the body in whose favour this easement is created, and every person authorised by it, from time to time and at all times to drain water (whether rain, storm, spring, soakage, or seepage water) in any quantities across and through the land herein indicated as the servient tenement, together with the right to use, for the purposes of the easement, any line of pipes already laid within the servient tenement for the purpose of draining water or any pipe or pipes in replacement or in substitution thereof and where no such line of pipes exists, to lay, place and maintain a line of pipes of sufficient internal diameter beneath or upon the surface of the servient tenement and together with the right for the body in whose favour this easement is created and every person authorised by it, with any tools, implements, or machinery, necessary for the purpose, to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, or renewing such pipe line or any part thereof and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary provided that the body in whose favour this easement is created and the persons authorised by it will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

I would suggest the easement only allows Council to maintain or replace piped stormwater infrastructure, but the easement should remain clear of obstructions to overland flow in the case of flooding.

Hope this helps.

Regards,
Charles.

Charles Fransen
Senior Land Surveyor

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