



CASE STUDY Facts ... North Byron Shire Flood Mitigation Project for Cr David Warth

Community-based Consultation

Identifying the natural flood outlets along the coastline between Wooyung and the mouth of the Brunswick River at Brunswick Heads.

Coastline from Wooyung to the mouth of the Brunswick River 1947

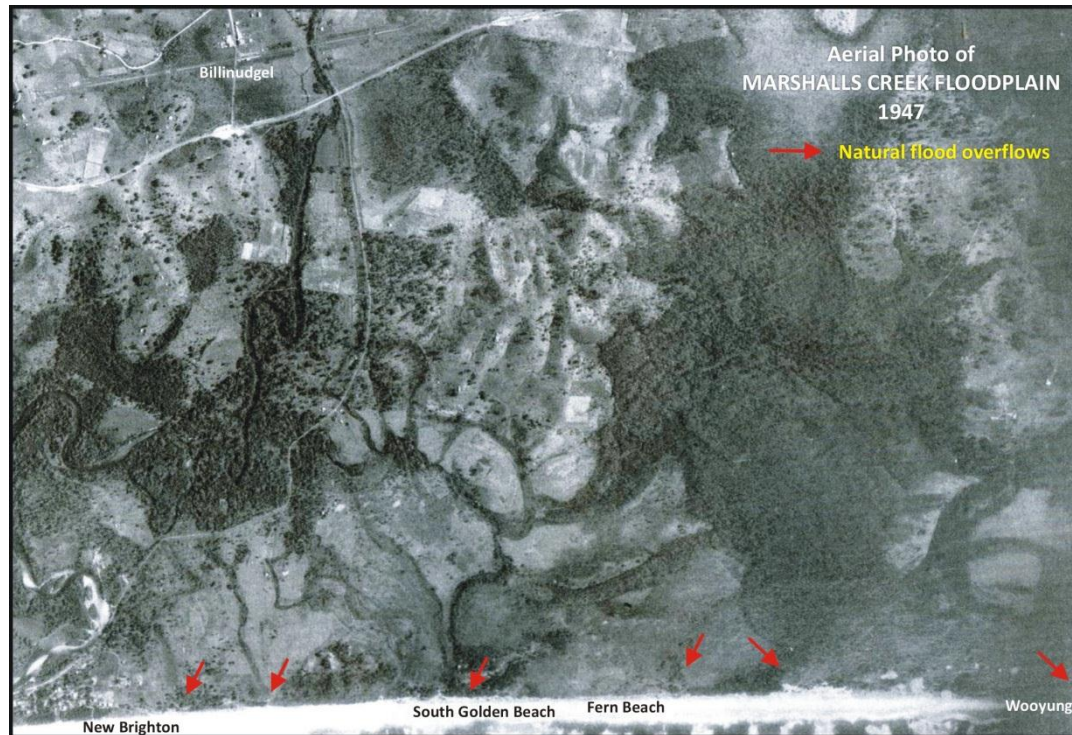
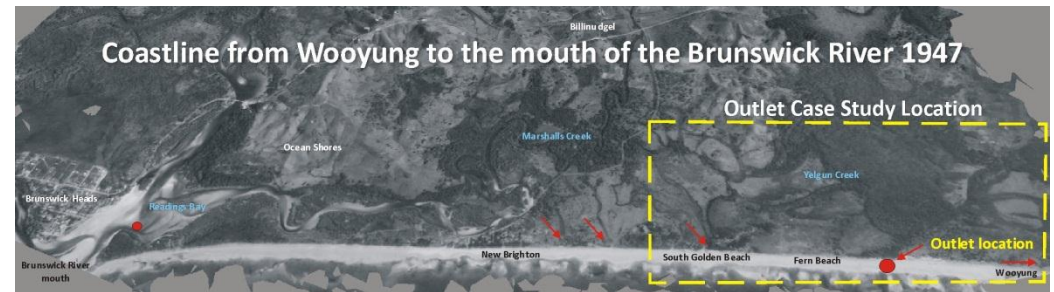


TASKS:

1. Investigate further the flood history documents and historical timeline facts of the establishment of the Ocean Shores Estate.
2. Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.
3. Identify the legal obligations of Council to provide a 'duty of care' for those residents living on the Marshalls Creek Floodplain.
4. Identify possible flood mitigation strategies to lower the flood levels on the Marshalls Creek Floodplain and along the coastline from Wooyung to Brunswick Heads.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.

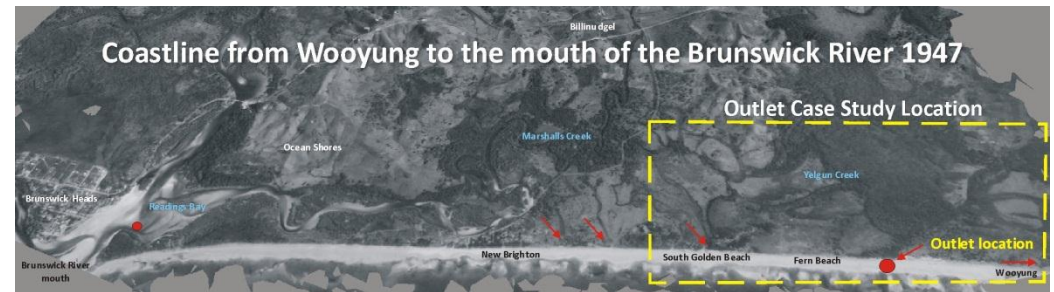


Observation 1:

1947 aerial photo showing a number of natural floodwater flow channels to the ocean.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.

**Observation 2:**

1947 yellow area showing location of the outlet just north of Fern Beach.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.



Observation 3:

Additional proof identification of North Ocean Shores flood outlet 1944.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.

**Observation 4:**

Circa 1974 Development of Stage 2 North Ocean Shores showing outlet open and flowing.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.



Observation 5:

1974 Development of Stage 2 North Ocean Shores showing outlet open and flowing.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.



Observation 6:

1976 North Ocean Shores **outlet closed** and **dune stabilisation** undertaken at the outlet mouth. (see slide 13 - Deputy Premier's letter to Council 1982)

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.



Observation 7:

1980 North Ocean Shores Outlet closed.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.

**Observation 8:**

1987 Outlet still closed.

TASK:

Identify the natural flood overflow locations along the coastline from Wooyung to the mouth of the Brunswick River.



Observation 9:

2007 Topographic map of land showing AHD levels around the outlet (A) at North Ocean Shores.

TASK:

Identify the **legal obligations of Council** to provide a 'duty of care' for those residents living on the Marshalls Creek Floodplain.



Shire Engineers Report. 22/6/76
Attachment

2. OCEAN SHORES - DIVISION 17 (03.6)

Pursuant to Minute 423 of Council's May meeting, I have discussed the closure of the temporary flood overflow with Princess Properties Pty. Ltd., The company has agreed to close the flood opening and to restore the ground to its original condition in accordance with its agreement with the Department of Lands. Associated with this work, the Company will arrange to clear the waterway from the existing New Brighton Road bridge upstream to the bend in Yelgun Swamp. An exchange of correspondence will confirm this arrangement.

I also discussed the possible effect of flooding in the New Brighton/South Golden Beach area as a result of closing this temporary flood by-pass. Mr. Corben expressed the opinion that the Company would not be liable for any claims in the future that works that have been carried out by the Company have resulted in an increase in flood height in these areas. I agree with Mr. Corben in this as the area of the flood plain which the Company has developed is only a relatively small proportion of the total flood-plain area. If the Company's works did have an effect on the height of any particular flood, this would only be marginal, say in the order of 1 to 3 inches, and virtually impossible to establish with any precision.

For Information.

2. OCEAN SHORES - DIVISION 17 (03.6)

539 Cr. Donoghue, Resolved that the information be received.
Cr. Farrell.

RECEIVED
10 JUL 1976
OFFICE OF THE
OMBUDSMAN

BYRON SHIRE COUNCIL.

516

ORDINARY MEETING.

27TH JULY, 1976.

SHIRE ENGINEERS REPORT CON'T.

7. OCEAN SHORES BONDING (03.6).

Further to Council's request to restore the old mining track in the vicinity of the temporary flood outlet north of New Brighton, a letter has been received from the Company indicating the method of construction proposed. Sand fill will be placed in the opening in the dune, this will then be mulched, vegetation planted and fenced and the road gravelled. The works will be joined to the existing land forms in easy curves and with minimum disturbance of existing vegetation.

I have examined the proposal and inspected the site and consider that the works, as proposed, should adequately meet Council's needs.

As discussed at the June meeting, closure of this temporary outfall could have an effect on the flood levels in New Brighton, although, in my opinion, the effect would be very small and impossible to determine accurately. There is also the distinct possibility that the temporary outfall would be blocked when the flood occurred anyway, and, in that case, would have no effect whatsoever.

The company seeks Council's endorsement of its proposal and, thereby, effectively transferring the responsibility of whatever increased flooding may result from the works, from the Company to Council.

Recommendation:- That the Company's proposal to block the temporary outfall from the Yelgun catchment be approved by Council.

7. OCEAN SHORES BONDING (03.6).

631 Cr. Knuckey, Resolved that the recommendation be adopted.
Cr. Donoghue.

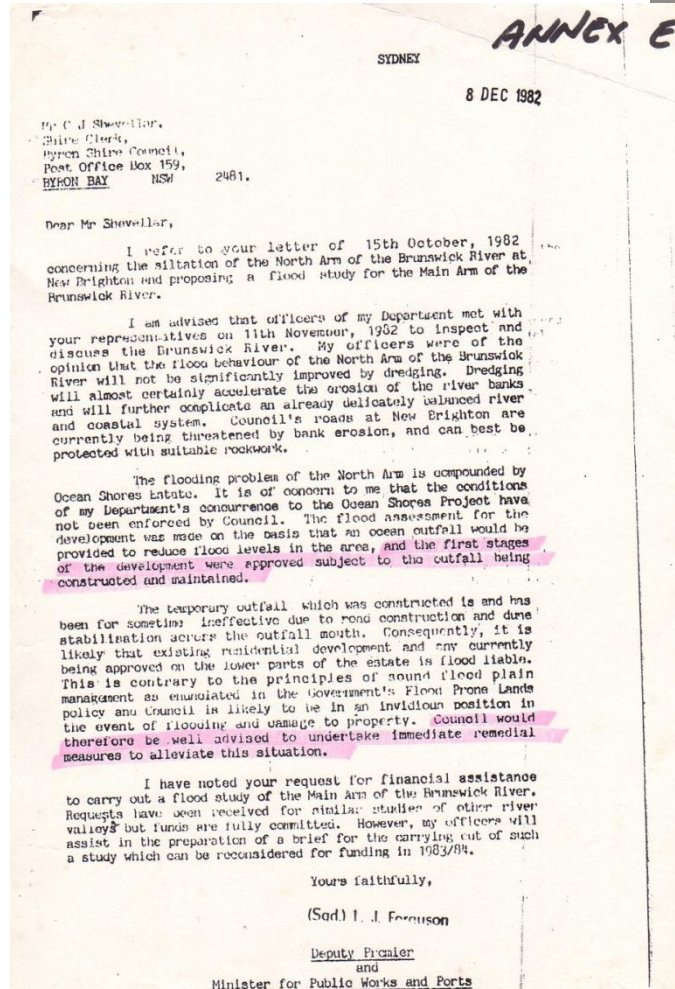
COUNCIL RECORDS PROVIDED BY OMBUDSMAN SHOWING COUNCIL
RESOLUTION TO ACCEPT LIABILITY FOR FLOODING CAUSED BY
COMPANY COMPLYING WITH REQUEST TO CLOSE OUTLET

Document 1:

1976 BSC Engineer's Report and Minutes of Council Meeting.

TASK:

Identify the **legal obligations of Council** to provide a 'duty of care' for those residents living on the Marshalls Creek Floodplain.



Document 2:

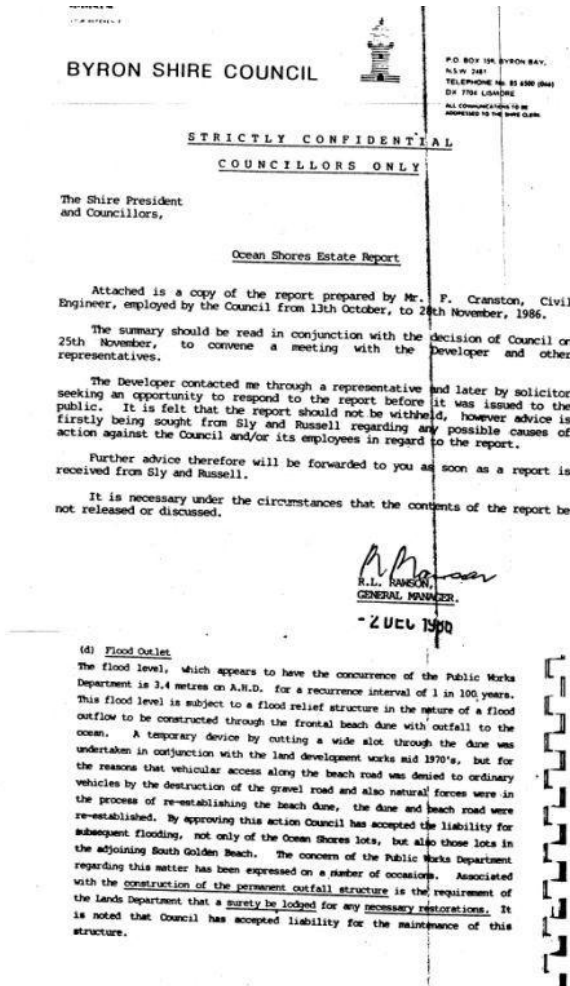
1982 L. J. Ferguson Deputy Premier
Minister for Public Works and Ports
letter to Council.

Regarding the temporary outfall
being ineffective due to road
construction and dune stabilisation
across the outfall mouth ...

*'Council would therefore be well
advised to undertake immediate
remedial measures to alleviate this
situation.'*

TASK:

Identify the **legal obligations of Council** to provide a 'duty of care' for those residents living on the Marshalls Creek Floodplain.



Document 3:

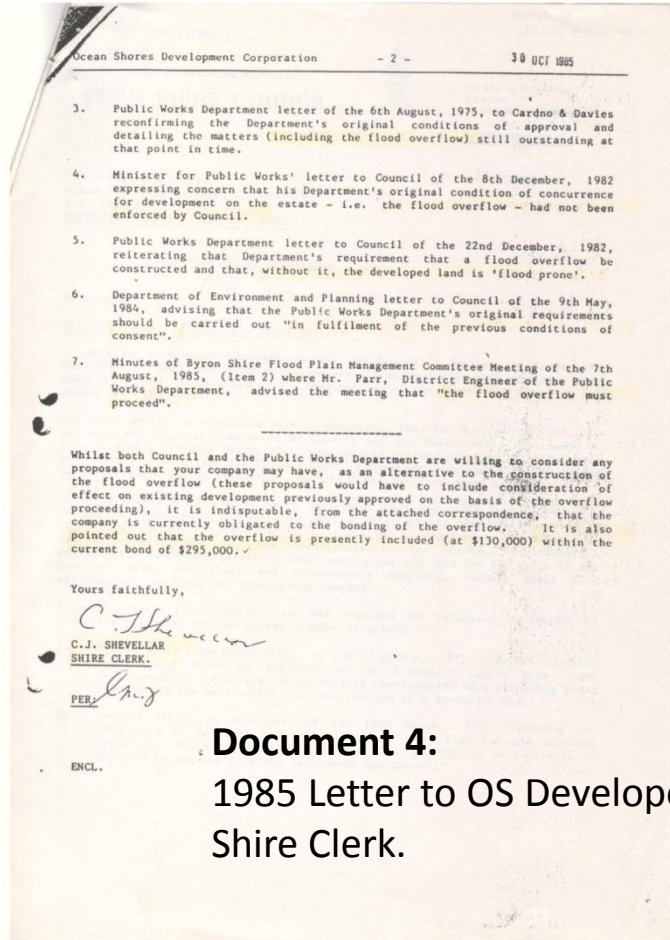
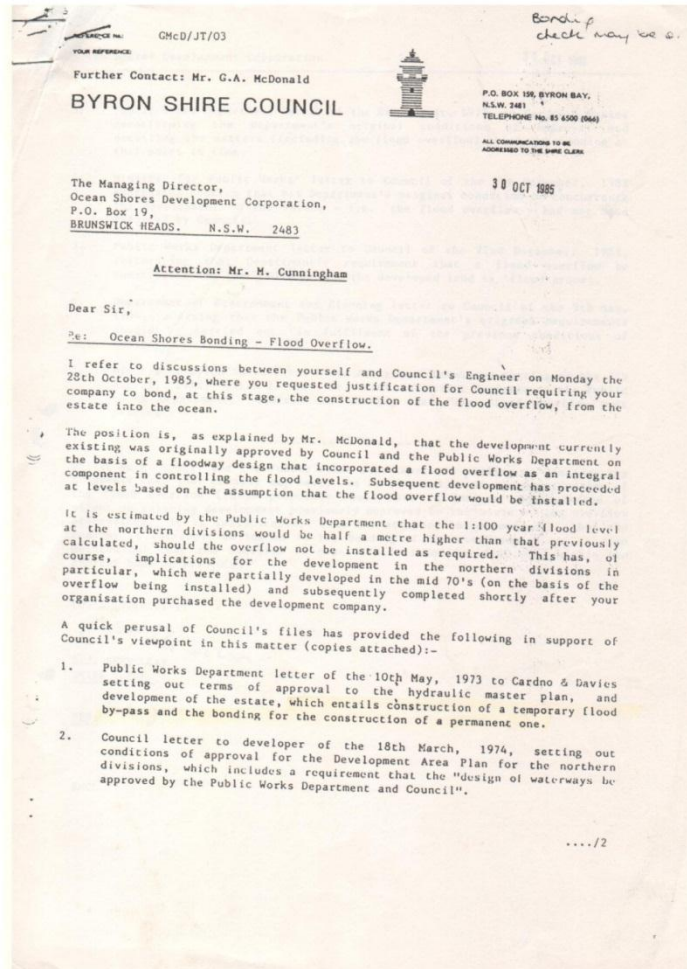
1982 Report to Councillors about the construction of a permanent flood outlet.

'By approving this action Council has accepted the liability for subsequent flooding, not only of the Ocean Shores lots, but also those lots in adjoining South Golden Beach.'

'It is noted that Council has accepted liability for maintenance of this structure.'

TASK:

Identify the **legal obligations of Council** to provide a 'duty of care' for those residents living on the Marshalls Creek Floodplain.

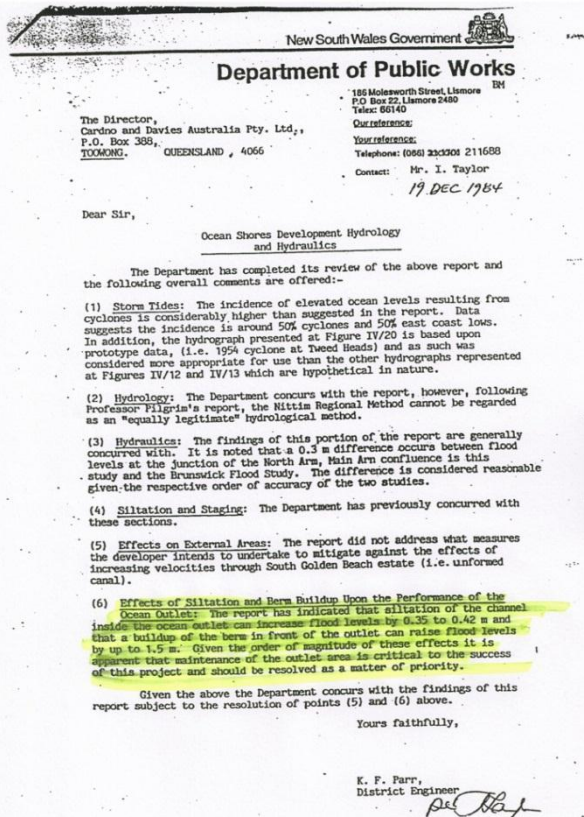


Document 4:

1985 Letter to OS Developers from Shire Clerk.

TASK:

Identify the **legal obligations of Council** to provide a 'duty of care' for those residents living on the Marshalls Creek Floodplain.



Document 5:

1984 Public Works letter warning of increased flood levels behind blocked outlet caused by a build up of sand.

LETTER FROM PWD DATED 19TH DECEMBER 1984. WARNING OF FLOOD INCREASE BEHIND BLOCKED OUTLET CAUSED BY ANY BUILD UP OF SAND IN FRONT OF OUTLET.

TASK:

Identify **possible flood mitigation strategies** to lower the flood levels on the Marshalls Creek Floodplain and along the coastline from Wooyung to Brunswick Heads.



Report 1:

Proposal Brief: To identify 3 locations along the coastline from Wooyung to the Brunswick River mouth to position flood pumps to remove excess flood water off the floodplain into the ocean in order to lower the flood levels on the floodplain at critical times during a major flood event.

The location for the pumps were selected on the basis that they are:

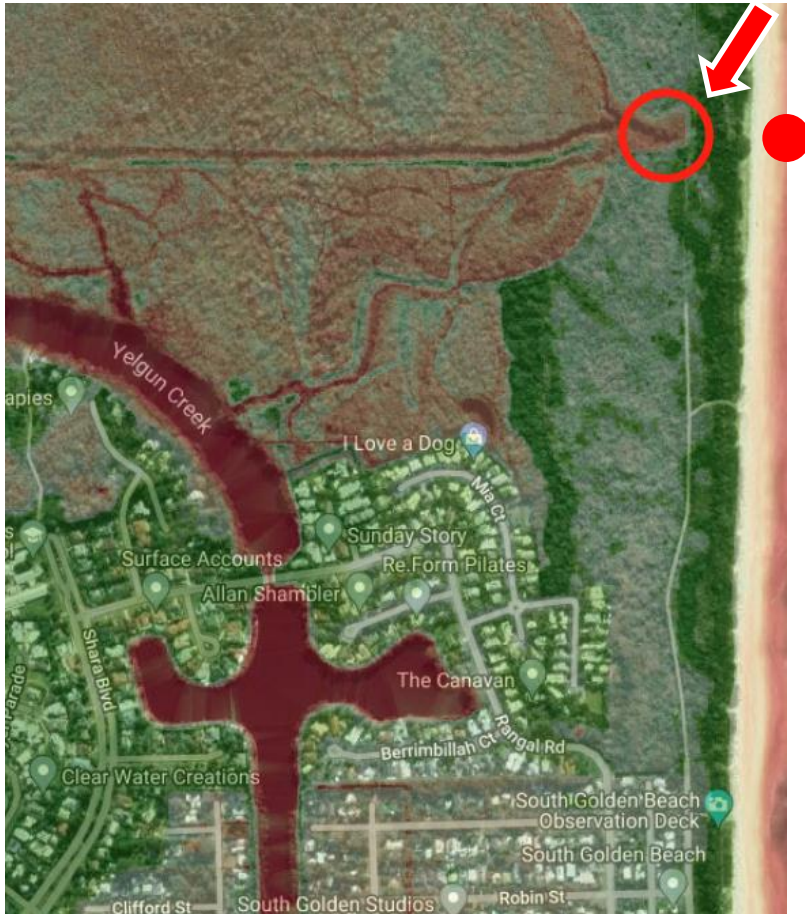
1. Low elevation (around 1.2m/ 1.3 AHD), hence will be an area that will be inundated early in a flood event.
2. Still have semi-intact remnant drainage channels that will carry floodwater from overflow from Marshalls Creek or Billinudgel Nature Reserve.
3. Are located on Crown Land.

The 3 locations identified are:

1. North of sports field at New Brighton (153.5491, -28.5037)
2. South of levee at SGB (154.5499, -28.4984)
3. Billinudgel Nature Reserve north of Fern Beach (153.5506, -28.4856)

TASK:

Identify **possible flood mitigation strategies** to lower the flood levels on the Marshalls Creek Floodplain and along the coastline from Wooyung to Brunswick Heads.

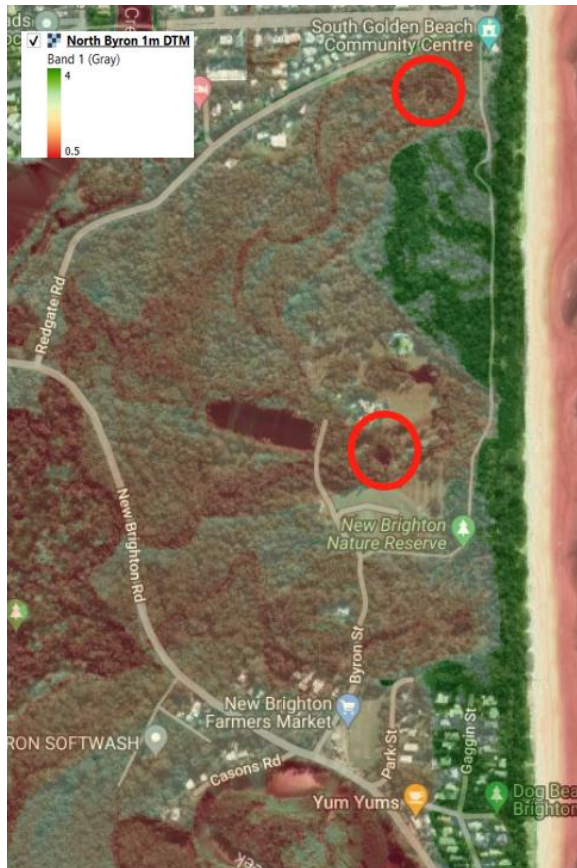


Location 3:

Billinudgel Nature Reserve
north of Fern Beach
(153.5506, - 28.4856)

TASK:

Identify **possible flood mitigation strategies** to lower the flood levels on the Marshalls Creek Floodplain and along the coastline from Wooyung to Brunswick Heads.



Location 1 and 2:

1. North of sports field
at New Brighton (153.5491, -28.5037)
2. South of levee
at SGB (154.5499, -28.4984)

TASK:

Identify **possible flood mitigation strategies** to lower the flood levels on the Marshalls Creek Floodplain and along the coastline from Wooyung to Brunswick Heads.



Readings Bay Rock Wall Obstruction



Circa 1960's open



Now blocked



Committee members;

Website : https://brunswickvalley.com.au/flood-history/north_byron_shire.htm

Cr David Warth

David Brealey

Mark Russell

Jan Mangleson (OSCA President)

Denise Stammers (OSCA Treasurer)

Jill Spring

Heather Rowland

Diane Boyd

Greame Boyd

Michael James