

Improving Floodplain Connections: bringing priority unapproved flood works into compliance

In Stage 2A of the Healthy Floodplains Project we are improving connectivity and floodplain health in the northern Murray–Darling Basin through the Improving Floodplain Connections Program.

Introduction

Over several decades, changes to legislation, policy and the development of floodplain management plans have resulted in many unapproved flood works in the northern NSW Murray–Darling Basin.

Some unapproved works can alter the flow of floodwater and cause social, economic, environmental, and cultural impacts. These unapproved works may include levees, roads, dams, channels and block banks.

The Improving Floodplain Connections (IFC) program is an accelerated compliance program for ‘priority unapproved works’ that are within one of the following categories:

- do not have a flood work approval under the *Water Management Act 2000*
- did not need an approval at the time of construction but now needs an approval under a floodplain management plan
- has a flood work approval but is being used outside of the approval conditions.

In the IFC program, unapproved works in priority areas will be remediated to meet the current legislation and regulatory framework. Remediation may include realignment or modification of the unapproved flood works. Works that cannot be remediated will require removal.

The program is jointly funded by the Commonwealth Government (\$10.196 million) and the NSW Government (\$1.08 million).

NSW Government agencies working together

NSW Government agencies are working together to improve effectiveness, efficiency and value for money. The program is led by the Department of Planning and Environment - Water (DPE–Water), working with the Natural Resources Access Regulator (NRAR), WaterNSW, DPE Crown Lands, DPE Environment and Heritage Group (EHG), Department of Primary Industries (DPI) Fisheries and DPI Agriculture.

Priority unapproved works

Prioritisation is at the heart of the program. Financial resources are limited and will be used where there is the best return on public investment.

Priority areas have been identified through existing floodplain models and studies, and referrals from government environment and natural resource management agencies. The flood works areas are prioritised based on their potential impact using a range of hydraulic, ecological and cultural impact assessment measures.

Priority unapproved flood works areas have been identified across the 5 northern valleys of the NSW Murray–Darling Basin (Border Rivers, Gwydir, Namoi, Macquarie and Barwon–Darling).

Remediation or removal of priority unapproved works

A detailed desk-top assessment of the identified priority unapproved works will be followed by ground-truthing, to identify the licensing status of individual works. This initial assessment will inform the likelihood of works being able to be brought into compliance through modification. Some works will likely need to be removed.

For works that can be modified, DPE–Water will support landholders with flood work approval applications, the assessment of impacts, and prepare draft and final functional designs for remediation options. The landholder will be responsible for construction activities related to the removal or remediation of priority unapproved flood works.

NRAR and WaterNSW will monitor and assess remediation of the works and grant flood work approvals where statutory requirements are met. Remediating unapproved flood works will not lead to approval for a floodplain harvesting licence.

Program timeframe

The aim of the program is to speed up the remediation or removal of priority unapproved flood works across 5 valleys in the northern Basin to maximise the benefits of the NSW Floodplain Management reforms. Under business-as-usual conditions, it would take about 15 years to reach the same end results that this program aims to achieve in 2.5 years.

The program commenced in January 2022 and will end in June 2024. At the close of the program, NRAR will continue ongoing monitoring and compliance of unapproved works and WaterNSW will continue to require assessments to provide approvals, as part of its routine activities.