

Amendments to the Gwydir Valley Floodplain Management Plan

This document answers frequently asked questions about proposed amendments to the *Floodplain Management Plan for the Gwydir Valley Floodplain 2016*.

Is there a formal submission period?

Yes. The formal submission period opened on 26 September and closes at 11.59 pm on 7 November. You can find information on the public exhibition page under the *Make a submission* heading.

Can you address confusion about the various water resource plans, regional water strategies and water sharing plans?

Water management is a complex space, with numerous processes and projects running in parallel and this can cause some confusion.

Water sharing plans are 10-year legislative instruments created under the NSW *Water Management Act 2000* that set out the rules for how we share water between the people that are taking water.

Regional water strategies are 20-40 year statements about how we will manage our water resources and ensure water security in NSW. They bring together the most up-to-date information and evidence with all the tools we have – policy, planning, behavioural, regulatory, technology and infrastructure solutions – in an integrated package that is based on the best evidence and that balances the needs of different water users and delivers the right amount of water, at the right time, to people and businesses across NSW.

Water resource plans are a key feature of the Commonwealth Basin Plan 2012. In NSW, we have developed 20 water resource plans. Each water resource plan area has different resources, environmental assets, development and geography that affect the management of water resources in each area.

Floodplain management plans provide the framework for coordinating the development of flood works on a whole-of-valley basis.

These plans and strategies are separate but interconnected in ensuring effective water management in NSW.

Can the details of the zone changes be provided in the valley map to provide more detail of the changes?

The updated *Proposed changes to Management Zones Map*, has been published to provide some more specific information about the proposed changes – from current state to the proposed future state.

What evidence supports the D1 Zone?

The existing Management Zone D in the Gwydir Valley Floodplain Management Plan was originally based on what was an environmentally sensitive area in the Lower Gingham Floodplain Management Plan. The other northern basin floodplain management plans expanded the criteria for Management Zone D to include other areas of ecological and Aboriginal cultural significance.

Most of the areas in the Gwydir are currently mapped in Management Zone A, so the change elevates them to a Special Protection Zone in Management Zone D1 – which is a more appropriate determination. The change also provides consistency with the other northern valley plans, as well as other water management planning and biodiversity conservation instruments.

The [*Background document to the Floodplain Management Plan for the Gwydir Valley Floodplain 2016*](#) has been updated with information about these new areas specifically, and the justification for their elevation to Management Zone D1.

What is the socio-economic assessment of the Management D1 Zone inclusion?

Under the new rules for Management Zone D1 any new or amended flood work approvals will be limited to those ecological, cultural or heritage site enhancement works. This is the same as rules in place in the Barwon–Darling, Border Rivers and Lower Namoi valleys.

The socio-economic impact is generally isolated to individual landholders, however as many of these areas are generally known wetlands and lagoons, they may not be suitable for cultivation or may be protected by other planning instruments. As the areas are currently mapped in Management Zone A, major irrigation infrastructure is not currently allowed.

The proposed amendments don't stop existing activities like grazing or cultivation if it is already in place, they are protecting these areas from unapproved earthworks. Further information about the socio-economic impact assessment is available in the updated [*Background document*](#).

What impact do the new rules in the Management Zone D1 have on landholders?

The new rules for Management Zone D1 will limit new or amended flood work approvals to those ecological, cultural or heritage site enhancement works. These are the same rules as in the Barwon–Darling, Border Rivers and Lower Namoi. As most of the areas in Management Zone D1 are already mapped as Management Zone A, the only lost opportunity is for new access roads, supply channels, infrastructure protection works or stock refuges which are currently allowed and will not be allowed under the proposed new rules. All proposed flood works still require an application and assessment via WaterNSW.

The existing works provisions for Management Zone A are being carried forward so there is no change for existing works. Major irrigation infrastructure isn't permitted under Management Zone D1.

Have all landholders who have a zone change on or near their property been contacted?

The department has sent 117 letters to landholders we believe are directly affected by the management zone changes. Letters have not been sent to neighbouring properties.

Can you confirm all new approvals are reflected in Zone C as requested in the submission by the Gwydir Valley Irrigators Association?

The department has reviewed information provided by WaterNSW, relating to approximately 23 flood work approvals, and refined the alignment of the management zones to reflect those approvals.

Approvals that were not included in this batch may have been issued after the department's review. These will be considered in more detail when the 10-year remake is commenced. Plans are updated over time in a reiterative process.

Are there any changes being proposed to the floodplain management following the ongoing implementation of the Gwydir constraints project?

The changes are not a result of or connected directly to the Gwydir Reconnecting Watercourse Country Project. The changes were identified earlier as part of the NSW Healthy Floodplains Project and the review of the plan under sections 43 and 44 of the *Water Management Act 2000*. The department is not anticipating further changes between now and when the plan is remade in 2026.

Any additional suggested or requested changes will be recorded in the department's amendment register and the department is liaising regularly with the Environment and Heritage group to coordinate engagement with stakeholders across the two programs.

What is the history of the new Management Zone D1 on Mallowa Creek and why does it only have special status now?

The purple areas in the map of Management Zone D1, including the Mallowa, are currently mapped to Management Zone A which also aims to make connections to areas of ecological significance—such as wetlands or flood-dependent woodlands or forests that rely on floodwater to survive.

A slightly different management zone methodology has been applied in all other plans for the Special Protection Zone so the department is remapping those significant areas, including the Mallowa, to the new Management Zone D1 that has unique rules only allowing enhancement works.

Have the identified hotspot works been removed from the floodplain management plan?

The Improving Floodplain Connections (IFC) program has identified floodplain hotspots, particularly those that are unapproved. It is through the IFC program that works that are unapproved or require modification will be addressed. Floodplain management plans provide for the assessment and approval of flood work applications.

Are the red areas on the map rejected or expanded flood protection areas?

Neither. Each of the zones has a particular purpose and there are rules for flood work applications attached to those management zones. On the [Proposed changes to Management Zones Map](#), the areas highlighted with red hatching are where there is a proposed change to the management zone designation. More information about what the specific changes are is provided in a series of new maps now published on the department's website.

Floodplain management plans do not give the green light for any type of works or justify doing any works on a particular area of the floodplain. An approval is required to construct or to use a flood

work under section 91D(1) of the *Water Management Act 2000*. WaterNSW is responsible for the assessment and determination of flood work applications for rural landholders and industries.

Why is the Upper and Central Gingham and Lower Gwydir Watercourse Wetlands not also moving to Management Zone D1 as the Mallowa is?

That option was considered in the process for considering what should be included in Management Zone D1. The department is aware that a lot of work is happening with the Gwydir Reconnecting Watercourse Country project and while a lot of information is being collected, there is not sufficient information to map those areas at this time.

While the areas are retained for Management Zone A the works in that area are still restricted to only those minor works such as access roads, stock refuges, infrastructure protection works.

When more information is available the department will consider adding the areas to Management Zone D1 when the plan is remade in 2026.

Are there any proposed clauses with regard to undetermined applications prior to alterations being implemented?

The department will consider transitional provisions when the amendment order is being developed. To inform this, we will consult with WaterNSW to determine if there are any outstanding applications and determine if transitional provisions are required for those areas where management zones are being changed. This means rules may change but it is yet to be determined.

Has the definition of channels from below ground to all structures caused a change to the hydrological model?

The department has completed an update of the hydraulic models — the models that are used to simulate key flood events and then to map the main floodways for the Management Zone A areas. Those models have been updated to include new flood work information that is shared with WaterNSW to assist in their flood work assessments.

The hydraulic model has been configured to reflect the condition of approved flood works. The proposed change in the rules for supply channels is relevant only for potential future approvals (that is, landholders seeking approval for existing but currently unapproved supply channels) and therefore no updates to the model were required as a result of this rule change.

Do you have a list of current flood work applications being assessed by WaterNSW?

The department shares information with WaterNSW to be able to see what flood work applications are with WaterNSW for assessment and these applications were reviewed to identify any crossover there might be and to consider if any transitional arrangements are required. The information is internal and not able to be published as part of this consultation.

The [NSW Water Register](#) provides public access to information about flood work approvals in NSW and searches can be made by floodplain management plan area.

Is an implementation guide being developed for the next five years of the plan?

The department is working with WaterNSW on technical methods for flood work assessments and has taken on notice that it would be helpful for a guide to be published to help applicants in preparing their flood work applications. While it is possible something will be published, it is yet to be determined if it would be published by WaterNSW or the department.

Who identifies where and what ecological or cultural enhancement work is required?

An **ecological enhancement work** is a type of flood work that provides a positive outcome for the environment. These types of works are proposed to be permissible in Management Zones A, D and D1 and the rules will provide a pathway for the approval of flood works that are intended to provide a positive outcome for the environment.

An **Aboriginal cultural value enhancement work** is a type of flood work that enables the protection of locations or landscape features that have Aboriginal value. These types of works are proposed to be permissible in Management Zones A, D and D1 and the rules will provide a pathway for the approval of flood works that are intended to provide a positive outcome for locations or landscapes that contain Aboriginal cultural values.

These types of works may be proposed by government agencies or private landholders who want to undertake projects to restore or rehabilitate important ecological assets or Aboriginal cultural values (or both). For example, training banks to direct floodwaters into important wetlands which need regular flooding to survive. The rules simply provide the pathway for approval, whilst also ensuring that a proper assessment is undertaken to avoid unintended impacts. These rules are not currently included in the Gwydir Valley Floodplain Management Plan and this may be a barrier to land and water projects in this valley.

It is intended that a referral process is established as part of the implementation of all the floodplain management plans and the department is working with WaterNSW to improve the technical assessment methods for flood work assessments.

Are applications with WaterNSW unapproved?

Works relating to applications that have been lodged but not yet determined are still unapproved until such time as an approval is granted by WaterNSW.

Will the updated information and updated background documents be provided before the submission date?

The updated *Background document* and *Proposed changes to Management Zones Map* have been published on the department's website.

We will consider if any additional information is required to be published to support stakeholders in providing feedback on the proposed amendments to the floodplain management plan. If more information should be published this will occur before the closing date for submissions.

Have you been able to undertake a check on existing flood work approvals which were not identified in the existing floodplain management plan?

The department has reviewed existing flood work approvals however if there were any errors that were missed, these can be considered to check whether the alignment of the approval matches the management zone designation.