

## Rules and Assessment Criteria Summary Sheet Barwon-Darling Management Zone A (MZ A)

Floodplain Management Plan	Barwon-Darling Valley
Plan commencement	30 June 2017
Term of the plan	10 years

### Rules summary

The following rules are a guide only. For more information about the flood work application process please call 1300 662 077.

### Access Roads

1. A flood work approval must not be granted or amended to authorise the construction or modification of an access road in MZ A unless, in the Minister's opinion, the access road is or is proposed to be either:
- no more than 50cm in height above the natural surface level at any location, or
  - a primary access road\* no more than 100cm in height above the natural surface level at any location,
- and is constructed
- in such a way as to allow for the adequate passage of floodwater and to adequately prevent the diversion of floodwater from natural flow paths, and
  - so that the borrow associated with the construction and maintenance of the access road is located on the downstream side of the road and is of no greater depth than 50 cm below the natural surface level.
- \*Primary Access Road definition: a road providing access from a public road to a permanently occupied fixed dwelling via a direct route.*

### Supply Channels

2. A flood work approval must not be granted or amended to authorise the construction or modification of a supply channel in MZ A unless, in the Minister's opinion, the supply channel is or is proposed to be constructed:
- below the natural surface level, and
  - in such a way as to allow for the adequate passage of floodwater and to adequately prevent the diversion of floodwater from natural flow paths, and
  - so that spoil from its construction and maintenance:
    - (i) is windrowed parallel to the direction of flow such that it does not block more than 5% of the width of MZ A at the location where the work is being constructed, or
    - (ii) is levelled to a maximum of 10 cm above the natural surface level at any location.

### Stock Refuge

3. A flood work approval must not be granted or amended to authorise the construction or modification of a stock refuge in MZ A unless, in the Minister's opinion, the stock refuge is or is proposed to be no more than:
- 10 ha in area in any single location within MZ A, and
  - 5% of the total area of the landholding, and
  - 5% of the width of MZ A at the location of the works.

### Infrastructure Protection Works (IPW)

4. A flood work approval must not be granted or amended to authorise the construction or modification of an infrastructure protection work in MZ A unless, in the Minister's opinion, the infrastructure protection work is or is proposed to be constructed:
- so that the area enclosed by the infrastructure protection work accounts for no more than 10% of

	<ul style="list-style-type: none"> <li>- the total area of the landholding on a landholding of less than or equal to 20 ha in area in MZ A, or so that the area enclosed by the infrastructure protection work accounts for no more than the greater of 2 ha or 1% of the total area of the landholding on a landholding of greater than 20 ha in area in MZ A, and</li> <li>- so that the area enclosed by the infrastructure protection work will block no more than 5% of the width of MZ A at the location of the works.</li> </ul>
<b>Ecological Enhancement Works</b>	
5.	A flood work approval must not be granted or amended to authorise the construction or modification of an ecological enhancement work in MZ A unless, in the Minister's opinion, the ecological enhancement work is or is proposed to provide a positive outcome for an ecological asset that is mapped, recognised in or protected by this Plan, or a local, state or Commonwealth environmental policy or legislation.
<b>Aboriginal Value Enhancement Works</b>	
6.	<p>A flood work approval must not be granted or amended to authorise the construction or modification of an Aboriginal value enhancement work in MZ A unless, in the Minister's opinion, the Aboriginal value enhancement work is or is proposed to provide a positive outcome for an Aboriginal value asset that is listed in one of the following:</p> <ol style="list-style-type: none"> <li>a. Aboriginal Heritage Information Management System,</li> <li>b. Aboriginal Water Initiative System,</li> <li>c. Murray Darling Basin Authority Aboriginal Submission Database,</li> <li>d. NSW State Heritage Register,</li> <li>e. Commonwealth Heritage Register,</li> <li>f. any other source or database deemed relevant by the Minister.</li> </ol>
<b>Heritage Site Enhancement Works</b>	
7.	<p>A flood work approval must not be granted or amended to authorise the construction or modification of a heritage site enhancement work in MZ A unless, in the Minister's opinion, the heritage site enhancement work is or is proposed to provide a positive outcome for a heritage site asset that is listed in one of the following:</p> <ol style="list-style-type: none"> <li>a. Aboriginal Heritage Information Management System,</li> <li>b. Aboriginal Water Initiative System,</li> <li>c. Murray Darling Basin Authority Aboriginal Submission Database,</li> <li>d. NSW State Heritage Register,</li> <li>e. NSW State Heritage Inventory,</li> <li>f. Historic Heritage Information Management System,</li> <li>g. Commonwealth Heritage Register,</li> <li>h. any other source or database deemed relevant by the Minister.</li> </ol>
<b>Existing flood works</b>	
8.	<p>A flood work approval must not be granted to authorise an existing unlicensed work in MZ A unless in the Minister's opinion, the existing unlicensed work:</p> <ul style="list-style-type: none"> <li>- was constructed at the date of commencement of the Plan, and,</li> <li>- is for an access road, supply channel, stock refuge, or an infrastructure protection work, and,</li> <li>- as at the date of application, the flood work is not the subject of: <ol style="list-style-type: none"> <li>(i) an undetermined controlled work application under Part 8 of the <i>Water Act 1912</i>, or</li> <li>(ii) a previously refused Part 8 application of the <i>Water Act 1912</i>, or</li> <li>(iii) an undetermined flood work application under the <i>Water Management Act 2000</i>, or</li> <li>(iv) a previously refused flood work application under the <i>Water Management Act 2000</i>, and</li> </ol> </li> <li>- is assessed against the assessment criteria described for MZA.</li> </ul>
9.	<p>A flood work approval must not be granted to authorise the amendment of an existing licensed work in MZ A so that it does not comply with the rules of MZ A, unless in the Minister's opinion, the flood work:</p> <ul style="list-style-type: none"> <li>- was constructed as at the commencement of this Plan, and</li> <li>- the proposed modification of the flood work will reduce the impact of the works on flow patterns (distribution of flows, drainage, depth or velocity) in MZ A, and</li> <li>- is assessed against the assessment criteria described for MZ A.</li> </ul>

**Assessment Criteria summary**

Flood work applications in MZ A must be assessed against the following assessment criteria.

These assessment criteria are a guide only. For more information about the flood work application process please call 1300 662 077.

**Ecological and Cultural Impacts**

1.	A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ A unless, in the Minister's opinion, the flood work can be constructed to maintain adequate flood connectivity to: <ol style="list-style-type: none"> <li>ecological assets, and</li> <li>facilitate fish passage,</li> </ol> under a range of flood scenarios, including at a minimum, scenarios for the large and small design floods.
2.	A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ A unless, in the Minister's opinion, the flood work can be constructed to maintain adequate flood connectivity to: <ol style="list-style-type: none"> <li>Aboriginal values, and</li> <li>heritage sites,</li> </ol> under a range of flood scenarios, including at a minimum, scenarios for the large and small design floods.
3.	A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ A if, in the Minister's opinion, the construction of the flood work is likely to disturb the ground surface of a heritage site or cause more than minimal erosion to a heritage site.

**Drainage Impacts**

4.	A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ A unless, in the Minister's opinion, the flood work can be constructed to maintain adequate drainage on adjacent landholdings and other landholdings that may be affected by the proposed flood work.
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**Cumulative Impacts**

5.	A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ A unless the Minister has considered the cumulative impact that the proposed flood work and other existing works on the landholding may have on adjacent landholdings, and on other landholdings that may be affected by the proposed flood work and the floodplain environment.
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**More information** about the Barwon-Darling Valley Floodplain Management Plan is available at the DPI Water website [www.water.nsw.gov.au](http://www.water.nsw.gov.au).

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