

Management Zone D—rules and assessment criteria

Plan commenced: 7 June 2019

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.

Table 1. Rules for Management Zone D

Ref.	Rule
1.	<p>Flood work types</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in Management Zone (MZ) D unless, in the minister’s opinion, the flood work approval is for one of the following:</p> <ul style="list-style-type: none"> (a) an ecological enhancement work (b) an Aboriginal value enhancement work (c) a heritage site enhancement work.
2.	<p>Specific requirements for ecological enhancement works</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of an ecological enhancement work in MZ D 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.</p>
3.	<p>Specific requirements for Aboriginal value enhancement works</p> <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 D 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> <ul style="list-style-type: none"> (a) Aboriginal Heritage Information Management System (b) Aboriginal Water Initiative System (c) Murray–Darling Basin Authority Aboriginal Submission Database (d) NSW State Heritage Register (e) Commonwealth Heritage List (f) any other source deemed relevant by the minister.

Ref.	Rule
4.	<p>Specific requirements for heritage site enhancement works</p> <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 D 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> <ul style="list-style-type: none"> (a) Aboriginal Heritage Information Management System (b) Aboriginal Water Initiative System (c) Murray–Darling Basin Authority Aboriginal Submission Database (d) NSW State Heritage Register (e) NSW State Heritage Inventory (f) Historic Heritage Information Management System (g) Commonwealth Heritage List (h) any other source or database deemed relevant by the minister.
5.	<p>Existing flood works</p> <p>A flood work approval in MZ D may be granted for a flood work that does not comply with the rules for MZ D, provided that the flood work meets all of the following criteria:</p> <ul style="list-style-type: none"> (a) the flood work was constructed at the date of commencement of this plan (b) the flood work is, in the minister's opinion, for an infrastructure protection work, a stock refuge, an access road, a drain or a supply channel (c) as at the date of application, the flood work is not the subject of: <ul style="list-style-type: none"> (i) an undetermined controlled work application under Part 8 of the <i>Water Act 1912</i>, or (ii) a previously refused Part 8 application of the <i>Water Act 1912</i>, or (iii) an undetermined flood work application under the <i>Water Management Act 2000</i>, or (iv) a previously refused flood work application under the <i>Water Management Act 2000</i>.
6.	<p>Existing flood works continued</p> <p>An amendment of a flood work approval in MZ D may be granted for a flood work that does not comply with the rules for MZ D, provided the flood work meets all of the following criteria:</p> <ul style="list-style-type: none"> (a) the flood work was constructed as at the date of commencement of this plan (b) the proposed modification to the flood work will, in the minister's opinion, reduce the impact of the work on flow patterns (distribution of flows, drainage, depth or velocity) in MZ D.

Assessment criteria summary

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

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

Applicants may be required to submit technical studies or supporting information to demonstrate that a flood work or proposed flood work meets the criteria outlined in the plan.

Table 2. Assessment criteria for Management Zone D

Ref.	Criterion
1.	<p>Ecological and cultural impacts</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ D unless, in the minister’s opinion, the construction or modification of the flood will maintain adequate flood connectivity to:</p> <ul style="list-style-type: none"> (a) ecological assets, and (b) facilitate fish passage, <p>under a range of flood scenarios including, at a minimum, scenarios for the relevant small and large design floods.</p>
2.	<p>Ecological and cultural impacts continued</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ D unless, in the minister’s opinion, the construction or modification of the flood will maintain adequate flood connectivity to:</p> <ul style="list-style-type: none"> (a) Aboriginal values, and (b) heritage sites, <p>under a range of flood scenarios including, at a minimum, scenarios for the relevant large and small design floods.</p>
3.	<p>Ecological and cultural impacts continued</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ D if, in the minister’s opinion, the construction or modification 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.</p>
4.	<p>Drainage impacts</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ D unless, in the minister’s opinion, the flood work can be constructed or modified to maintain drainage on adjacent landholdings and other landholdings that may be affected by the proposed flood work within 12 hours of existing drainage time when compared to drainage times under pre-development and existing development conditions for a range of flood scenarios including, at a minimum, scenarios for the relevant small and large design floods.</p>
5.	<p>Cumulative impacts</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a flood work in MZ D 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.</p>

More information

More information about the Upper Namoi Valley Floodplain Management Plan 2019 is available at the NSW Department of Planning, Industry and Environment's website, www.industry.nsw.gov.au/water