

Management Zone B—rules and assessment criteria

Plan commenced: 11 September 2020

Term of the plan: 10 years

Rules summary

The following rules are a guide only. Refer to the NSW legislation website for the detailed legal instrument written in the required statutory framework.

For more information about the flood work application process please call 1300 662 077.

Table 1. Rules for Management Zone B

Clause	Rule
40	<p>Advertising requirements</p> <p>An application for a new or amended flood work approval for a flood work in MZ B must be advertised if, in the minister's opinion, any of the following applies:</p> <ul style="list-style-type: none"> (a) the flood work is greater than 40 cm in height above the natural surface level at any location, (b) the flood work approval is a stock refuge: <ul style="list-style-type: none"> (i) with an area that is greater than 10 ha and no other stock refuge is within that area, and (ii) on a landholding of which the total area of stock refuges is greater than 5% of the total area of the landholding, (c) the flood work is an infrastructure protection work with an area that is greater than 1% of the total area of the landholding on which it is located.

Assessment criteria summary

Flood work applications in MZ B that do not require advertising do not need to be assessed against criteria under subclauses 41(5) and (6) unless required by the minister. All other flood work applications must be assessed against all of the following criteria.

The assessment criteria are a guide only. Refer to the NSW legislation website for the detailed legal instrument written in the required statutory framework.

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Table 2. Assessment criteria for Management Zone B

Clause	Criterion
41(4)	<p>Ecological and cultural impacts</p> <p>A flood work must, in the minister's opinion:</p> <ul style="list-style-type: none"> (a) maintain adequate flood connectivity to the following under a range of flood scenarios including, at a minimum, scenarios for the large design and small design flood: <ul style="list-style-type: none"> (i) flood-dependent ecological assets,

Clause	Criterion
	<ul style="list-style-type: none"> (ii) facilitation of fish passage, and (b) maintain adequate flood connectivity to the following under a range of flood scenarios including, at a minimum, scenarios for the large design flood and small design flood: <ul style="list-style-type: none"> (i) flood-dependent Aboriginal cultural values, (ii) flood-dependent heritage sites. (c) not be constructed or modified if the construction or modification is likely to disturb the ground surface of a heritage site or cause more than minimal erosion to a heritage site.
41(4)(d)	<p>Drainage impacts</p> <p>A flood work must, in the minister's opinion, maintain adequate drainage on landholdings (including adjacent landholdings) that may be affected by the proposed flood work.</p>
41(5)(a)	<p>Hydraulic local impacts</p> <p>The construction or modification of the flood work on a landholding on which the flood work is located must not, in the minister's opinion, be likely to:</p> <p>Redistribution</p> <p>redistribute the peak flood flow by greater than 5% on adjacent landholdings and other landholdings that may be affected by the proposed flood work (when compared to the peak flood flow under existing development conditions for a range of flood scenarios including, at a minimum, a scenario for the large design flood).</p>
41(5)(b)	<p>Flood levels</p> <p>increase flood levels by greater than 20cm on adjacent landholdings and other landholdings that may be affected by the proposed flood work (when compared to flood levels under pre-development and existing development conditions for a range of flood scenarios including, at a minimum, a scenario for the large design flood).</p>
41(5)(c)	<p>Flood flow velocities</p> <p>increase flow velocity by more than 50% on the landholding, adjacent landholdings and other landholdings that may be affected by the proposed flood work when compared to flow velocity under pre-development and existing development conditions for a range of flood scenarios, including at a minimum, a scenario for the large design flood, unless:</p> <ul style="list-style-type: none"> (i) increases greater than 50% are in isolated areas on the landholding and the landholder mitigates the impact on the flood wave so that the average impact across the landholding does not exceed 50%, and (ii) increases in flow velocity do not exceed 50% at the boundary of the landholding.
41(5)(d)	<p>Flood levels and impacts on high value infrastructure</p> <p>increase flood levels resulting in impacts on high value infrastructure when compared to flood levels under pre-development and existing development conditions for a range of flood scenarios, including at a minimum, a scenario for the large design flood.</p>

Clause	Criterion
41(5)(e)	<p>Flow velocities and soil erodibility</p> <p>increase flow velocity by an amount that, in the minister's opinion, is likely to have more than a minimal impact on soil erodibility on the landholding, adjacent landholdings and other landholdings that may be affected by the proposed flood work, taking into account the ground cover on those landholdings.</p>
41(6)	<p>Hydraulic cumulative impacts</p> <p>The construction or modification of the flood work on a landholding on which the flood work is located must not, in the minister's opinion, be likely to:</p> <ul style="list-style-type: none">(a) redistribute the peak flood flow by greater than 5% at any of the peak discharge calculation locations shown on the Peak Flood Flow Distribution (1976) Map, when compared to redistribution under existing development conditions, or(b) redistribute peak flood flow by greater than 5% at any location and under any other flood scenario considered relevant by the minister.

More information

More information about the Border Rivers Valley Floodplain Management Plan 2020 is available at the NSW Department of Planning, Industry and Environment's website www.industry.nsw.gov.au/water

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