

Management Zone AD—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 Zone AD

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 AD unless, in the minister's opinion, the flood work approval is for:</p> <ul style="list-style-type: none"> (a) an infrastructure protection work (b) a stock refuge (c) an access road (d) a drain (e) a supply channel (f) an ecological enhancement work (g) an Aboriginal value enhancement work (h) a heritage site enhancement work
2	<p>Specific requirements for infrastructure protection works</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of an infrastructure protection work in Management Zone AD (MZ AD) unless, in the minister's opinion, the infrastructure protection work is or is proposed to be constructed so that:</p> <ul style="list-style-type: none"> (a) the area enclosed by the infrastructure protection work accounts for no more than 10% of the total area of the landholding on a landholding of less than or equal to 20 ha in area in MZ AD, or (b) 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 AD, and (c) the area enclosed by the infrastructure protection work will block no more than 5% of the width of MZ AD at the location of the works.

Ref.	Rule
3	<p>Specific requirements for stock refuges</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a stock refuge in MZ AD unless, in the minister’s opinion, the stock refuge is or is proposed to be constructed so that:</p> <ul style="list-style-type: none"> (a) the area enclosed by the stock refuge accounts for no more than 10% of the total area of the landholding on a landholding of less than or equal to 20 ha in area in MZ AD, or (b) the area enclosed by the stock refuge 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 AD, and (c) the area enclosed by the stock refuge will block no more than 5% of the width of MZ AD at the location of the works.
4	<p>Specific requirements for access roads</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of an access road in MZ AD unless, in the minister’s opinion, the access road is or is proposed to be:</p> <ul style="list-style-type: none"> (a) no more than 15 cm in height above the natural surface level and is constructed: (b) with causeways situated at no higher than the natural surface level and occurring at least once every 200 m of road length, and (c) with causeways that comprise at least 10% of the total length of the access road that is in MZ AD, and <p>Note. This applies to access roads within a single property and that span multiple properties.</p> <ul style="list-style-type: none"> (d) 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 15 cm below the natural surface level.

Ref.	Rule
5	<p>Specific requirements for drains</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a drain in MZ AD unless, in the minister’s opinion, the drain is or is proposed to be constructed:</p> <ul style="list-style-type: none"> (a) no more than 30 cm below the natural surface level except where the drain is in transition into another drain, natural depression or watercourse, and (b) to convey flow of no more than a 1 Exceedances per Year (1EY) event, and (c) at an orientation of approximately 90 degrees to the direction of flow, and (d) with a longitudinal slope of less than 1 in 500 and a non-scouring velocity, and (e) so that the distance over which the drain is in transition is kept to a minimum, and (f) in a way that does not increase the capacity of the drain (where the drain is proposed to be modified) or impact flood behaviour. <p>Notes.</p> <ol style="list-style-type: none"> 1. For example, spoil must not be placed in way that would increase the capacity of the drain. 2. Where possible, the drain should be constructed or modified so that it transitions into an existing drain or natural depression rather than into a watercourse. Transition length must be kept to a minimum to prevent erosion. A drop structure may be required to pass water to a lower elevation in a controlled manner and prevent erosion. Drop structures may take many forms depending on the transition depth, length or topography. A common example of a drop structure is a grade control, sill or weir.
6	<p>Specific requirements for supply channels</p> <p>A flood work approval must not be granted or amended to authorise the construction or modification of a supply channel in MZ AD unless, in the minister’s opinion, the supply channel is proposed to be constructed or modified:</p> <ul style="list-style-type: none"> (a) below the natural surface level, and (b) 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 <p>Note. The Minister may require that a structure be put in place at a low point of the supply channel to meet the requirements of this paragraph</p> <ul style="list-style-type: none"> (c) so that spoil from its construction or modification, and maintenance <ul style="list-style-type: none"> (i) forms a windrow parallel to the direction of flow such that it does not block more than 5% of the width of MZ AD at the location where the work is being constructed, or (ii) is levelled to a maximum of 10 cm above the natural surface level.
7	<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 AD 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, recognise in or protected by this plan, or local, state or Australian Government environmental policy or legislation.</p>

Ref.	Rule
8	<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 AD 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 any 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 Submissions Database (d) NSW State Heritage Register (e) Commonwealth Heritage List (f) any other source deemed relevant by the minister.
9	<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 AD 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 any 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 deemed relevant by the minister.
10	<p>Existing flood works</p> <p>A flood work approval in MZ AD may be granted for a flood work that does not comply with the rules for MZ AD, provided 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 the plan (b) the flood work is, in the minister's opinion, for an infrastructure protection work, stock refuge, access road, 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>.

Ref.	Rule
11	<p>Existing flood works continued</p> <p>An amendment of a flood work approval in MZ AD may be granted for a flood work that does not comply with the rules for MZ AD 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 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 AD.

Assessment criteria summary

Flood work applications in Management Zone AD 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 AD

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 AD unless, in the minister's opinion, the flood work can be constructed to 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 AD unless, in the minister's opinion, the flood work can be constructed to 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 small and large design floods.</p>

Ref.	Criterion
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 AD 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.</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 AD unless, in the minister's opinion, the flood work can be constructed 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 AD 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 is available at the NSW Department of Planning, Industry and Environment's website, www.industry.nsw.gov.au/water

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