

Gwydir FMP - Floodwork approvals missing from the current plan

[REDACTED]
Thu 6/10/2022 6:20 PM

To: Water Floodplain Management Planning Mailbox <floodplain.planning@dpie.nsw.gov.au>

[REDACTED],
Thank you for the webinar this afternoon. Very informative.

I asked a question about floodwork approvals which do not seem to be in the current FMP.

We are currently dealing with a floodwork amendment application on behalf of the owners of the attached floodwork approvals. The approval [REDACTED] does not appear in the current plan. Water NSW does not appear to be able to provide an answer on whether the owner can build the levee approved under the FW approval as the area is identified within Zones A and B.

Do we need to make a submission about this or is this something that you have already identified?

Regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] - [REDACTED] of Gwydir FMP

[REDACTED]

Sat 15/10/2022 4:42 PM

To: Water Floodplain Management Planning Mailbox <floodplain.planning@dpie.nsw.gov.au>

Floodplain Review Team,

We have been involved in various issues on the property of [REDACTED] for some years. During this period we have noted that the FMP extends up into the hills. An area of Zone A extends across the side of a hill which is some 6m to 8m higher than the floodplain.

Would it be possible to review the LiDAR over this sector of the FMP and update the plan to include only the floodplain and not the hills.

This may be similar along this southern edge of the FMP.

Regards,

[REDACTED]

[REDACTED]

[REDACTED] proposed amendment [REDACTED]
[REDACTED]

Tue 1/11/2022 5:11 PM

To: Water Floodplain Management Planning Mailbox <floodplain.planning@dpie.nsw.gov.au>

Dear Sir/Madam

I would like to object to the current zoning of our property.

We have cropping country that has been cropped since [REDACTED] that is in Zone A, which doesn't allow us to put protection between us and the parks, which would be to the advantage of both parties in at least 3 different ways.

These being

1. Keeping water on environmental assets
2. Protecting cropping country from environmental watering
3. Provide a fire break and access in times of fires (of which there have been tow in the last seven years).

My opinion is that zoning is one of the first issues that should be sorted out, before trying to roll out all these other programs, such as Reconnecting Gwydir Watercourse.

As it stands, it is the landholder who provides an outcome to society, at no cost to anyone but ourselves.

Would you also be able to send me a link to "Improving Floodplain Connection" please.

Kind regards
[REDACTED]



Gwydir Valley FMP amendments
Department of Planning and Environment – Water
PO Box 189, Queanbeyan NSW 2620
floodplain.planning@dpie.nsw.gov.au

2 November 2022

Submission to Gwydir Valley Floodplain Management Plan amendments

Dear Sir/Madam,

The National Parks Association of NSW (NPA) was formed in 1957 and sixty-three years later there are 15 branches, 4,000 members and over 20,000 supporters. NPA's mission is to protect nature through community action. Our strengths include state-wide reach, deep local knowledge, evidence-based approach to conservation advocacy and commitment to the creation and professional management of protected areas in NSW.

NPA believes that healthy and resilient river systems are vital for our collective wellbeing. We have consistently advocated for sound environmental and community outcomes through participation in government processes and collaborative projects with other environmental groups and academic bodies.

The NPA welcomes the opportunity to comment upon the *proposed amendments to the Gwydir Valley Floodplain Management Plan*.

General comments

The objects of the Water Management Act 2000 are to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The National Parks Association of NSW (NPA) therefore believes a primary consideration for all plans to manage our water resources should be to protect and sustain healthy and resilient freshwater ecosystems and their associated biodiversity (flora and fauna). The Gwydir floodplain is recognized for its high-conservation value as aquatic plant and wildlife habitat. This, along with the significance of the terminal wetland areas for water bird breeding, has resulted in parts of the floodplain being included on the List of Wetlands of International Importance under the Ramsar Convention on Wetlands. The NPA is therefore NOT supportive of any proposed amendments that will degrade the health of the Gwydir floodplain and its dependent ecosystems.

We also note that the NSW Government is committed to NSW Program Evaluation Guidelines which state there is a desire to have: *'Well planned and executed evaluation*

provides evidence for improved program design, delivery, and outcomes', that evaluation should *"always be undertaken with a view to informing decision making."* and that an *"overall aim of evaluation is to inform decision making at all levels,"* These guidelines, in turn, put an obligation on the Department to realize all the recommendations of the NRC review process. The NPA is therefore supportive of those proposed measures in the plan that help realize the NRC's recommendations.

Specific Comments

The NPA believes these proposed measures are likely to degrade the health of the Gwydir floodplain and its dependent ecosystems and are NOT supported:

- The proposed amendment to allow for higher flood works across the landscape.
- Allowing for the construction of above ground supply channels in Management zone A by removing the term 'below natural ground level' for description of supply channels in Management Zone A.
- Increasing the height threshold of primary access roads by 50 cm in Management Zone A. The landscape is very flat and such additional barriers will impact on important flood flow paths.

Indeed, these proposed changes along with changes to assessment criteria regarding both flood velocity and flood protection in Management Zones B and C should not be considered until there has been a full analysis of their ecological impact.

By contrast, the NPA believes these proposed measures will help conserve aquatic plant and wildlife habitat and the significance bird breeding sites within the Gwydir Valley and are therefore supported:

- The realignment of Management Zone D to correct an error in the mapping for the Lower Gingham Watercourse area and the designation of a new Management Zone D1 to include additional ecological and cultural assets.
- Management Zone D1 must also be extended to include the terminal delta wetlands as these are significant ecological assets in the catchment that carry obligations under the Ramsar Treaty (Old Dromana, Goddard's Lease, Windella and Crinolyn). They are among the few inland wetlands of this kind remaining in the Murray–Darling Basin. This was a recommendation of the Natural Resources Commission (NRC) review (Section 8.3). Consideration should also be given to the Gwydir Wetlands State Conservation area.
- Provision for ecological, cultural and heritage works in Management Zones A and D, as recommended by the NRC review, through genuine engagement with local First Nations communities.

The NPA also believes the revised proposed objectives and strategies will enhance rigorous assessment of any proposed flood works and that the increased clarity of performance

indicators in the plan will allow for better monitoring of plan outcomes, as recommended by the NRC.

The inclusion of waterbird species and colonial nesting waterbirds in Schedule 1 listing of ecological assets and values is welcomed, however, the plan should provide for automatic update of the schedule should any new flood-dependent species be observed within the Gwydir Valley Floodplain or should their conservation status should change.

Conclusion

Thank you for the opportunity to comment upon the *proposed amendments to the Gwydir Valley Floodplain Management Plan*. I hope you find our comments helpful in developing a revised plan.

I can be contacted at [redacted] or on [redacted]

Yours sincerely,

[redacted]

[redacted]

National Parks Association of NSW
protecting nature through community action

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Our reference: [REDACTED]

31st October 2022

Gwydir Valley FMP amendments
Department of Planning and Environment – Water
PO Box 189,
Queanbeyan NSW 2620

By email: floodplain.planning@dpie.nsw.gov.au

Gwydir FMP Review Team,

Re: [REDACTED] Change of FMP Zone from C to B

This submission has been prepared on behalf of the [REDACTED] in relation to the proposal to change the floodplain management zoning across their property of [REDACTED]

The proposal as provided by DPE-Water is suggesting that the land with the current floodwork approval [REDACTED] is changed from an area of Zone C to and an area of Zone B. The stated purpose of this relates to the limited height levee banks along the southern edge of the irrigation development on [REDACTED].

A copy of the current floodwork approval and a copy of the proposed zoning changes for [REDACTED] [REDACTED] are attached to this submission for reference purposes.

The following provides particular points of concern in relation to this proposed change.

Zone C Rules

In general terms, an area of Zone C allows the flood protection to occur. This includes a surrounding levee structure and a range of above and below ground internal structures.

The floodwork approval was issued in about [REDACTED]. The process of issuing the approval did not include specific identification of the internal network of channels within the property. This was standard practice for issuing of floodwork approvals, in that the approval generally reflected the external perimeter levee bank and did not provide specific detail of internal channels.

For [REDACTED], the plan reflects some internal channels. These channels are noted to be below ground channels. These channels have always been above ground channels and therefore the plan was not originally prepared in accordance with the works on the ground. The history of why this occurred is unknown, other than the landowner advised that the Department came out and filled in the floodwork application form, resulting in an approval being issued.

The internal channel network includes other above ground channels and works. These are not noted on the current floodwork approval.

The current floodwork approval plan has limited height banks along the southern edge of the development. The purpose of such is to allow medium to large floods to overtop the bank and flow

through the property. This occurs and the recent 2022 flood is an example of the flood bank being overtopped in accordance with approval.

The irrigation development within the property contains a network of above ground and below ground channels and structures to move irrigation water around the farm and deliver to irrigation fields. These above and below ground channels are not identified within the floodwork approval. The above ground banks redirect floodwater within the property during a flood event. The below ground channels are internal and redirect internal flow and drain floodwater from the property.

As a result of this, the existing internal bank would not meet the requirements of Zone B rules.

██████████ Maintenance Work

If Zone B was imposed over ██████████, each and every internal channel would need to be included in the floodwork approval. This would result in operational issues, mainly:

- The majority of the above ground works including internal roads, channel banks and head ditch banks are higher than 40cm which is the limit for a Zone B area;
- Any work undertaken on the channels would potentially need to be subject to a floodwork amendment application including advertising and potentially flood modelling. This would be considered a significant issue in routine management and maintenance of the farm;
- Land levelling of paddocks could result in cuts and fills of greater than 150mm which may or may not trigger a requirement for a floodwork amendment application;
- Internal below ground channel will result in a point discharge on the western downslope end of the farm. The internal drainage pattern would therefore be completely different to the original natural patterns;
- If NRAR were notified of a drainage or above ground bank issue, they would be comparing the rules set for a Zone B area and the floodwork approval. Unless all channels, both above and below ground are marked on the floodwork approval at the correct height or depth, ██████████ may be subject to a directive to backfill or remove the banks to return drainage/flow patterns to the original.

There is a risk that the legal right of the property owners to maintain the farm will be removed and placed under the control of Water NSW or others if the Zone B is imposed when internal changes to the irrigation works are required.

Flow Velocity

Current Zone B rules include rules on local impacts relating to change of velocity. These rules include a 50% change in velocity and change in velocity that is more than a minimal impact on soil erodibility.

Flood modelling of the property has shown some velocity increases that cause internal erosion and silt deposition resulting from redirection of both overland flow and floodwater. This occurs as a result of internal channels directing flow to the centre of the property. The centre of the property carries the most flow during an overland flow or flood event. The farm is fully cultivated and therefore bare soil will be exposed. This bare soil is eroded at a flow velocity of greater than 0.5 metre per second. The recent flood event has resulted in some erosion. This erosion would potentially be deemed as a non-compliance within an area of Zone B. This would expose the landowner to a potential investigation by NRAR who could issue a direction to alter the farm so that the erosion did not occur.

Existing Controls

The floodwork approval provides a legal pathway for the development on ██████████ to protect their irrigation development from flooding. The floodwork approval is issued under the Water Management Act 2000. The approval enable construction of a perimeter levee bank. In this case, the bank has sections that limit the height of the bank above natural surface.

The imposition of a second level of control in the form of rezoning the approved levee area to Zone B is considered duplication under the Act. It is unnecessary to have this duplication in place. The complexity of such as outlined through issues raised above, are of concern to the ongoing operations of the farm.

The existing floodwork approval does not impose height limits of banks within the farm. The zone B rules would impose such limits unless each and every bank and channel within the farm is fully documented. If this were to occur, it would only be fair and reasonable for a clause to be included in the approval to allow variations of the bank heights or depth without the need to amend the floodwork approval. Such detail within the floodwork approval and inclusion of a clause allowing for routine maintenance of the banks is highly unlikely and is unlikely to be acceptable to Water NSW and/or NRAR.

In summary, the change of zoning from C to B over [REDACTED] is considered impractical and unfair. The floodwork approval for [REDACTED] achieves the outcome for flood flow requirements through the property in medium to large flood events. It is therefore satisfactory to Water NSW and floodplain management. The imposition of Zone B over the property would unfairly include new rules that would result in significant legal complications for operation of the farm, including the necessity to continuously apply for floodwork amendment applications as a result of routine farm maintenance operations and any internal modifications to the farm's irrigation system. The burden of such is considered unnecessary and a duplication of administrative measures under the Water Management Act 2000.

On behalf of the [REDACTED], we request that the Floodplain Management Zoning over [REDACTED] remains as Zone C within the areas approved under [REDACTED].

Prepared by:

[REDACTED]
[REDACTED]
[REDACTED]
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