

Rule summary sheet for the Billabong Creek Floodplain

A summary of the rules and assessment criteria for flood work approval applications in the Billabong Creek Floodplain.

Plan details

Floodplain management plan: *Floodplain Management Plan for the Billabong Creek Floodplain 2026*

Plan commencement: 1 July 2026

Term of plan: 10 years

Application: These rules apply to all flood work approvals within the Billabong Creek Floodplain

Important

This fact sheet summarises the rules contained in the *Floodplain Management Plan for the Billabong Creek Floodplain 2026*. It is intended as a guide only. Consult the floodplain management plan on the [NSW legislation website](#) for further details.

Exemptions

Some activities that are considered low risk, such as some small ring embankments around houses and low-level farm tracks, or are covered by other legislation may be exempt from requiring a flood work approval. Please refer to the [flood work exemptions factsheet](#) on the WaterNSW website for more information or [contact WaterNSW](#) directly to discuss your individual circumstances.

Rules

The following types of rules will differ for each management zone:

- the **type of flood works** is limited in management zones A and SP

- specific **requirements for flood work types** permitted in management zones A and SP including requirements during construction
- unique rules for **existing flood works** in management zones A, B and SP
- **advertisement** is required for larger works in management zone B.

The management zones can be seen on the Plan Map or viewed on the interactive spatial map published on the [Billabong Creek floodplain page of the department's website](#).

Assessment criteria

There are two types of assessment criteria: standard assessment criteria (Table 1) and hydraulic assessment criteria (Table 2).

All applications must comply with the standard assessment criteria.

Some applications must also comply with the hydraulic assessment criteria.

Hydraulic modelling is generally required to demonstrate that the hydraulic criteria has been met.

Standard assessment criteria

Table 1: Standard assessment criteria for flood work approvals within the Billabong Creek Floodplain

Theme	Criteria
Impacts to ecological assets, Aboriginal cultural values or heritage sites	Maintain adequate flood connectivity under a range of flood scenarios, including the large and small design flood, to flood-dependent ecological assets, flood-dependent Aboriginal cultural assets, flood-dependent heritage sites and facilitate fish passage. Maintain adequate flow connectivity to floodplain ecosystems (in areas outside of the floodway network). Not disturb the ground surface or cause erosion to an Aboriginal cultural asset or heritage site during construction or modification of the work.
Drainage impacts	Maintain adequate drainage on the property, including neighbouring properties, that may be affected by the flood work.

Theme	Criteria
Cumulative impacts	Consider the cumulative impact of the flood work and other existing works located on the property to adjacent properties, any other properties affected by the flood work and the floodplain environment. For applications that are required to be assessed against the hydraulic assessment criteria, this criterion will not apply. Instead, the hydraulic assessment criteria includes redistribution of flood flow criteria that address cumulative impacts.

Hydraulic assessment criteria

Table 2: Hydraulic assessment criteria for flood work approvals within the Billabong Creek Floodplain

Theme	Criteria
Redistribution of flood flow	Maximum 5% redistribution of peak flood flow on neighbouring properties that may be affected by the flood work (compared to peak flood flow under existing development conditions for a range of flood scenarios including the large design flood)¹.
Change in flood levels	Maximum 20 cm increase in flood levels on neighbouring properties that may be affected by the flood work (compared to flood levels under pre-development and existing development conditions for a range of flood scenarios including the large design flood). Not increase flood levels that would result in impacts to high value infrastructure (compared to flood levels under pre-development and existing development conditions for a range of flood scenarios including the large design flood).

¹ The large design flood in the Billabong Creek Floodplain is the flood event that occurred from October to December 2022 and, for the area upstream of Jerilderie, the flood event that occurred in October 2010 as shown on the Large Design Flood Map.

Theme	Criteria
Change in flood flow velocity	Maximum 50% increase in flood flow velocity on the property and neighbouring properties that may be affected by the flood work (compared to flood flow velocity under pre-development and existing development conditions for a range of flood scenarios including the large design flood) unless: • increases greater than 50% are isolated on the property and average impact across the property is less than 50%, and • increases are not greater than 50% at the property boundary. Not increase flood flow velocity that would result in more than minimal soil erosion on the property and neighbouring properties that may be affected by the flood work, taking into account the ground cover on those properties.
Redistribution of flood flow (Cumulative impact)	Maximum 5% redistribution of peak flood flow at any of the peak discharge locations shown on the peak flow distribution map² (compared to redistribution under existing development conditions). Maximum 5% redistribution of peak flood flow at any location and under any other flood scenario considered relevant by the Minister.

² The peak flood flow distribution map is available on the [department's website](#).

Management zone A

The rules outlined in Table 3 apply to a flood work or part of a flood work that is located within management zone A.

Table 3: Rules for flood works in management zone A

Type	Rules
Types of flood works (Section 37 of the plan)	The following types of flood works are permitted subject to meeting the requirements outlined below and standard assessment criteria: • standard access road (within a property) • primary access road (to/from a house) • supply channel • stock refuge • infrastructure protection work • ecological enhancement work • Aboriginal cultural enhancement work • heritage site enhancement work • Aboriginal cultural value protection work • heritage site protection work.
Requirements for flood works: Standard access road (road within private property) (Section 39 of the plan)	Maximum height of 30 cm above the natural surface of the ground. Causeways at least every 200 m, at the lowest point of the floodway, are no higher than the natural surface of the ground and comprise at least 10% of the total length of the road within management zone A. Borrow associated with construction/maintenance is located on the downstream side of the access road and is no deeper than 15 cm below the natural surface of the ground.
Requirements for flood works: Primary access road (private road leading directly to a permanently occupied fixed dwelling) (Section 39 of the plan)	Maximum height of 50 cm above the natural surface of the ground. Causeways at least every 200 m, at the lowest point of the floodway, are no higher than the natural surface of the ground and comprise at least 10% of the total length of the road within management zone A. Borrow associated with construction/maintenance is located on the downstream side of the access road and is no deeper than 15 cm below the natural surface of the ground.

Type	Rules
Infrastructure protection works (Section 41 of the plan)	Maximum area enclosed by the work is: • 10% of the total area of the property if the maximum area of management zone A on the property is no more than 20 hectares, or • 2 hectares or 1% of the total area of the property (whichever is largest) if the maximum area of management zone A on the property is more than 20 hectares. Does not block more than 5% of the width of management zone A (at the location of the work and perpendicular to flow direction).
Stock refuge (Section 42 of the plan)	Maximum area of 10 hectares and no other stock refuge in that area. Total maximum area of all stock refuges is no more than 5% of total property area. Does not block more than 5% of the width of management zone A (at the location of the refuge and perpendicular to flow direction).
Supply channels (Section 43 of the plan)	Height must be below the natural surface of the ground. Allow for the passage of floodwater and prevent diversion of water. Spoil associated with construction/maintenance must be located in a heaped line parallel to flow direction with a maximum height of 10 cm above the natural surface of the ground and not block more than 5% of the width of management zone A (at the location of the channel and perpendicular to flow direction).
Aboriginal cultural enhancement works (Sections 35, 45 and 46 of the plan)	Primary purpose is to improve flood connectivity to a flood-dependent Aboriginal cultural value that is listed on the Aboriginal Heritage Information Management System (AHIMS) or other heritage register that results in an enhancement to the flood-dependent Aboriginal cultural asset. Comply with both the standard assessment criteria (section 52 of the plan) and hydraulic assessment criteria (section 53 of the plan). Is or will be part of a government program that is in place, and remains current, at the time of application.

Type	Rules
Ecological enhancement works (Sections 35, 45 and 47 of the plan)	Primary purpose is to improve flood connectivity to a flood-dependent ecological asset that results in an enhancement to the flood-dependent ecological asset. Comply with both the standard assessment criteria (section 52 of the plan) and hydraulic assessment criteria (section 53 of the plan). Is or will be part of a government program that is in place, and remains current, at the time of application.
Heritage site enhancement works (Sections 35, 45 and 48 of the plan)	Primary purpose is to improve flood connectivity to a flood-dependent heritage site listed on AHIMS or other heritage register that results in an enhancement to the flood-dependent heritage site. Comply with both the standard assessment criteria (section 52 of the plan) and hydraulic assessment criteria (section 53 of the plan). Is or will be part of a government program that is in place, and remains current, at the time of application.
Aboriginal cultural protection works (Sections 35 and 38 of the plan)	Primary purpose is to protect a flood-impacted Aboriginal cultural asset listed on AHIMS or other heritage register. Does not block more than 5% of the width of management zone A (at the location of the work and perpendicular to flow direction). Maximum area enclosed by the work is: • 10% of the total area of the property if the maximum area of management zone A on the property is 20 hectares, or • 2 hectares or 1% of the total area of the property (whichever is largest) if the maximum area of management zone A on the property is greater than 20 hectares.

Type	Rules
Heritage site protection works (Sections 35 and 40 of the plan)	Primary purpose is to protect a flood-impacted heritage site listed on AHIMS or other heritage register. Does not block more than 5% of the width of management zone A (at the location of the work and perpendicular to flow direction). Maximum area enclosed by the work is: • 10% of the total area of the property if the maximum area of management zone A on the property is 20 hectares, or • 2 hectares or 1% of the total area of the property (whichever is largest) if the maximum area of management zone A on the property is greater than 20 hectares.
Existing flood works (Sections 49 and 50 of the plan)	The following types of flood works are permitted if they were constructed prior to the commencement of the plan (1 July 2026) and comply with the standard assessment criteria: • standard access road • primary access road • infrastructure protection work • stock refuge • supply channel (above ground and below ground). The flood works must not be the subject of a previously refused application for a flood work approval under the <i>Water Management Act 2000</i> or an application for a controlled work under the repealed Part 8 of the <i>Water Act 1912</i>. Existing flood works in management zone A do not need to comply with the height and size restrictions that apply to new flood works (outlined in the rows above), subject to complying with the standard assessment criteria.
Existing approved flood works (Section 51 of the plan)	Modifications to flood works that are covered by a current flood work approval are permitted if the proposed modification will have a reduced impact on flow patterns in management zone A, including impacts on flow distribution, depth, drainage or velocity. Comply with the standard assessment criteria.
Advertisement of applications	Not applicable in management zone A.

Type	Rules
Assessment criteria (Sections 52, 53 and 54 of the plan)	All flood works must meet the standard assessment criteria. Enhancement flood works must also meet the hydraulic assessment criteria.

Management zone B

The rules outlined in Table 4 apply to a flood work or part of a flood work that is located within management zone B.

Table 4: Rules for flood works in management zone B

Type	Rules
Types of flood works	Any type of flood work is permitted, subject to meeting the relevant assessment criteria.
Advertisement of applications (Section 57 of the plan)	Flood work applications must be advertised for flood works that are: • greater than 40 cm above the natural surface of the ground, or • a stock refuge with a maximum area larger than 10 hectares and no other stock refuge in that area, or • a stock refuge on a property and the total maximum area of all stock refuges is larger than 5% of total property area, or • an infrastructure protection work with an area that is larger than 1% of the total area of the property.
Assessment criteria (Section 58 of the plan)	All flood works must comply with the standard assessment criteria (section 58 (a) of the plan). For applications that require advertisement, the flood works must comply with both the standard assessment criteria (section 58 (a) of the plan) and hydraulic assessment criteria (section 58 (b) of the plan).

Type	Rules
Existing flood works (Sections 59 and 60 of the plan)	For applications lodged prior to 1 July 2029, all flood works that were constructed prior to 7 July 2000 must comply with the standard assessment criteria (section 60 of the plan), unless the flood work meets the advertisement requirements and: • has the potential to impact high value infrastructure such as roads, railway or dwellings, or • has existing flood works nearby that have a limited height condition, or • may create a new or restore an old flood flow path, then the flood work must also comply with the hydraulic assessment criteria (section 58 (b) of the plan).

Management zone C

The rules outlined in Table 5 apply to a flood work or part of a flood work that is located within management zone C.

Table 5: Rules for flood works in management zone C

Type	Rules
Types of flood works	Any type permitted, subject to meeting relevant assessment criteria.
Advertisement of applications	Not applicable in management zone C.
Assessment criteria (Sections 63 and 64 of the plan)	All flood works must comply with the standard assessment criteria (section 63 of the plan), unless the flood work: • has the potential to impact high value infrastructure such as roads, railway or dwellings, or • has existing flood works nearby that have a limited height condition, or • may create a new or restore an old flood flow path, then the flood work must also comply with the hydraulic assessment criteria (section 64 of the plan).

Type	Rules
Existing flood works	Same rules apply to both existing flood works or proposed flood works.

Management zone CU

The rules outlined in Table 6 apply to a flood work or part of a flood work that is located within management zone CU.

Table 6: Rules for flood works in management zone CU

Type	Rules
Types of flood works	Any type permitted, subject to meeting relevant assessment criteria.
Advertisement of applications	Not applicable in management zone CU.
Assessment criteria (Sections 63 and 64 of the plan)	All flood works must comply with the standard assessment criteria (section 63 of the plan), unless the flood work: • has the potential to impact high value infrastructure such as roads, railway or dwellings, or • has existing flood works nearby that have a limited height condition, or • may create a new or restore an old flood flow path, then the flood work must also comply with the hydraulic assessment criteria (section 64 of the plan).
Existing flood works	Same rules apply to both existing or proposed flood works.

Management zone SP (special protection)

The rules outlined in Table 7 apply to a flood work or part of a flood work that is located within management zone SP.

Table 7: Rules for flood works in management zone SP

Type	Rules
Types of flood works (Section 68 of the plan)	The following types of flood enhancement works are permitted subject to meeting the requirements outlined below and standard assessment criteria: • Aboriginal cultural enhancement work • ecological enhancement work • heritage site enhancement work.
Aboriginal cultural enhancement works (Sections 35, 68 and 69 of the plan)	Primary purpose is to improve flood connectivity to a flood-dependent Aboriginal cultural asset listed on AHIMS or other heritage register that results in an enhancement to the flood-dependent Aboriginal cultural asset. Comply with both the standard assessment criteria and hydraulic assessment criteria (section 75 of the plan). Is or will be part of a government program that is in place, and remains current, at the time of application.
Ecological enhancement works (Sections 35, 68 and 70 of the plan)	Primary purpose is to improve flood connectivity to a flood-dependent ecological asset that results in an enhancement to the flood-dependent ecological asset. Comply with both the standard assessment criteria and hydraulic assessment criteria (section 75 of the plan). Is or will be part of a government program that is in place, and remains current, at the time of application.

Type	Rules
Heritage site enhancement works (Sections 35, 68 and 71 of the plan)	Primary purpose is to improve flood connectivity to a flood-dependent heritage site listed on AHIMS or other heritage register that results in an enhancement to the flood-dependent heritage site. Comply with both the standard assessment criteria and hydraulic assessment criteria (section 75 of the plan). Is or will be part of a government program that is in place, and remains current, at the time of application.
Existing flood works (Sections 72 and 73 of the plan)	The following types of flood works are permitted if they were constructed prior to commencement of the plan (1 July 2026): • standard access road • primary access road • infrastructure protection work • stock refuge • supply channel. The flood works must not be the subject of a previously refused application for a flood work approval under the <i>Water Management Act 2000</i> or an application for a controlled work under the repealed Part 8 of the <i>Water Act 1912</i>. Existing flood works in management zone SP do not need to comply with the height and size restrictions that apply to new flood works (outlined in the rows above), subject to complying with the standard assessment criteria.
Existing approved flood works (Section 74 of the plan)	Modifications to flood works that are covered by a current flood work approval are permitted if the proposed modification will have a reduced impact on flow patterns in management zone SP, including impacts on flow distribution, depth, drainage or velocity. Comply with the standard assessment criteria.
Advertisement of applications	Not applicable in management zone SP.

Type	Rules
Assessment criteria (Section 75 and 76 of the plan)	All flood works must meet the standard assessment criteria (sections 75 (1) and 76). Flood enhancement works must also meet the hydraulic assessment criteria (section 75 (2)).

More information

To read the floodplain management plan and supporting fact sheets, visit the department's website: water.dcceew.nsw.gov.au/our-work/floodplain-management/floodplain-management-plans/billabong-creek-floodplain