

Response to review recommendations for the Floodplain Management Plan for the Gwydir Valley Floodplain 2016

This document outlines the department's progress on responding to the review of the *Floodplain Management Plan for the Gwydir Valley Floodplain 2016* under section 43 of the *Water Management Act 2000*.

Floodplain management plans are statutory instruments under the *Water Management Act 2000* (the Act). They prescribe management zones, rules and assessment criteria for granting or amending approvals for flood works. They intend to provide certainty regarding rules for water users over the life of the 10-year term of the floodplain management plan.

The Department of Climate Change, Energy, the Environment and Water (the department) — previously Department of Planning and Environment – Water (DPE–Water) — has a role under section 43 of the Act to review floodplain management plans for the purposes of ‘ascertaining whether the plan provisions remain adequate and appropriate for ensuring the effective implementation of the water management principles’.

The *Floodplain Management Plan for the Gwydir Valley Floodplain* (the Gwydir FMP) commenced on 12 August 2016, and a review is due within 5 years before it expires. Previously, until an amendment to the Act in 2023, this review was required within the first 5 years of the plan term.

The review was undertaken by Alluvium Consulting in consultation with the department, the Environment and Heritage group, WaterNSW and the Natural Resources Commission in June 2021. Public submissions were also sought as part of the review process.

The final review report for the plan is available on the department's website.

The recommendations arising from the review and the status of the responses to these actions by the department, are listed below.

Section 43 recommendations

Recommendation 1

The performance indicators in clause 12 of the Gwydir FMP were not specific, measurable targets.

Amend the performance indicators to include specific, measurable indicators and the timeframes of assessment.

Department response to recommendation 1

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped as part of review of performance indicators for all floodplain management plans.

Action taken to address recommendation 1

Current performance indicators are under review. Any changes to performance indicators will be included in the updated FMP template to be applied at replacement.

Recommendation 2

The Gwydir FMP includes detail on the assessment of future flood works but does not contain information on the potential impact of removing flood works as is suggested by s.30(b) of the Act.

Consider amending the Gwydir FMP to include assessment requirements for the removal of existing flood works and the potential impacts on other floodplain users.

Department response to recommendation 2

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped when the plan is replaced in 2026.

Action taken to address recommendation 2

The existing plan contained a mandatory condition that requires approval holders to notify WaterNSW if intending to remove a flood work. WaterNSW is required to provide direction on whether it should be removed and, if so, how it should be removed.

A new mandatory condition has been developed that requires approval holders to return the surface of the ground to its natural level when decommissioning a flood work. Changes to

mandatory conditions will be included in the updated FMP template to be applied at replacement.

Recommendation 3

The online spatial mapping is a very clear tool for the understanding and application of the management zone areas to specific property locations, but it is not located within the Gwydir FMP and it does not provide linkage potentially making it hard to find.

Amend the notes of the Gwydir FMP to include reference to online spatial mapping or consult Parliamentary Counsel's Office and Communications teams to determine best option for making information easy to locate.

Department response to recommendation 3

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped.

Action taken to address recommendation 3

A plan note has been developed that refers to availability of maps on the department's website. The department's website provides access to an interactive spatial map and link to the publicly available SEED portal.

Recommendation 4

Water quality provisions have not been included in the FMP as required under s.5(c) and recommended by s.30(e) of the Act.

Seek advice regarding the best way to amend the Gwydir FMP for the inclusion of water quality provisions, such as blackwater.

Department response to recommendation 4

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped when the plan is replaced in 2026.

Action taken to address recommendation 4

A new mandatory condition has been developed that requires approval holders to maintain flood works to prevent sediment being released into the surrounding floodplain and protect water quality. Changes to mandatory conditions will be included in the updated FMP template to be applied at replacement.

Recommendation 5

The core provisions are clearly held in designated sections of the FMP, but the additional provisions were used to inform the FMP with the detail held in the background document.

Amend the notes include clear reference to the background document or consult PCO and Communications teams to determine best option for making information easy to locate.

Department response to recommendation 5

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped for when the plan is replaced in 2026.

Action taken to address recommendation 5

The department confirmed that references to non-statutory documents within floodplain management plans are not appropriate. Many of the additional provisions under Section 30 of the Act are referenced within the updated FMP template to be applied at replacement. No further action required.

Recommendation 6

The Section 44 audit has not been completed prior to this review.

Note that the Audit report may include recommendations that could inform potential amendments to the Gwydir FMP.

Department response to recommendation 6

Agree. DPE Water will establish an amendment register for FMPs and relevant actions will be added upon completion of the Section 44 audit by the Natural Resources Commission.

Action taken to address recommendation 6

Noted. Relevant actions will be implemented as part of plan replacement.

Recommendation 7

The Gwydir FMP has been clearly informed through consultation with Aboriginal groups and individuals and this information has informed the delineation of the zones, but there is no clear requirement for assessing applications based on the information.

Consider how the FMP is implemented to ensure that Aboriginal assets are protected. It is understood that the information regarding the sites is private and must be protected, an effort should be made to ensure that the plan is adequate and appropriate for their protection from or access to flood waters.

Department response to recommendation 7

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped.

Action taken to address recommendation 7

Every flood work must comply with the requirement to maintain flood connectivity to flood-dependent areas of Aboriginal significance. The assessment of flood work applications includes an assessment against the Aboriginal Heritage Information Management System (AHIMS) to ensure that areas of Aboriginal significance are protected.

Recommendation 8

The FMP holds potential for amendment and adaption through its Part 10 clauses but there is no trigger for these amendments to occur.

Amend the Gwydir FMP to include clear triggers for amendments to the items in Part 10, such as time elapsed, flood events. Climate change impacts or information and technology updates.

Amendments should provide clarity on when amendments can be made to the FMP. There needs to be clear guidance available to landholders around how changes can be made and a clear process.

Department response to recommendation 8

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped when the plan is replaced in 2026.

Action taken to address recommendation 8

Amendment provisions are included in the updated FMP template which will be applied as part of plan replacement. These require amendment to recognise climate change within the first 3 years of the plan. Existing amendment provisions are intentionally not linked to timeframes as it allows for amendments to be considered on a risk-based assessment.

Recommendation 9

There have been some provisions included in the latter Healthy Floodplains Project FMPs that have been flagged as beneficial to the FMPs

Amend the FMP to include allowances for ecological, cultural and heritage enhancement works consistent with the latter 5 FMPs developed under the Healthy Floodplains Project. Amend the FMP area to include Moree urban area and zone as Management Zone CU, consistent with the urban zone for other FMPs developed under the Healthy Floodplains Project. Ensure that lessons learnt over the HFP and outcomes from the policy and legal review are applied to the Gwydir FMP.

Department response to recommendation 9

Agree. DPE Water will establish an amendment register for FMPs and the action will be added; to be scoped.

Action taken to address recommendation 9

Completed. The *Gwydir Valley Floodplain Management Plan 2016* was amended in 2024 and 2025 to include rules for enhancement flood works. Other recommendations will be considered and applied where relevant as part of plan replacement.

Recommendation 10

The technical detail of the FMP has not been reviewed here as it was out of scope for this report.

(1) Conduct a review of the modelling, technical input detail (including design flood) and feedback registers and use the results combined with consultation feedback to review the management zones and amend if required. Submissions provided to the s43 Review that relate to the accuracy of the management zones should be considered as part of the technical review.

Department response to recommendation 10(1)

Agree. Routine update to the FMP models to include recent flood work approvals is underway. This update will be used to inform a broader technical review of the FMP.

Action taken to address recommendation 10(1)

The Gwydir Valley FMP models are currently being upgraded from MIKE FLOOD to TUFLOW to meet modelling industry best practise. The updated models are expected to be completed by July 2026 for use in during the plan replacement process. A technical review will be completed as part of this process.

(2) Review the performance of the plan against any available monitoring data and what it has told us in relation to the orderly passage of floodwaters, flow paths working as designed, risk to towns, public safety, cultural assets being protected, connectivity to wetlands.

Department response to recommendation 10(2)

Agree. DPE Water will scope FMP monitoring and evaluation requirements and implementation.

Action taken to address recommendation 10(2)

Department to complete MER in accordance with MER Strategy and Plan for Gwydir FMP to inform FMP remake. MER report to be made publicly available.

(3) A review of the technical detail and the performance of the management zones against monitoring data would be valuable in informing future reviews and should be conducted prior to the s43 Review (for this and other FMPs) to form part of the evidence base.

Department response to recommendation 10(3)

Agree. DPE Water will scope FMP monitoring and evaluation requirements and implementation.

Action taken to address recommendation 10(3)

Department to complete MER in accordance with MER Strategy and Plan for Gwydir FMP to inform FMP remake. MER report to be made publicly available.

(4) A method for the review of the technical detail and potential amendments to the plan should be developed prior to the review to allow consistent review methods are used each time a technical review is conducted.

Department response to recommendation 10(4)

Agree. An amendment process for FMPs will be scoped along with a method for the technical review of each of the plan elements that is consistent with the Technical Manual for rural WM Act 2000 FMPs.

Action taken to address recommendation 10(4)

The department will review technical detail (including design floods) and potential plan changes as part of plan replacement.

Recommendation 11

There needs to be clear guidance available to landholders around how changes can be made and a clear process.

Provide clarity on when amendments can be made to the FMP. If this is only during the 5- or 10-year review, then a register of requests should be made to allow ongoing request to be made and subsequently addressed.

Department response to recommendation 11

Agree. DPE Water will establish an amendment register for FMPs and scope out a process for amending plans that is consistent with the approach for water sharing plans. Information will also be published on the department's website.

Action taken to address recommendation 11

Completed. An amendment register has been established and communication material to inform stakeholders about the amendment process is available on the department's website.

Recommendation 12

A significant risk was identified linked to loss of corporate knowledge that needs to be addressed to ensure the updates and reviews can be conducted with the best available knowledge.

Note the finding, no recommendation.

Recommendation 13

There has been feedback that the requirements for a flood work approval create too high a cost on landholders and that there is a potential for a marginal cost structure based on the size of the works.

Note the finding, no recommendation.

Recommendation 14

Need to progress with the 'hotspot' areas that were in the historic FMP but have since been removed. The lack of action in this area creates a risk of loss of trust and buy in from landholders.

Investigate how the hotspot areas present a risk to the integrity of the plan.

Department response to recommendation 14

Agree. A method for the technical review of each of the plan elements will be scoped, including consideration of hotspot areas.

Action taken to address recommendation 14

Completed. The Improving Floodplain Connections program was completed in June 2025. The program focused on accelerating the process of bringing unapproved or non-compliant flood works into compliance with the relevant floodplain management plan in the northern Murray-Darling Basin.