

# CONTROLLED WORKS ON A FLOODPLAIN POLICY



**Responsible Department:** Infrastructure Delivery  
**Responsible Section:** Design Services  
**Responsible Officer:** Design Services Manager

## Objective

To ensure floodplain development is consistent across the Shire and does not have any detrimental effect on Council's assets.

## Introduction

Council has an enormous investment in infrastructure on floodplain access within its shire boundaries.

Damage due to flooding poses a severe financial risk to Narrabri Shire Council. As well as managing this financial risk Narrabri Shire Council is mindful of the need to encourage agricultural and commercial activity within its shire boundaries by providing a degree of certainty for those who chose to invest in the Shire.

## Policy

Narrabri Shire Council will object to the issuing of any licence to carry out Controlled Works (Water Act 1912 No. 44), unless the applicant can demonstrate to the Director Engineering Services that the Controlled Work will not.

1. Detrimentially affect the ability of Council to drain water away from its roads and other assets.
2. Encroach within 5m of the shared boundary with Council and thus affect Council's and the applicant's ability to maintain the existing natural surface levels on the shared boundary.
3. Cause predicted flow depths across Council's Assets in the Design Flood Event (Designated Flood) to increase by more than 50mm, when compared to flow depths without the Controlled Works, and thus will not increase the time Council's asset is submerged.
4. Cause predicted velocities across Council's Assets in the Design Flood Event (designated flood) to increase by more than 50% (or to a maximum value 0.5m/sec), when compared to flow depths without the Controlled Works, and thus will not increase the potential for damage to occur to Council's Asset."

The Designated Flood is defined in the interim Department of Environment and Climate Change Policy which covers all areas outside the Narrabri – Wee Waa Floodplain Management Plan.

Narrabri Shire Council will object to the renewing of any licence to carry out Controlled Works (Water Act 1912 No. 44) after the 31<sup>st</sup> of December 2010, unless the applicant can demonstrate to the Director Engineering Services that the Controlled Work does not.

1. Detrimentially affect the ability of council to drain water away from its roads and other assets.
2. Encroach within 5m of the shared boundary with Council and thus will affect Council's and the applicant's ability to maintain the existing natural surface levels on the shared boundary.

The onus of proof is with the applicant and the method of proof will be:

For items 1 and 2 a detailed survey showing the location of the existing or proposed works and relevant contours, prepared by an appropriately experienced and qualified consultant, or an assessment is provided by the Department of Environment and Climate Change to the satisfaction of the Director Engineering Services.

For items 3 and 4 a flood study report prepared in accordance with the NSW State Government's guidelines, by an appropriately experienced and qualified consultant, or an assessment is provided by the Department of Environment and Climate Change to the satisfaction of the Director Engineering Services.

Upon receipt of a notice from the Department of Environment and Climate Change, Barwon Region in relation to a licence for flood plain works under Part 8 Section 167 (1) (a) of the Water Act 1912, the Director Engineering Services will present a report to Council, if the application does not meet the specific criteria listed in this policy."

## References

- *Local Government Act (NSW) 1993.*
- *Water Act 1912.*

## History

MINUTE NUMBER	MEETING DATE	DESCRIPTION OF CHANGE
506/2007	7 August 2007	Adopted
365/2009	7 July 2009	Reviewed
26/2012	21 February 2012	Reviewed
210/2013	2 April 2013	Reviewed
164/2017	15 August 2017	Reviewed