

16 September 2021

Bryce Wilde
 Executive Director
 Natural Resources Commission
 Level 6, Martin Place
 Sydney NSW 2000

Dear Bryce,

Audit of the implementation of the Floodplain Management Plan for the Gwydir Valley Floodplain 2016

Thank you for your letter dated 9 August 2021 and the enclosed final report for implementation of the Floodplain Management Plan (FMPs) for the Gwydir Valley Floodplain 2016 as required by Section 44 of the *Water Management Act 2000* (Act).

As requested, we have reviewed the report and provide the responses set out below:

WaterNSW notes that the audit concluded overall that on balance the provisions of the Plan have not been given full effect to in accordance with the Act. We also note that majority of main recommendations are addressed to DPIE-Water as the coordinating agency. WaterNSW commits to working with DPIE-Water and NRAR in the implementation of the recommendations.

Table 1 WaterNSW Response to Audit findings and Recommendations

Findings	Recommendations
<p>F 2 Cumulative impacts are not being assessed for new flood work applications under clauses 30(2), 40(5), 42(6), 42(7), 43(6) and 46(5) of the Plan.</p>	<p>R 2.1 WaterNSW to provide required data to DPIE-Water to enable model updates to reflect new approvals under the Plan as required.</p>
<p>WaterNSW Comment: WaterNSW has subsequently provided DPIE-Water with details of recent approvals to enable DPIE-Water to update the FMP models with cumulative impacts.</p>	
<p>F 3 Mandatory conditions to give effect to flood work approvals (approvals) for the Plan were not applied in accordance with Section 100(1)(a) and Section 100 (1A) of the Act.</p>	<p>R 3.3 WaterNSW to re-issue the statement of approvals to existing approval holders inclusive of mandatory conditions, inclusive of an updated plan map.</p>
<p>WaterNSW Comment: WaterNSW is reliant on DPIE-Water to develop and load mandatory conditions in WLS and thereafter will re-issue the statement of approvals to existing approval holders inclusive of mandatory conditions and an updated plan map. WaterNSW requires DPIE-Water's completion of items 3.1 and 3.2 to write mandatory conditions and code them into WLS.</p>	

Table 2: WaterNSW Response to Audit observations and Suggested Actions

Observations	Suggested actions
<p>O2.1: Available technical guidance is not integrated into current processes and procedures to improve the quality of impact assessments of flood work approval applications.</p>	<p>SA 2.1.2 After the implementation of SA 2.1, WaterNSW and NRAR to ensure their internal administrative processes link to this guidance once available.</p> <p><i>SA 2.1.1: DPIE-Water to finalise technical guidance for the Plan and make these available for WaterNSW and NRAR water regulation officers to use when assessing approvals to ensure a consistent approach between assessments undertaken by these two organisations. In preparing these procedures DPIE-Water should integrate the Office of Environment and Heritage (OEH) Implementation Guidelines where appropriate.</i></p>
<p>WaterNSW Comment: Currently WaterNSW have draft Technical Assessment Methodologies (TAMs) for most FMPs and have only recently received all the underpinning data post the signing of the Digital Data Licence Agreement between DPIE-Water and WaterNSW. WaterNSW requires DPIE-Water's completion of item 2.1.1 for receiving the 'final' versions of TAMs.</p>	

If you have any questions or comments on the above, please contact David Stockler, Executive Manager Customer and Community (david.stockler@waternsw.com.au; +61416182382).

Yours sincerely,



Andrew George
Chief Executive Officer