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Department of Regional Development,
Manufacturing and Water



Accepted development requirements for take of overland flow water for stock or domestic purposes, or using limited capacity works

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Version history

| Version | Date | Comments |
|---------|------------|--|
| 1.0 | 22/11/2022 | Consolidated the former self-assessable codes for take of overland flow water for stock or domestic purposes, or using limited capacity works. Updated terminology to reflect the Planning Act 2016, transitioning from self-assessable codes to accepted development requirements. |

Approval

| Position | Name | Date |
|---|-------------|------------|
| Director, Water Management Implementation and Measurement Initiatives | Toni Stiles | 22/11/2022 |

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1. Development these requirements apply to

The accepted development requirements in this document apply to the construction of operational works that take overland flow:

- for stock or domestic purposes; or
- in a limited capacity.

For the purposes of the *Planning Act 2016* (Planning Act), development in accordance with this document is considered accepted development.

This document applies to the construction of operational works that take overland flow water for a purpose authorised under the Planning Regulation 2017 (Planning Regulation), *Water Act 2000* (Water Act) or Water Regulation 2016 (Water Regulation). Water plans may also limit the volume of overland flow water able to be taken through these operational works.

This document replaces:

- Code for self-assessable development for taking overland flow water for stock or domestic purposes
- Code for self-assessable development for taking overland flow water using limited capacity works.

If the proposed work does not comply with the accepted development requirements, the work is not accepted development. Work that is not accepted development is assessable development and requires a development application to be submitted to the State Assessment and Referral Agency (SARA) of the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) prior to starting construction.

A person constructing works that take overland flow water must also ensure they comply with any other relevant state and federal legislation or requirements.

2. How to use this document

This document states the requirements that must be complied with for works to be considered accepted development.

The definitions at the end of the document include specific terms that are used within this document. If a term is not included in the list, it may be defined in the Water Act or the Planning Act.

- Section 3 outlines accepted development requirements for works that take overland flow for stock or domestic purposes **and** in a limited capacity.
- Section 4 outlines additional accepted development requirements for works that take overland flow for stock or domestic purposes.
- Section 5 outlines additional accepted development requirements for limited capacity overland flow works.

This document is reviewed periodically and may be amended. To ensure the current version of the document is used visit www.business.qld.gov.au and search for 'accepted development requirements'.

3. Requirements for all works

3.1 Water legislation

The purpose of this document is to ensure that operational works that take overland flow water are:

- consistent with the purposes of the applicable Water Plan and the Water Regulation 2016 (Schedule 9).
- constructed to, as far as practicable, minimise the impact of the works on overland flow with regard to neighbouring properties, the environment and downstream users of overland flow water.
- consistent with the person's authority to take overland flow water under the Water Act.
- for stock or domestic purposes, no larger than necessary to meet the requirements for water for stock or domestic purposes (i.e. limited to the determined volumetric capacity).
- for limited capacity works, limited to a specified volumetric capacity.

3.2 Operational works

Operational works that take overland flow water include:

- a. storages, sumps, drains, embankments, channels, pipes and pumps for taking, or that can be used for taking, overland flow water.
- b. storages that are connected to the works mentioned in point (a).
- c. works that make, or that can be used to make, the original connection between the storages mentioned in point (b) and the works mentioned in point (a).

This document **does not** apply to:

- overland flow works where the capacity is greater than the maximum capacity specified in the Water Plan or Water Regulation.
- works for taking overland flow water other than:
 - for stock or domestic purposes; or
 - in a limited capacity.
- overland flow works that are connected, physically or by a device able to transfer water to any other works used or able to be used for storing water.
- overland flow works constructed for purposes prohibited in the relevant water plan or water management protocol.

3.3 Accepted development requirements

Table 1 specifies the accepted development requirements that must also be satisfied for operational works to take overland flow for stock or domestic purposes and limited capacity works.

Table 1: Accepted development requirements for stock or domestic works or limited capacity works

| Accepted development requirements |
|---|
| Physical impacts of overland flow works on neighbouring properties are minimised. <ul style="list-style-type: none">• The overland flow works are contained within the property boundaries.• At fully supply level, the area inundated is contained within the property boundaries.• Any bywash resulting from the overland flow works, exits the property as close as practicable to the same location at which is exited the property prior to construction of the works. |

3.4 Notification form

The owner of the land on which works are constructed must notify their local departmental office of the location and capacity of the works constructed under this document within 60 business days of completing the works.

This notification must include a completed copy of the *Notification form for accepted development works to take overland flow water* (form W2F082) available on the Business Queensland website at www.business.qld.gov.au.

4. Accepted development requirements for stock or domestic works

In addition to the requirements in section 3, operational works in the catchments of the applicable water plans must meet the following requirements:

- Prior to constructing works under this document, a person must determine the stock or domestic requirements for the property on which the works will be located. This is done by completing 'Part D Annual water requirements worksheet' (worksheet) on the notification form.
- The construction of the works on a property must not result in the total water storage capacity¹ being more than the stock or domestic requirements calculated using the worksheet.

For example: a property already has a 20 megalitre (ML) dam that is used for stock or domestic purposes. Using the worksheet, the person calculates an annual requirement of 60 ML. Under this document, the person may only build a further 40 ML of stock or domestic storage, to take the total storage of overland flow to 60 ML under an applicable water plan.

5. Accepted development requirements for limited capacity works

In addition to the requirements in section 3, operational works to take overland flow in a limited capacity must also meet the following accepted development requirements.

5.1 Limitation on storage volume

Works constructed under this document must not exceed the limited capacity prescribed for each area in Schedule 9 of the Water Regulation.

5.2 Independence of storage

All storages must be independent of other storages. Storage works must not be connected, physically or by any device able to transfer water to any other works used or able to be used for storing water.

For example: works must not share common walls and must not be connected by means of a pump, pipe, channel, etc.

¹ The total water storage capacity for a property means the total volume of all stock or domestic storages on the parcel.

6. Definitions

Bywash means water that is diverted from a dam or reservoir and is usually associated with a pipe or other structure to prevent uncontrolled overtopping.

Domestic purposes is defined in section 6 of the *Water Act 2000*.

Land means one or more contiguous properties operated as a single enterprise.

Limited capacity means the volumetric limit specified in Schedule 9 of the Water Regulation 2016.

Overland flow water is defined in Schedule 4 of the *Water Act 2000*.

Owner of the land is defined in Schedule 4 of the *Water Act 2000*.

Person includes an individual and a corporation.

Property means one or more contiguous parcels of land, operated as a single enterprise.

Stock purposes is defined in Schedule 4 of the *Water Act 2000*. Taking of water for stock purposes is limited to the volume necessary for the watering of animals of a number that would normally be depastured on the land on which the water is used, having regard to any seasonal fluctuations in the carrying capacity of the land. It does not include stock held in close concentration for a purpose other than grazing, such as in a feedlot. It also does not include taking large quantities of water for storage and use at a later time when water may not otherwise be available.

Total water storage capacity for a property means the total volume of all stock or domestic storages on the land.

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