

# Code for self-assessable development for taking overland flow water using limited capacity works

WSS/2013/630

Version 7.07

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## Version history

Version	Date	Comments
1.00	10/04/2007	Current.
2.00	24/06/2008	<p>'Code for self-assessable development for taking Gulf' and 'Code water using small scale storages' converted to 'Code for self-assessable development for taking overland flow water using flow limited capacity works'.</p> <p>References to 'small scale storages' overland replaced with 'limited capacity works' as the Burdekin, Mitchell and other water resource plans (WRP) allow for up to 250 ML capacity of works.</p> <p>Removal of reference to specific WRPs to make this code apply to the relevant plan areas across the state.</p>
2.01	10/07/2008	Replace 'Code for self-assessable development for taking flow water using small scale storages' with 'Code for self-assessable development for taking overland flow water using overland limited capacity works'.
3.00	05/08/2010	Make changes associated with the Temporary State Planning Policy 1/10 Protecting Wetlands of High Ecological Significance in Great Barrier Reef, change from the <i>Integrated Planning Act 1997</i> to the <i>Sustainable Planning Act 2009</i> , change departmental name from Departmental Natural Resources and Water to Queensland Department of Environment and Resource Management and ensure consistency with other codes.
4.00	26/07/2011	Amendments include: some references to wild rivers declaration removed, minor update to executive summary, ensure that legislative references are correct and reinstate reference to water resource plans that have limited capacity and the maximum volumetric capacity that applies to each area.
5.00	09/11/2011	Addition of the maximum volumetric capacity for the Cooper Creek water resource plan area.
6.00	15/11/2011	Ensure that the water resource plans are detailed in full in section titled 'Limitation on storage volume' and other minor amendments.
7.00	08/12/2011	Amended to include limited capacity for Fitzroy Basin.
7.01	28/02/2014	Updated departmental references. Deleted performance requirements in Table 2 no longer applicable. Amended responsibilities and definitions sections. Changed policy ID number from WAM/2007/3029 to WSS/2013/630.
7.02	14/04/2015	Updated to include limited capacity for Burnett Basin. Removed references to Wild Rivers declarations.
7.03	01/07/2016	Updated departmental template.
7.04	06/12/2016	Section references updated to be consistent with changes from the <i>Water Reform and Other Legislation Amendment Act 2014</i>
7.05	03/07/2017	Amendments associated with implementation of the <i>Planning Act 2016</i> (replaced <i>Sustainable Planning Act 2009</i> on 3 July 2017).
7.06	11/10/2019	Amendments associated with implementation of the Mineral Resources and Other Legislation Amendment Regulation 2019. Updated departmental template.
7.07	06/06/2022	Update departmental template and branding.

# Approval

Position	Name	Date
Director, Water Operations – Divisional Support	Ian Gordon	06/06/2022

## 1.0 Development to which this code applies

This code applies to the taking of overland flow water using limited capacity works.

This code applies if limited capacity works for taking overland flow are identified as self-assessable development under the Water Regulation 2016 (Water Regulation).

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

## 2.0 Purpose

The purpose of this code is to ensure that works for taking overland flow water that have a limited capacity are:

- consistent with the requirements of the applicable Water Plan and the Water Regulation.
- limited to a specified volumetric capacity
- constructed independently to other works
- constructed, as far as practicable, to 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 landholder's authority to take overland flow water.

## 3.0 Scope

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 paragraph (a)
- c. works that make, or that can be used to make, the original connection between the storages mentioned in paragraph (b) and the works mentioned in paragraph (a).

This code does not apply to:

- overland flow works where the storage associated with the works is of a greater volume than the maximum volume specified in the Water Plan or Water Regulation.
- overland flow works that are connected by a water transfer device, see section 4.3 of this code.
- overland flow works constructed for purposes prohibited in the water plan or water management protocol.
- operational works that take overland flow water for stock or domestic purposes that have been made self-assessable development.

## 4.0 Code requirements

### 4.1 Notification of works

The owner of land on which the works are constructed must notify the local departmental office of the location and capacity of the works within 60 business days of completion of the works.

This notification must include a completed copy of Notification form for self-assessable works to take overland flow (form W2F082) available on the Business Queensland website at [www.business.qld.gov.au](http://www.business.qld.gov.au).

## 4.2 Limitation on storage volume

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

## 4.3 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.

## 4.4 Performance outcomes

Table 1 below specifies the performance outcomes that must also be satisfied. The performance outcomes of the code will be satisfied if the acceptable outcomes are adopted.

**Table 1 – Performance outcomes and acceptable outcomes**

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

## 5.0 Other legislative requirements

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

## 6.0 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.

**Limited capacity** means the volumetric limit specified in the Water Regulation.

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

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



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