

Code for self-assessable development of replacement bores

WSS/2013/594

Version 2.08

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Contents

Version History	ii
Approval	ii
1.0 Development to which this code applies	1
2.0 Purpose	1
3.0 Code requirements	1
3.1 Notification of works	1
3.2 Minimum construction standards.....	1
3.3 Requirements of the original approval	2
3.4 Location and depth.....	2
3.5 Licensed driller	2
4.0 Other legislative requirements	2
5.0 Definitions	2

Version History

Version	Date	Notes
1.00	31/03/2006	First version endorsed.
1.01	12/04/2007	New Policy Register template.
1.02	07/07/2008	Metadata updated and other minor amendments, including change department name from Department of Natural Resources, Mines and Water to Department of Natural Resources and Water
2.00	16/12/2010	Make changes associated with change from the Integrated Planning Act 1997 to the Sustainable Planning Act 2009, change departmental name from Departmental Natural Resources and Water to QLD Department Environment and Resource Management, ensure consistency with other codes. Ensure that the original date of release is listed in the version history table.
2.01	21/12/2010	Correct hyperlink to section titled '3. Scope of code'.
2.02	28/02/2014	Updated departmental references and references to the Minimum construction requirements for water bores in Australia. Amended legislative responsibilities section. Changed policy ID number from WAM/2006/2544 to WSS/2013/594
2.03	21/05/2015	Removed reference to wild river declarations. Changed section 4.4 from 'Location and depth' to 'Location and aquifer', consistent with the Sustainable Planning Regulation 2009.
2.04	01/07/2016	Updated departmental template.
2.05	14/07/2016	Minor amendment
2.06	06/12/2016	Section references updated to be consistent with changes from the Water Reform and Other Legislation Amendment Act 2014.
2.07	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).
2.08	06/06/2022	Updated departmental branding and template. Minor update to section 1.

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 construction of a replacement of an authorised subartesian water bore. This includes a water bore that has deemed approval or approval under the *Planning Act 2016*.

This code applies if the replacement of a subartesian water bore has been made self-assessable development by a Water Plan or the Water Regulation 2016.

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 construction of self-assessable replacement bores are:

- constructed in a way that protects the aquifers that the bore intersects or taps
- consistent with any associated authority to take or interfere with underground water
- constructed in a way that prolongs their productive life to the benefit of the bore users.

This code also ensures that the replaced original bore is decommissioned in accordance with the Minimum construction requirements for water bores in Australia. See section 3.2 Minimum construction standards.

3.0 Code requirements

3.1 Notification of works

The owner of land on which a replacement bore is constructed must notify the local departmental office of the construction details of the works within 60 business days of completion of the works, which includes decommissioning of the original bore.

This notification must include a completed copy of the Notification form for self-assessable subartesian water bore (form W2F081) available on the Business Queensland website at www.business.qld.gov.au.

3.2 Minimum construction standards

Construction of a replacement bore must be carried out in accordance with the Minimum construction requirements for water bores in Australia.

Subartesian water bores intersecting the sediments of artesian basins must also comply with the Minimum standards for the construction and reconditioning of water bores that intersect the sediments of artesian basins in Queensland.

The minimum construction standards are available on the Business Queensland website at www.business.qld.gov.au.

3.3 Requirements of the original approval

Where the conditions of approval for constructing the original bore exceed the minimum construction standards, the original requirements for the following must be met:

- maximum or minimum diameter for either the borehole or its casing
- minimum depth of casing
- minimum depth and/or thickness of grout to seal the annular space in the bore.

3.4 Location and depth

A replacement bore must be constructed:

- within 10 metres of the original bore
- to tap the same aquifer as the original bore
- to tap only one aquifer.

3.5 Licensed driller

The construction of water bores deeper than six metres must be carried out by a person who holds a Queensland water bore driller's licence issued under the *Water Act 2000*.

The landowner must provide the driller with a copy of the development permit for the original bore, or the authorisation details of the deemed development permit, before commencing construction of a replacement bore under this code.

A licensed water bore driller must decommission the original bore within 60 business days of completion of the replacement bore, in accordance with the minimum construction standards.

4.0 Other legislative requirements

A person constructing a replacement bore under this code must also ensure they comply with any other relevant state and federal laws.

5.0 Definitions

Aquifer means a geological formation or part of a geological formation capable of transmitting and yielding water.

Bore means a subartesian water bore and may include a shaft, well, gallery, spear or excavation, and any works constructed in connection with the shaft, well, gallery, spear or excavation, that taps an aquifer and the water does not and never has flowed naturally to the surface.

Completion of a water bore in the context of this code means construction and equipping of a water bore such that it is capable of delivering water.

Deemed development permit means a development permit taken to exist by the operation of section 1048A of the *Water Act 2000*.

Original bore means a water bore constructed in accordance with a development permit issued under the *Planning Act 2016*, or a development permit taken to exist by the operation of section 1048A of the *Water Act 2000*, used to take water under an authority given under the *Water Act 2000*.

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

Replacement bore means a water bore constructed to replace an original bore to take underground water under an authority given under the *Water Act 2000*.

Underground area is an area declared to be an underground area in accordance with the provisions of section 1046 of the *Water Act 2000*. Generally, within these areas a water licence is required to take or interfere with subartesian water.

Water plan means a plan approved under section 47 of the *Water Act 2000*.



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