



## Brisbane aquifer moratorium

### Moratorium notice for Brisbane aquifer area

The Minister for Natural Resource and Water (NRW) has introduced a moratorium on construction of works that take underground water in the Brisbane aquifer area. The moratorium places a hold on the construction of new works that take underground water for stock or domestic purposes, commercial and industrial purposes and for irrigation purposes. This notice also applies to works if the works would increase the amount of underground water taken.

This information sheet explains how the moratorium notice for the Brisbane aquifer area—published on 12 May 2007—affects works and exemptions provided for in the moratorium. More details about the area covered by the moratorium are available from departmental offices.

### The importance of the moratorium

Since the introduction of the *Water Act 2000* in September 2000, measures have existed to control the development of works that take or interfere with surface water, overland flow water and underground water.

This moratorium is necessary for securing the supply of underground water resources for town water supply.

### Works and water to which the moratorium applies

It applies to all underground water in the Brisbane aquifer area. It applies to the construction of works that would lead to more water being taken or to an increase to the take of the water.

It applies to works that would increase the amount of water that may be taken.

### Exemptions

The moratorium allows for certain activities to continue with minimum disruption. Landholders will continue to be able to build infrastructure to access water to meet stock or domestic needs only on land which is not serviced by a reticulated water supply scheme operated by a local authority. Local authorities will be able to take underground water for town water supply purposes. Also exemptions are provided for the construction, operation or maintenance of public assets and utilities, among other exemptions. Under s. 30 of the *Water Act*, applications for the issuing of water permits are not subject to the moratorium.

### Replacement works

Works may be constructed that replace existing works however there are certain criteria that must be met:

- works must be no deeper than existing works
- the works are constructed on the same land title
- the existing works are decommissioned immediately upon the completion of the replacement works.

### Existing works

In addition it is important to note that works to take underground water that were in existence prior to the moratorium being in place are allowed to continue to take underground water.

### Evidence for meeting the started works criteria

Works to take underground water on which construction started before 12 May 2007 may be completed provided those constructing the works have evidence that meet the criteria set out in section 7 of the moratorium notice. These works must be completed by 7 August 2007. You should notify the department by 8 June 2007 if you intend to continue the construction of works as specified in section 7 of the Notice.

### What must be provided to the department by 8 June 2007:

#### Criteria (a)

Evidence that works have physically started and if works have not physically started a signed contract, accepted quote or statutory declaration which shows evidence that a contract between a driller and a landholder has been entered into.

#### Criterion (b)

A written confirmation from a driller that prior to 12 May 2007 an agreement was made to drill a bore on the land in question.

#### Criterion (c)

A sketch plan of the land with a registered plan description and an indication of where the works will be located.



## Frequently Asked Questions

Q: How can I determine if my property is in the Brisbane Aquifer Moratorium Area?

A: Contact the department. You will need to know the Lot/Plan details or address.

Q: Can I construct a bore to take water for stock and domestic purposes?

A: No. The only instance where you can construct a new bore to take underground water for stock and domestic purposes is if the land is not serviced by a reticulated water supply scheme operated by a local authority and the water is only used for stock or domestic purposes.

Q: Can I construct a bore for commercial/industrial/irrigation purposes?

A: No. You can only construct a bore for the above purposes if you meet the started works criteria.

Q: Do I require a licence or a permit to construct a bore if I meet the criteria set out under section 8.

A: No.

Q: I currently have a bore for watering my garden. Can I continue using that bore?

A: The moratorium does not affect existing bores.

Q: I have a decommissioned bore on my land. Is that bore classified as existing works?

A: No. The recommissioning of that bore would be a change that would increase the amount of water able to be taken by the bore and therefore it would not be classified as existing works.

Q: I am undertaking geotechnical drilling that may intersect underground water but will not be for the purpose of taking the water. Can I drill?

A: Yes. The moratorium only controls works for taking underground water.

Q: I have a verbal agreement with a driller that was made before 12 May 2007. Does that constitute a contract for the purposes of the started works criteria under section 7 of the moratorium?

A: No. You will need to verify this contract by providing a Statutory Declaration.

Q: I have a contract with a licensed driller to construct a bore. The contract was signed before 12 May 2007, but work has not started yet. Will I be able to proceed?

A: Your development may be allowed to proceed if it meets the criteria set out in the notice. You should notify your NRW office of your intention to continue construction of the works by 8 June 2007. Should it be necessary, you will need to provide the department with copies of contracts and other information as required by the department and a statutory declaration substantiating them. The work will need to be completed by 7 August 2007.

If you have any more questions about works that are 'started' under the moratorium, please telephone 1800 308 252

This fact sheet is provided as a guide only. Anyone who may be affected should read the moratorium notice in full before commencing or continuing any works. It can be viewed at <[www.nrw.qld.gov.au/wrp/moreton](http://www.nrw.qld.gov.au/wrp/moreton)> or at NRW offices, where staff will answer your queries.

## What action will NRW be undertaking?

NRW staff will be monitoring activities throughout the Brisbane Aquifer Moratorium Area to ensure compliance with the moratorium.

Compliance is essential to deliver the intended result for town water supply needs.

Where breaches are detected or documentation is fraudulent, prosecution may result in substantial penalties. Anyone falsifying a statutory declaration would face additional prosecution.

The department's first priority is to cooperate with landholders to ensure effective, consistent implementation of the moratorium without unnecessary disruption of day to day activities.

Community support for these important measures is essential if we are to aid in the supply of town water during this critical period.

## For more information

Phone 1800 308 252, contact your nearest NRW office or visit the department's website at <[www.nrw.qld.gov.au](http://www.nrw.qld.gov.au)>

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For further information phone 13 13 04