




**Queensland  
Government**  
Natural Resources  
and Water

## **Code for self-assessable development for taking overland flow water for stock and domestic purposes**

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# 1. Summary

This Code applies to the construction of works for taking overland flow water for stock or domestic purposes (stock or domestic works). Various water resource plans throughout the State make works for taking overland flow water for stock or domestic purposes self-assessable development under the *Integrated Planning Act 1997* (IPA). This may also apply in a wild river declaration or prescribed under a regulation. This Code only applies within those catchments.

Works that are self-assessable development do not require a development permit – therefore, **a landholder may construct works to take overland flow water for stock or domestic purposes without approval provided the works comply with this Code**. Non-compliance is an offence under IPA, and may lead to penalties.

Water taken by works constructed under this Code may only be used for stock or domestic purposes – overland flow water taken by the works may not subsequently be used for irrigation or other purposes.

Under the Code the landholder constructing the works must:

- notify the Department within 30 business days of constructing stock or domestic works; and
- ensure the works meet the Code’s performance requirements in respect of the impact of the works on neighbours and downstream users.

For some water resource plan areas, the Code also sets a limit on the size of works that can be constructed. In those catchments where this limit applies, a landholder constructing works must determine, using the worksheet in Schedule 1, the maximum storage volume per parcel of land, based on the stock to be supplied water and estimated domestic consumption. Any new storage must not exceed this limit.

A person constructing works under this Code must ensure they comply with these requirements.

NOTE: Works constructed under this Code may require other approvals. Refer to section 4 of this Code – Other Legislative Responsibilities.

## 2. The purpose of this code

The purpose of this Code is to ensure that works for taking overland flow water for stock or domestic purposes are:

- consistent with the landholder’s authority to take overland flow water;
- consistent with the objectives of the applicable water resource plan or wild river declaration
- no larger than necessary to meet the requirements for water for stock or domestic purposes (i.e. limited to the determined volumetric capacity)
- constructed to, as far as practicable, minimise the impact of the works on overland flow with regard to neighbouring properties and downstream users of overland flow water.

### 3. Scope of code

This Code applies only in those catchments where a water resource plan, wild river declaration or regulation has made the construction of stock or domestic overland flow works self-assessable development under the IPA.

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).

Note: This code does not apply where works are being constructed both for stock or domestic purposes **and** for another purpose, for example to provide irrigation water.

#### Meaning of water for stock or domestic purposes

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. Nor does it include taking large quantities of water for storage and use at a later time when water may not otherwise be available.

Water for **domestic purposes** is limited to all purposes for which water is used ordinarily in or in connection with a dwelling house and garden not exceeding 2,500 square metres. It does not include water used in any business, commercial or manufacturing purposes carried on, in or in connection with a dwelling house. It does not include irrigation of produce grown for sale, barter, or exchange.

To remove any doubt this Code **does not** apply to:

- Works for taking overland flow water for stock or domestic purposes exceeding the maximum volume calculated in accordance with section 5
- Works for taking overland flow water for a purpose other than stock or domestic purposes
- Works that interfere with water in a watercourse, lake or spring.

### 4. Other legislative responsibilities

A person constructing works under this Code must also ensure they comply with any other relevant state and federal laws including, but not limited to:

- *Vegetation Management Act 1999* – this Act places limitations on the clearing of native vegetation. A landholder must ensure they have any necessary permits prior to clearing a site for the construction of a new storage.

- *Environmental Protection Act 1994* – this Act places obligations on landholders in respect of ensuring that their actions do not result in harm to the environment.
- Other provisions of the *Water Act 2000*.
- *Aboriginal Cultural Heritage Act 2004* – this Act places an obligation on people to take all reasonable and practicable measures to ensure an activity they are undertaking does not harm aboriginal cultural heritage.
- *Wild Rivers Act 2005*
- Local Town Planning Schemes.

It is the responsibility of the landholder to ensure that the works are consistent with all other legislative and regulatory requirements.

## 5.1 Mandatory requirements

Consistent with the *Integrated Planning Act 1997* (IPA), a person constructing works under this Code must comply with these requirements. Failure to do so is a breach of this Code and is an offence under IPA.

It is a condition that water taken by the overland flow works must only be used for stock or domestic purposes.

### 5.1.1 Notification of works

- a) The owner of land on which the works are constructed must notify the local office of the Department of Natural Resources and Water of the location and capacity of the works constructed under this code within 30 business days of completing the works.
- b) Notification must consist of:
  - i) if the works are located in a catchment listed in section 5.1.2, where an annual water requirements limit applies – a completed annual water requirements worksheet, as set out in Attachment 1 and
  - ii) a completed copy of the form in Attachment 2 of this Code.

### 5.1.2 Limitation on storage volume

- a) This section applies only to works constructed in the plan area of any of the following water resource plans:
  - *Water Resource (Border Rivers) Plan 2003*
  - *Water Resource (Burdekin) Plan 2007*
  - *Water Resource (Calliope) Plan 2006*
  - *Water Resource (Condamine Balonne) Plan 2004*
  - *Water Resource (Fitzroy Basin) Plan 1999*
  - *Water Resource (Gulf) Plan 2007*
  - *Water Resource (Mitchell) Plan 2007*
  - *Water Resource (Moreton) Plan 2007*

- b) Prior to constructing works under this Code, a landholder must determine the stock and domestic requirements for the parcel of land on which the works will be located. This is done by completing the worksheet in Attachment 2, based on the number of households on the land and the number of stock normally depastured on the land.
- c) The construction of the works on a parcel of land must not result in the total water storage capacity for the parcel of land being more than the stock or domestic requirements for the parcel of land calculated using the worksheet.

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

*Example: A parcel of land already has a 600 ML dam that is used for stock or domestic purposes. Using the worksheet, the landholder calculates an annual requirement of 800 ML. Under this Code the landholder may only build a further 200 ML of stock and domestic storage, to take the total storage to 800 ML.*

## 5.2 Performance requirements

The table below specifies performance criteria that must be satisfied. For each performance requirement, an “acceptable solution” is provided. The performance requirements will be satisfied if the acceptable solutions are adopted.

Performance Criteria	Acceptable Solutions
<p>A) Physical impacts of the overland flow works on neighbouring properties are to be minimised.</p>	<p>A1 The overland flow works are contained within the property boundaries.</p> <p>A2 At full supply level the area inundated is contained within the property boundaries.</p> <p>A3 Any bywash resulting from the overland flow works, and any water diverted away from contaminated areas, exits the property as close as practicable to the same location at which it exited the property prior to commencement of the works.</p>

## 6. Definitions

This part defines particular words used in this code.

**Department** means the Department of Natural Resources and Water.

**Lake** includes:

- (a) a lagoon, swamp or other natural collection of water, whether permanent or intermittent; and
- (b) the bed and banks and any other element confining or containing the water.

**Overland flow water**

1. “Overland flow water” means water, including floodwater, flowing over land otherwise than in a watercourse or lake—
  - (a) after having fallen as rain or in any other way; or
  - (b) after rising to the surface naturally from underground.
2. “Overland flow water” does not include—
  - (a) water that has naturally infiltrated the soil in normal farming operations, including infiltration that has occurred in farming activity such as clearing, replanting and broad-acre ploughing; or
  - (b) tailwater from irrigation if the tailwater recycling meets best practice requirements; or
  - (c) water collected from roofs for rainwater tanks.

**Parcel of land** means a single lot on plan.

**Spring** means the land to which water rises naturally from below the ground and the land over which the water then flows.

**Watercourse**

- 1 “Watercourse” means a river, creek or stream in which water flows permanently or intermittently—
  - (a) in a natural channel, whether artificially improved or not; or
  - (b) in an artificial channel that has changed the course of the watercourse; but, in any case, only—
  - (c) unless a regulation under paragraph (d), (e) or (f) declares otherwise—at every place upstream of the point (**point A**) to which the high spring tide ordinarily flows and reflows, whether due to a natural cause or to an artificial barrier; or
  - (d) if a regulation has declared an upstream limit for the watercourse—the part of the river, creek or stream between the upstream limit and point A; or
  - (e) if a regulation has declared a downstream limit for the watercourse—the part of the river, creek or stream upstream of the limit; or
  - (f) if a regulation has declared an upstream and a downstream limit for the watercourse—the part of the river, creek or stream between the upstream and the downstream limits.
2. “Watercourse” includes the bed and banks and any other element of a river, creek or stream confining or containing water.

**Water resource plan**

Water resource plan means a plan approved under section 50(2) of the *Water Act 2000*.

**Attachment 1: Annual water requirements worksheet**  
**Worksheet used to estimate the annual water requirements for stock or domestic purposes.**

**TABLE 1 – Stock and domestic requirements**

STOCK	Average Annual Consumption (m <sup>3</sup> /head)	Stock Numbers	Sub Total (m <sup>3</sup> )
Cattle & Horses	20	<input type="text"/>	<input type="text"/>
Sheep & Goats	4	<input type="text"/>	<input type="text"/>
Nett Annual Stock Water Requirements			<input type="text"/> A
DOMESTIC	Average Annual Consumption (m <sup>3</sup> /household)	No. of Households	Sub Total (m <sup>3</sup> )
Household & Garden	2500	<input type="text"/>	<input type="text"/>
Nett Annual Domestic Water Requirements			<input type="text"/>
TOTAL Nett Annual Water Requirements (A + B)			<input type="text"/> m <sup>3</sup>

(m<sup>3</sup> = cubic metre = 1000 litres)

**TABLE 2 – Evaporation and storage factors**

Local Average Annual Rainfall _____ mm	Evaporation and Storage Factor
> 600 mm / annum (2 years storage)	<input type="text"/> 3
< 600 mm / annum (3 years storage)	<input type="text"/> 5

**TABLE 3 – Calculation of maximum capacity allowed without planning approval**

Nett annual water requirements from Table 1	<input type="text"/> C
Evaporation and storage Factor from Table 2	<input type="text"/> D
<b>Maximum Storage Capacity = C x D ÷ 1,000</b>	
	<input type="text"/> ML

For further information, contact your local office of the Department of Natural Resources and Water

**Attachment 2: Notification form**  
**Form for notifying works that take overland flow water for stock or domestic purposes.**

<b>Purpose of this Form</b>
To allow landowners to notify self-assessable works constructed to take overland flow water for stock and/or domestic purposes.

**PART 1 Applicant Details**

**1.1 Name** *Specify the full name of all registered owners of the land.*

**1.2 Mailing Address** *Any correspondence will be delivered to this address*

State  Postcode  Country *(if not Australia)*

**1.3 Contact Person's Details**  
*(if different from above)* Title Mr Mrs Ms Miss Other *please specify*

Name

Preferred Phone  Alternate Phone  Facsimile

**PART 2 Description of Land** **Specify the Lot and Plan numbers of the land on which the works are located.**

Lot on   
Plan

**PART 3 Capacity of Works and Construction Date**

Estimated capacity of new stock or domestic storage

Estimated capacity of pre-existing storages on same parcel of land

Date of construction of works

**This form must be accompanied by a completed water requirements worksheet (as per Attachment 1) for relevant catchments.**

**NOTE: Contact details for further information, or to return the completed notification form:**

**Ayr**  
Little Drysdale Street  
PO Box 591  
AYR Q 4807  
Ph: 07 4761 2223  
Fax: 07 4761 2211

**Blackall**  
Court House  
Shamrock Street  
PO Box 288  
BLACKALL Q 4472  
Ph: 07 4657 4813  
Fax: 07 4657 4908

**Bundaberg**  
16-32 Enterprise Street  
PO Box 1167  
BUNDABERG Q 4670  
Ph: 07 4131 5845  
Fax: 07 4131 5896

**Emerald**  
99 Hospital Road  
PO Box 19  
EMERALD Q 4720  
Ph: 07 4987 9300  
Fax: 07 4987 9333

**Gatton**  
Gatton Research Station  
Warrego Highway  
Locked Mail Bag 1009, MS 437  
GATTON Q 4343  
Ph: 07 5466 222  
Fax: 07 5466 2282

**Goondiwindi**  
24-26 McLean St,  
Locked Bag 4  
GOONDIWINDI Q 4390  
Ph: 07 4671 6100  
Fax: 07 4671 3163

**Gympie**  
27 O'Connell Street  
Locked Bag 383  
GYMPIE Q 4570  
Ph: 07 5480 5316  
Fax: 07 5480 5302

**Ingham**  
Halifax Road  
PO Box 1293  
INGHAM Q 4850  
Ph: 07 4777 2822  
Fax: 07 4777 2863

**Longreach**  
Landsborough Highway  
PO Box 210  
LONGREACH Q 4730  
Ph: 07 4650 1900  
Fax: 07 4650 1902

**Mackay**  
22-30 Wood Street  
PO Box 63  
MACKAY Q 4740  
Ph: 07 4967 0995  
Fax: 07 4957 3747

**Mareeba**  
167 Walsh Street  
PO Box 156  
MAREEBA Q 4880  
Ph: 07 4048 4850  
Fax: 07 4092 2366

**Rockhampton**  
209 Bolsolver Street  
PO Box 1762  
ROCKHAMPTON Q 4700  
Ph: 07 4938 4600  
Fax: 07 4927 3079

**St George**  
126 Alfred Street  
PO Box 310  
ST GEORGE Q 4487  
Ph: 07 4625 3299  
Fax: 07 4625 3892

**Toowoomba**  
203 Tor St  
PO BOX 318  
TOOWOOMBA Q 4350  
Ph: 07 4688 1000  
Fax: 07 4688 1188

**Townsville**  
187-209 Stanley Street  
PO Box 5318  
TOWNSVILLE Q 4810  
Ph: 07 4799 7314  
Fax: 07 4799 7971

**Warwick**  
Cnr Guy and Fitzroy Streets  
PO Box 2  
WARWICK Q 4370  
Ph: 07 4661 0200  
Fax: 07 4661 5215

**Woolloongabba**  
Landcentre Floor 3  
Cnr Main & Vulture Sts  
PO Box 1653  
COORPAROO DC  
Q 4151  
Ph: 07 3224 7676  
Fax: 07 3224 2933