



Department of Natural Resources and Water

Self-Assessable Code for the Development of Riparian Water Access Works on a Watercourse, Lake or Spring

INTRODUCTION

The *Integrated Planning Act 1997* (IPA) sets up, as part of the Integrated Development Assessment System (IDAS), the concept of impact assessment, code assessment and self-assessment for development proposals. Impact assessment is for major developments that require public comment on the proposal before any development approval can be issued. Code assessment is intended for development proposals that will have a significant impact and require development approval but do not require advertising as the proposal can be developed according to and measured against a code that is or reflects laws and policies of State and Local Governments.

Self-assessable developments are also developed according to and assessed against a code that is or reflects laws and policies of State and Local Governments. However, because of their limited impact on the environment or the community, such developments do not require any prior approval but must comply with this self-assessment code (the Code).

DEVELOPMENT TO WHICH THIS CODE APPLIES

Under Section 20(3) of the *Water Act 2000*, an owner of land adjoining a watercourse, lake or spring is authorised to access water for stock and/or domestic use without an entitlement. In addition, Schedule 8 of the *Integrated Planning Act* defines operational work as operations of any kind and all things constructed or installed for taking or interfering with water under Section 20(3) of the *Water Act* as self-assessable development. As self-assessable development, these works may be constructed without a separate approval provided that construction conforms to this Code.

This Code applies to the self-assessable development of works to access stock and/or domestic water in a watercourse, lake or spring by owners of the land adjoining the watercourse, lake or spring. This work is confined to a pump, spear, well, gallery or gravity diversion.

This Code does not apply to bores outside of a watercourse.

THE PURPOSE OR INTENT OF THIS CODE

To ensure that works on watercourses, lakes or springs supplying water taken under Section 20(3) of the *Water Act* are:

- constructed with minimal damage to the bed and banks and in a way that minimises any future damage to the bed and banks or surrounding property;
- constructed in a way that minimises damage to vegetation;
- constructed in a way that minimises changes to flood conditions; and
- works are undertaken by the “owner” of the riparian land.

LIMITATIONS

Self-assessment is limited to works taking water from a watercourse, lake or spring to supply stock and/or domestic needs to riparian lands.

For the purposes of this Code, stock needs are defined as:

Code for Self-Assessable Development of Riparian Access Works on a Watercourse, Lake or Spring

- limited to the watering of animals of a number that would normally be depastured on the land (to which Section 20(3) of the *Water Act* applies), 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.

For the purposes of this Code, domestic needs are defined as:

- 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 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 or the generation of electricity by the use of water.

Water accessed under the authority provided by Section 20(3) of the *Water Act* can only be used on the land adjoining the watercourse and any land contiguous with that land provided it is owned by the same person. (Contiguous lands are parcels of land that are touching or nearly touching and operated as a single unit. For example, land parcels on either side of a road could be considered contiguous.)

An owner cannot take and use water used under Section 20(3) of the *Water Act* on land that does not adjoin the watercourse, lake or spring if there is any intervening land such as a neighbouring property. To take and use water for stock or domestic purposes on land that is not contiguous with land adjoining a watercourse, lake or spring will require a water licence under the *Water Act* and a development permit under the *Integrated Planning Act*.

This Code also does not apply to a works constructed on an easement to take and supply stock or domestic needs. A person with right of access to the watercourse by means of a registered easement cannot utilise this Code. In such a case, the easement holder may make application for a water licence and assessable development approval.

This Code also does not apply to works for stock and domestic supplies on land that does not adjoin a watercourse lake or spring, nor does it apply to works to supply irrigation, urban or industrial needs, feedlots or other intensive stock watering, water harvesting and/or any other non-riparian stock or domestic water supply.

WORKS MUST REMAIN COMPLIANT WITH CODE

Unlike other works on a watercourse, lake or spring, riparian stock and/or domestic access works do not require a prior water licence or a development approval. However, if development proceeds but does not remain compliant with this Code, the developer may be prosecuted under provisions of the *Integrated Planning Act*.

ACCESS BY AN AUTHORISED OFFICER

Under the *Water Act*, authorised officers of the Department of Natural Resources and Water have powers of entry to land to inspect works at all reasonable times for the purpose of carrying out any inspection of the works for compliance with this Code.

RESTRICTIONS ON GARDEN WATERING

The *Water Act* requires the owner to obey any pumping or diversion restrictions imposed by the Department of Natural Resources and Water from time to time on the taking of water for garden watering. Such restrictions may be advised by advertisements in newspapers or by notice given to the owner. Such restrictions are imposed to achieve better sharing of limited resources in times of low flow or drought and continued maintenance of the aquatic environment.



PERFORMANCE OBJECTIVES AND ACCEPTABLE SOLUTIONS	
Performance Criteria	Acceptable Solutions
<p>Owner/Occupier of Land</p> <p>Only those authorised to take water under Section 20 (3) of the <i>Water Act 2000</i> take the water.</p>	<p>Owner/Occupier of Land</p> <p>The person undertaking the development must be the owner of the riparian land (other than an easement). Under the <i>Water Act 2000</i>, “owner”, of riparian land means any of the following, and includes the occupier of the land—</p> <ul style="list-style-type: none"> (a) the registered proprietor of the land; (b) the lessee or licensee under the <i>Land Act 1994</i> of the land; (c) the holder of a mineral development licence or mining lease under the <i>Mineral Resources Act 1989</i>; (d) the person or body of persons who, for the time being, has lawful control of the land, on trust or otherwise; (e) the person who is entitled to receive the rents and profits of the land. <p><i>Note:</i> A person with right of access to the watercourse, lake or spring by means of a registered easement is not an “owner” and does not have self-assessed IDAS approval to install works to provide stock and/or domestic water supplies. In such a case, the easement holder may make application for assessable development approval.</p>
<p>Works Limitations</p> <p>The volume of water taken is limited to that which meets only the peak daily requirements for domestic and stock needs.</p> <p><i>Note:</i> The authority under Section 20(3) of the <i>Water Act</i> allows stock to drink water at the creek that is available at the time. It is not about taking and storing water for long-term use.</p>	<p>Works Limitations</p> <p>Water must only be taken at a rate and/or stored at a volume sufficient to meet peak daily requirements for stock and domestic needs. Storage and reticulation may include natural or constructed storages or reticulations but must be limited to a size commensurate with peak daily demands. Water harvesting of bulk volume for long-term water supply is not permitted.</p> <p>Any works installed must have a means of regulating the rate at which water is taken so that the taking of water can be limited or stopped in periods when limitations are imposed by the Department of Natural Resources and Water.</p>
<p>Registration</p> <p>The Department of Natural Resources and Water is in a position to protect the interests of landholders with authorities under Section 20(3) of the <i>Water Act</i> in decisions made to allocate water for more intensive uses elsewhere on the watercourse, lake or spring. That is, use from this facility can be considered in any decision to allocate water to other users.</p>	<p>Registration</p> <p>While this is a self-assessable development and development approval is not required, the landowner is required to advise the Department of Natural Resources and Water of the location and works details within 30 business days of completing the work.</p> <p>Details must be provided on the attached form to the local office of the Department of Natural Resources and Water.</p> <p><i>Note:</i> To confirm the registration of the works details, the Department of Natural Resources and Water will acknowledge receipt of the information via a registration notice for self-assessed works.</p>



PERFORMANCE OBJECTIVES AND ACCEPTABLE SOLUTIONS

Performance Criteria	Acceptable Solutions
<p>Riverine Protection</p> <p>Damage to the riverine environment during construction and ongoing operation is to be minimised.</p> <p><i>Note: The root system of trees, shrubs and grasses bind the banks together in the same way that reinforcing improves the strength of concrete. This minimises damage to the bed and banks from erosion and potential damage to the pump installation.</i></p>	<p>Riverine Protection</p> <p>In constructing or installing:</p> <ul style="list-style-type: none"> • a gravity diversion pipeline; or • bed-sand works such as a spear, well or gallery; or • placing the pump and/or suction line and/or delivery line; <p>in or on the bed or banks of a watercourse, the only native trees that may be removed or destroyed are those where removal would be a necessary and unavoidable part of constructing or installing the works.</p> <p>Similarly, the only excavation or placing of fill permitted will be that which is a necessary and unavoidable part of constructing or installing the works.</p> <p>Bed material can be removed to expose water but only to a depth and extent that is necessary and unavoidable in taking the water effectively with a pump or to allow stock access to water in the bed sediments.</p> <p>The owner must also, at his/her own expense, maintain the physical integrity of the bed and banks of the watercourse adjacent to the works.</p> <p><i>Note: Any excess vegetation removal, placing of fill or excavation will require a Riverine Protection Permit from the Department of Natural Resources and Water. (In the case of an excavated storage greater than that allowed under this Code, a water licence and development permit will be required). Failure to obtain a permit where required is an offence under the Water Act for which significant penalties apply.</i></p>
<p>Site Rehabilitation and Maintenance</p> <p>Upon completion of construction and again when the works are to be abandoned, the site is to be left in a condition similar to that which existed prior to the establishment of the works.</p> <p><i>Note: This will minimise the possibility of erosion of the watercourse, lake or spring or surrounding land (and potential damage to the works).</i></p>	<p>Site Rehabilitation and Maintenance</p> <p>At the time of construction, any excavation, area of fill or any other damage to the bed or banks of the watercourse, lake or spring resulting from construction is to be filled, levelled and compacted or otherwise repaired so as to restore the natural level, profile and function of the bed and banks and the pre-existing level of bed and bank stability. Where bed-sand works (bore, well, spear, gallery etc) are installed, these works should be constructed so that there is no interference with the natural flow of water in the watercourse, lake or spring.</p> <p>If the works are damaged by flood or any other means, or the works are abandoned, all refuse, litter or other material is to be removed from the watercourse, lake or spring.</p> <p>At that time when the works are removed and/or the site abandoned, the owner, at his/her own expense, must restore the bed and banks at the site to a natural condition or a state similar to that in existence when the works were installed.</p> <p>Prior to or after abandonment, the developer must carry out any work on the development site required by the chief executive of the Department of Natural Resources and Water to protect the bed and banks of the watercourse, lake or spring from erosion at or near the site.</p>





Purpose of this Form

To allow land owners to register self-assessed works constructed to take water from a watercourse, lake or spring under the authority given in section 20 (3) of the Water Act 2000 for stock and/or domestic use. This form should not be completed until works have been installed. Notification of works must be received within 30 business days after the works have been installed.

PART A Applicant Details

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

If the applicant is a corporation please supply the ACN

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Attention (Optional) *(eg. Principal, Secretary, Managing Director, etc)*

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

State

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Postcode

--

Country
if not Australia

--

Contact Person's Details

(If different from above)

Title Mr Mrs Ms Miss Other *please specify*

--

Given Name

--

Last Name

--

Preferred Phone

--

Alternate Phone

--

Facsimile

--

Email Address

--

PART B Description of Land

Specify the Lot and Plan numbers of the land on which the water is to be used.

Lot

Plan

Note: Water taken under s20(3) of the Water Act 2000 may be used only on the land adjoining the watercourse, lake or spring from which the water is taken and any land contiguous with that land provided it is in the same registered ownership. (Contiguous lands are parcels of land that are touching or nearly touching and operated as a single unit.)

**OFFICE USE
ONLY**

Registration No.

Date

/ /

Initials

PART C Location of Works

Specify the Lot and Plan numbers of the land on which the works are located or adjacent to.

Adjacent to (✓)

Lot

Plan

Name the watercourse that water is to be taken from and describe the location of the works on the land.

Watercourse

If available, or possible, please supply Latitude and Longitude or Global Positioning System (GPS) references. Alternatively, provide a detailed sketch.

Latitude

Longitude

Easting

Northing

Datum

Sketch a detailed plan showing the location of the works on the watercourse, lake or spring. Include property boundaries, Lot/Plan descriptions, existing water facilities(e.g. pump, bore), and the watercourse, lake or spring from where water is being taken.

N



PART D Volume to be Stored and Maximum Rate of Take

Water must only be taken at a rate and/or stored at a volume sufficient to meet peak daily requirements for stock and domestic needs and any works installed must have a means of regulating the water taken so that the rate of take can be limited or stopped.

Maximum number and type of stock normally depastured adjacent to the watercourse, lake or spring.

Estimated volume of water to meet peak daily stock needs Litres

Estimated volume of water to meet peak daily domestic needs Litres

Estimated capacity of any water storage (reticulation and tanks) Megalitres

PART E Description of Works *Only complete relevant sections*

Type of Works Pump Gravity Diversion Pipe Spear, Well or Gallery in a Watercourse

Completion Date of Installation/Construction

If unknown please provide comment

Pump (complete if pump installed)

Pump Type Centrifugal Helical Rotor Submersible Jet Cylinder Pump & Windmill
 Piston* Turbine Other *please specify*

Pump Size Inlet/Bore* mm Outlet/Stroke* mm Duty Head m

Proposed Duty Discharge litres/second Motor Type

* For piston based pumps show the piston stroke and bore sizes

Gravity Diversion Pipe (complete if gravity diversion pipe installed)

Height above stream bed level M Off-take angle to the stream degrees

Provide written details of erosion control measures at the diversion outlet from the stream

Pipeline

Pipe material Aggregate Aluminium Galvanised PVC Reinforced Concrete
 Polythene Steel Fibreglass/Reinforced Plastic

Pipe Diameter mm Pipe Length m

Type of flow regulation device

PART E Description of Works cont'd

Only complete relevant sections

Spear, Well, Gallery in a Watercourse (complete if spear, well or gallery installed)

Provide written details (eg pump inlet in a 1.2m diameter concrete cylinder to 2 metres into bed sands and backfilled with coarse gravel).

PART F Rehabilitation

Detail how the area surrounding the site of the works has been rehabilitated/left after development was completed.

Department of Natural Resources and Water Service Centres

Little Drysdale Street
PO Box 591
AYR Q 4807
Ph: 07 4783 0423
Fax: 07 4783 7291

Biloela Research Station
State Farm Road
Locked Mail Bag 1
BILOELA Q 4715
Ph: 07 4992 9101
Fax: 07 4992 3468

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

Hood Street
PO Box 224
CHARLEVILLE Q 4470
Ph: 07 4654 4276
Fax: 07 4654 4225

Landcentre, Floor 3
Cnr Main & Vulture Streets
PO Box 1653
COORPAROO DC Q 4151
Ph: 07 3227 7735
Fax: 07 3224 2933

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

Gatton Research Station
Warrego Highway
Locked Mail Bag 1009, MS 437
GATTON Q 4343
Ph: 07 5466 2222
Fax: 07 5466 2282

24-26 McLean Street
Locked Bag 4
GOONDIWINDI Q 4390
Ph: 07 4671 6100
Fax: 07 4671 3163

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

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

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

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

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

31 Mc Dowall Street
PO Box 350
ROMA Q 4455
Ph: 07 4624 1548
Fax: 07 4624 1559

Centre for Wet Tropics Agriculture
South Johnstone Road
PO Box 20
SOUTH JOHNSTONE Q 4860
Ph: 07 4064 1110
Fax: 07 4064 2249

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

203 Tor Street
PO Box 318
TOOWOOMBA Q 4350
Ph: 07 4688 1000
Fax: 07 4688 1188

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