

State Development Assessment Provisions guidance material

State Code 10: Taking or interfering with water

WSS/2017/3913

Version 2.0

15/03/2022



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Version history

Version	Date	Comment
1.00	03/07/2017	New guideline approved and published.
1.01	1/11/2019	Updated with departmental branding
2.0	15/03/2022	Amended to reflect SDAP version 3.0

Approval

Position	Name	Date
Director, Water Operations, Divisional Support	Ian Gordon	15/03/2022

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1.0 Overview

1.1 Introduction

Queensland's planning and development framework, underpinned by the *Planning Act 2016*, sets out how development applications should be made and assessed.

The State Development Assessment Provisions (SDAP) provide assessment benchmarks for the assessment of development applications involving the State Assessment and Referral Agency (SARA).

The purpose of this guidance material is to assist applicants in preparing development applications for taking or interfering with water in response to requirements in State Code 10: Taking or interfering with water.

1.2 Assessment process

SARA uses SDAP to deliver a coordinated, whole-of-government approach to the state's assessment of development applications. SDAP provides transparency on what the state assesses by outlining the matters of interest to the state for development assessment.

For further information about the assessment process including copies of the SDAP and state codes visit <https://planning.statedevelopment.qld.gov.au/>.

For further information on water related activities visit www.business.qld.gov.au.

1.2.1 Pre-Lodgement

A pre-lodgement meeting with SARA is strongly recommended prior to lodging the development application. This meeting will assist an applicant to understand the requirements for technical assessments under the code based on the particular circumstances of the proposed development. This will help to identify any potential issues or additional information requirements.

Generally, for development applications involving taking or interfering with water, SARA is the assessment manager and the Department of Regional Development, Manufacturing and Water provides technical advice on whether the application complies with the code.

Contact your local office for pre-lodgement advice www.rdmw.qld.gov.au/about-us/contact.

1.3 Using the guidance material

This guidance material consists of the following:

- Part 1: Introduction to the code and guidance material
- Part 2: Context and advice on supporting actions and methodology intended to assist the applicant in demonstrating compliance with the code
- Part 3: Glossary.

Please note the use of this guidance material alone does not guarantee compliance with all requirements for taking or interfering with water. This guidance material should be interpreted as advice when preparing a development application.

2.0 Performance outcomes and acceptable outcomes

This section provides guidance on the minimum requirements to demonstrate compliance with the performance outcomes and acceptable outcomes outlined in the code.

Table 1 lists all the performance outcomes under the code relevant to particular works for taking or interfering with water.

Table 1: Development and relevant provisions of the code

Development	Relevant provisions of the code (Table 10.2)
For works that take or interfere with water in a watercourse, lake or spring	General: PO1 – PO4
For works that take or interfere with underground water	General: PO1 – PO4 Underground water: PO5 – PO6
For works that take overland flow water , where prescribed by regulation under the <i>Water Act 2000</i>	General: PO1 – PO4 Overland flow water: PO7 – PO8
For works that take overland flow water , where the works are reconfiguring existing works	General: PO1 – PO4 Overland flow water: PO7 – PO8 Reconfiguring existing works: PO9 – PO12
For works that take overland flow water in a limited catchment area identified in a water plan Note: Limited catchment areas are listed in table 10.3.	General: PO1 – PO4 Overland flow water: PO7 – PO8 Limited catchment area: PO13
For works that take overland flow water which is contaminated agricultural run-off water	General: PO1 – PO4 Overland flow water: PO7 – PO8 Contaminated agricultural run-off water: PO14 – PO15
Contaminated agricultural run-off water in a Queensland Murray Darling Basin catchment	General: PO1 – PO4 Overland flow water: PO7 – PO8 Contaminated agricultural run-off water: PO14– PO16
For works that take overland flow water as part of an environmentally relevant activity or under an environmental authority	General: PO1 – PO4 Overland flow water: PO7 – PO9 Environmentally relevant activity: PO17
For works that take overland flow water, incidental to capturing coal seam gas water	General: PO1 – PO4 Overland flow water: PO7 – PO8 Coal seam gas water: PO18
For works that take overland flow water, under a water entitlement	General: PO1 – PO4 Overland flow water: PO7 – PO8
For works that take overland flow water for the purpose of water sensitive urban design, for developments in urban areas	General: PO1 – PO4 Overland flow water: PO7 – PO8

Source: SDAP State Code 10, Version 3.0, 4 February 2022

2.1 General performance outcomes

These performance outcomes apply to all works that take or interfere with water. The purpose of the code is to ensure sustainable management of water by ensuring that development:

- 1) maintains:
 - a) natural ecosystem processes
 - b) riverine environments
 - c) **underground water** systems
 - d) physical integrity of **watercourses**
- 2) does not result in an adverse impact on:
 - a) connectivity between **underground water** and water in a **watercourse, lake or spring**
 - b) property of others
 - c) the water security of other users and their access to the water resource
- 3) minimises the volume of **overland flow water** taken, consistent with the development
- 4) minimises the take of **contaminated agricultural run-off water**
- 5) in the Queensland Murray Darling Basin, allows for the capture of **contaminated agricultural run-off water** and release of water when an **acceptable water quality** is achieved.

2.1.1 Performance outcome 1

PO1 Works do not cause an unacceptable impact on natural ecosystems.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 1, the applicant needs to provide the following information about how the proposed development does not cause unacceptable impact on the natural ecosystem:

- design and location of the works
- hydrological or geomorphic information
- details of the management of bed and bank erosion
- catchment characteristics.

2.1.2 Performance outcome 2

PO2 Works do not cause an unacceptable impact on other users' ability to access the resource.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 2, for surface water and overland flow water, the applicant should provide the design, location, storage volume and operating condition of any existing and/or proposed works.

The location details will be used to determine possible impacts on other users' ability to access the resource. The applicant should demonstrate how the proposed development will not adversely impact on other users of the resource.

For underground water works, applicants also need to consider the buffer distances and the distance between other users. The buffer distances can be found in Schedule 9, Part 2 of the Water Regulation 2016.

The applicant also needs to ensure that the proposed works are consistent with an authorisation for the take of water and any associated conditions.

2.1.3 Performance outcome 3

PO3 Works do not cause an unacceptable impact on the physical integrity of the **watercourse, lake or spring**.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 3, the applicant needs to provide the following information about how the proposed development does not cause an unacceptable impact on the physical integrity of the watercourse, lake or spring:

- design and location of the works
- erosion and sediment control measures, during and post construction
- hydrological or geomorphic information
- catchment characteristics.

The applicant also needs to provide information on how instream habitats such as riffles, logs, sediments or rock bars are being maintained, restored or substituted.

2.1.4 Performance outcome 4

PO4 Works are consistent with any of the following, to the extent they are relevant to the proposed development:

1. a **water plan**;
2. a **water management protocol**;
3. a moratorium notice issued under the *Water Act 2000*.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 4, the applicant needs to ensure proposed works are consistent with the relevant water plan, water management protocol, or moratorium notice relevant to their works. This can include, but not limited to:

- purpose of the works
- capacity limits for overland flow storages
- setback distances for underground water bores
- distances from existing underground water bores and springs
- works not resulting in an increase of the volume of water taken in a plan area unless authorised under the water plan.

Applicants also need to ensure that the proposed works are consistent with any current moratorium notices. These notices will restrict what works can be constructed or changed.

For further information on water plans and a list of current moratorium notices visit www.business.qld.gov.au.

2.2 Underground water

Where development involves the take or interference with underground water applicants need to ensure that the works do not impact the underground water system or impact on watercourses, lakes or springs.

2.2.1 Performance outcome 5 and 6

PO5 Works maintain the natural ecosystem processes of the **underground water** system.

PO6 Works do not unacceptably impact on connectivity between **underground water** and water in a **watercourse, lake or spring**.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcomes 5 and 6, the applicant needs to provide the following information:

- design and location of the works e.g. GPS coordinates of the proposed underground water works
- hydrological or geomorphic information (if available)
- the depth of the works and the aquifer that is proposed to be tapped by the works. The applicant may need to obtain further information from a licensed water bore driller.

An assessment also needs to be undertaken to determine if the proposed works will adversely impact on the nature of connectivity between underground water and the watercourse, lake or spring. Additional consideration will be given to the risk in establishing connections between otherwise separate aquifers.

For underground water works, applicants also need to consider the buffer distances and it can be found in Schedule 9, Part 2 of the Water Regulation 2016.

The department maintains some groundwater models and applicants should contact their local office www.rdmw.qld.gov.au/about-us/contact.

2.3 Overland flow

Where development involves the take of overland flow water applicants must ensure that works for taking overland flow water are for a relevant activity and that adverse impacts on receiving waters and neighbouring properties are minimised.

Overland flow works means:

- a. works used to store overland flow water, including, for example a sump, drain, embankment, channel or pump
- b. works that can be used to connect two or more works mentioned in (a) above.

A certified report is required to demonstrate compliance with all following performance outcomes relating to overland flow.

Further information about certified reports can be found on the business portal at www.business.qld.gov.au.

2.3.1 Performance outcome 7

PO7 Works to take **overland flow water** are for one of the following:

1. for an activity prescribed by regulation under the *Water Act 2000*; or
2. for reconfiguring **existing works**; or
3. in a **limited catchment area** identified in a **water plan**; or
4. for **contaminated agricultural run-off water**; or
5. part of an **environmentally relevant activity** or under an **environmental authority**; or
6. incidental to capturing **coal seam gas water**; or
7. consistent with a **water entitlement**; or
8. for the purpose of **water sensitive urban design**; for developments in urban areas.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 7, the applicant needs to demonstrate any of the following that are applicable to the proposed development:

- reconfiguring existing works
- in a limited catchment area
- contaminated agricultural run-off
- environmental relevant activity
- environmental authority
- incidental to capturing coal seam gas water
- consistent with a water entitlement
- for developments in urban areas, the water sensitive urban design approach is required to support healthy ecosystems through water management.

2.3.2 Performance outcome and acceptable outcome 8

PO8 Works are located, constructed and operated in a way that do not adversely impact on neighbouring properties.

AO8.1 Works are contained within the property boundaries.

AND

AO8.2 At full supply level, the area inundated is contained within the property boundaries.

AND

AO8.3 Bywash resulting from the 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 boundary prior to construction of the works.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 8 and acceptable outcomes 8.1, 8.2 and 8.3, the applicant should submit a certified report in accordance with the requirements set out for overland flow works that require certification. The report should clearly demonstrate the following information.

To satisfy performance outcome 8, provide a design which shows:

- works are contained within the property boundary
- at full supply level the area inundated is contained within the property boundaries
- bywash and spillway flows are returned to the original flow path before leaving the property.

To meet acceptable outcomes 8.1 and 8.2, the applicant needs to provide design details which show:

- works are contained within the property boundary
- that at full supply level, the area inundated is contained within the property boundaries
- that the storage will not back up beyond the upstream boundary of the property owner, into the upstream neighbour's property.

To meet acceptable outcome 8.3, the applicant needs to outline how the design provided manages:

- bywash resulting from the works, and any water diverted away from contaminated areas, exits the property as close as practicable to the same location to which it existed the property boundary prior to construction of the works
- bywash and spillway flows are returned to the original drainage feature before leaving the property.

2.4 Reconfiguring existing works

2.4.1 Performance outcome and acceptable outcome 9

PO9 Development altering existing works do not increase the overall take of overland flow water .	AO9.1 Development altering existing works must not result in an increase to any of the following: <ol style="list-style-type: none">1. the capacity of the works to store water; or2. the rate at which the works take water; or3. the average volume of water taken by the works.
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Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 9 and acceptable outcome 9.1, the applicant needs to provide a design that demonstrates the construction of new works will not increase the overall take of overland flow water.

It is recommended details of the existing works are submitted in a certified report in accordance with the requirements set out for [overland flow works that require certification](#). The report should clearly demonstrate the:

- year the existing works were constructed
- sources of water
- capacity of the works to store water
- rate at which the works take water
- average volume of water taken by the works, prior to development and for the proposed works.

The applicant also needs to include the details of all proposed works in accordance with a certified report, including any existing works which will remain.

2.4.2 Performance outcome 10 and 11

PO10 Works do not involve reconfiguration of natural water bodies or bunded areas.

PO11 Works do not involve reconfiguration of the storage capacity of any of the following:

1. a **lake** that was not used for irrigation or other **intensive stocking** or production; or
2. land being used for irrigated or dryland agriculture or areas surrounded by **levees** designed to prevent the land becoming inundated; or
3. naturally occurring infield storages.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcomes 10 and 11, the applicant needs to provide aerial imagery, watercourse and topographic maps and ensure there are layout plans of the works in the certified report.

The applicants can find maps on the Queensland Globe located on the business portal at www.business.qld.gov.au.

2.4.3 Performance outcome 12

PO12 New works are located within the **same premises** as the **existing works**.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 12, the proposed works must be undertaken on the same premises as the existing works. The applicant should provide imagery showing that the works are located on the same premises as the existing works.

Maps can be found on the Queensland Globe located on the business portal at www.business.qld.gov.au.

2.5 Limited catchment area

Limited catchment areas are those in which limited catchment area parameters apply. This currently includes some sub-catchment areas of the Fitzroy and Burnett Basins.

2.5.1 Performance outcome and acceptable outcome 13

PO13 In the **limited catchment areas**, any works for storing water are:

1. not larger than necessary for storing water other than **overland flow water**; or
2. designed to take **floodwater** overflowing from any adjacent **watercourse**.

AO13.1 In the limited catchment areas, the **incidental take of overland flow water**:

1. is located within the sub-catchment/management area listed in table 10.3, column 2 for the relevant limited catchment area; and
2. is stored in a local catchment area that is less than or equal to the area of the limited catchment area specified in table 10.3, column 3.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 13, the development must be consistent with the areas mentioned in table 10.3 of the code. In these areas, the incidental take of overland flow water:

- is located within the sub-catchment/management area listed in column 2 of table 10.3 of the code for the relevant limited catchment area, or
- is stored in a local catchment area that is less than or equal to the area of the limited catchment area specified in column 3 of table 10.3 of the code.

In limited catchment areas, applicants need to demonstrate any works are not larger than necessary for storing water other than overland flow water or not be able to take floodwater overflowing from any adjacent watercourse.

2.6 Contaminated agricultural run-off water

The code aims to minimise the adverse effects of contaminated agricultural run-off water. Contaminated agricultural run-off water is overland flow water that contains, or is likely to contain, excess nutrients or farm chemicals at levels potentially harmful to the quality of water in a watercourse, lake or spring.

2.6.1 Performance outcome 14 and 15

PO14 Contaminated agricultural run-off water is captured and stored using existing works unless additional storage is required.

PO15 Works to take contaminated agricultural run-off water:

1. are not be larger than required to contain **contaminated agricultural run-off water**; and
2. allow for water that is not **contaminated agricultural run-off water** to be passed through the works.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcomes 14 and 15, the applicant needs to demonstrate there is no alternative way to take the contaminated agricultural run-off water by using or reconfiguring existing works.

If the requirement for new or additional works is demonstrated, the applicant's proposed new works must be no larger than necessary to contain contaminated agricultural run-off water.

To demonstrate this, the applicant must provide a certified report that meets the requirements for overland flow works that require certification. In addition to those requirements, the report must also:

- show that existing storages cannot be used to contain the contaminated agricultural run-off (e.g. existing storages are for stock and domestic watering purposes)
- provide evidence that supports the proposed storage volume (e.g. catchment area of dam and calculated contaminated run-off volume).
- demonstrate the rainfall run-off from the land contains or is likely to contain, excess nutrients or farm chemicals at levels potentially harmful to the quality of water in the watercourse and how the works will be constructed to address this.
- show that the capture of contaminated agricultural run-off water is necessary as determined by an industry-accredited best management practice.

Information should also be provided about how the works propose to minimise the volume of water that becomes contaminated agricultural runoff water. Evidence must be given to show that:

- works must capture and retain first flush (e.g. excavated storage with one way flap valve which closes once the first flush volume is reached)

- once **contaminated agricultural runoff water** is captured, all other runoff is to bypass the storage and continue on its natural flow path
- the transfer or take of the water from the storage is not to occur until a runoff event has ceased
- any associated pump must not take water at a rate greater than what is reasonably required.

2.7 Contaminated agricultural run-off water in a Queensland Murray Darling Basin catchment

The state code aims to minimise the adverse effects of contaminated agricultural run-off water in a Queensland Murray Darling Basin Catchment. Murray Darling Basin catchment includes the following water plan areas:

1. Water Plan (Condamine and Balonne) 2019 area
2. Water Plan (Border Rivers and Moonie) 2019 area
3. Water Plan (Warrego, Paroo, Bullo and Nebine) 2016 area; except the Bulloo River catchment (see schedule 1 of the Water Plan).

2.7.1 Performance outcome 16

PO16 Works to contain **contaminated agricultural run-off water** in a **Queensland Murray Darling Basin catchment**:

1. do not increase the volume of **overland flow water** taken in a **water year**; and
2. allow for the release of water when an **acceptable quality of water** is achieved.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 16, the applicant will need to demonstrate that the:

- construction and operation of the proposed works will not increase the average volume of surface water that may be taken within the plan area
- proposed works are designed to allow for the future release of the stored contaminated agricultural run-off water when an acceptable quality of water is achieved as per the relevant Healthy Waters Management Plan and tested in accordance with laboratory based analytical methods or in accordance with the Queensland Monitoring and Sampling Manual 2018
- water that has achieved an acceptable quality of water will be released into the catchment as close as practicable to its flow path prior to construction of the works and in accordance with the Code of practice for the release of stored water from privately owned farm storages to receiving waters in the Queensland Murray-Darling Basin
- person who takes overland flow water which is contaminated agricultural run-off can satisfy the following:
 - a) any reporting requirements identified in the relevant Water Plan and associated Protocol
 - b) maintaining records which document the results of any water tested and provide these to the department within a reasonable timeframe from when the water is captured to when an acceptable quality of water is achieved.

For example, contaminated agricultural run-off water taken will be stored, water quality will be tested and analysed, and released when it no longer poses a contamination risk.

Further information about Healthy Waters Management Plans can be found on the [Department of Environment and Science website](#).

2.8 Environmentally relevant activity

2.8.1 Performance outcome 17

PO17 Works only capture the volume of **overland flow water** necessary for the operation of the **environmentally relevant activity** or **environmental authority** under the *Environmental Protection Act 1994*.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 17, the applicant needs to submit a certified report in accordance with the requirements set out for [overland flow works that require certification](#).

The report must demonstrate that the works are consistent with the information specified for the environmentally relevant activity or the environmental authority under the *Environmental Protection Act*. It is recommended that the applicant includes a copy of the environmental authority in the application.

The applicant may also need to demonstrate the proposed works are consistent with the minimum capacity of water required for this activity.

2.9 Coal seam gas water

2.9.1 Performance outcome 18

PO18 Works for coal seam gas water:

1. are not larger than required to store **coal seam gas water** for the **beneficial use** of the resource under chapter 8 of the *Waste Reduction and Recycling Act 2011*;
2. are designed to take **floodwater** from any adjacent **watercourse**;
3. are designed to contain **coal seam gas water** that could be stored in an existing alternative storage.

Source: SDAP State Code 10, Version 3.0, 4 February 2022

To satisfy performance outcome 18, the applicant needs to provide a design showing that the works are no larger than necessary to store the coal seam gas. They also need to show that it excludes overland flow as much as possible.

Glossary

Acceptable quality of water means water in which the concentration level of the contaminants is not greater than the water quality objectives prescribed by the relevant Healthy Waters Management Plan.

Authorisation means a water licence, water permit, water allocation or other authority to take or interfere with water under the *Water Act 2000*.

Beneficial use means the resource such as water has a beneficial use other than disposal. An example of beneficial use is reusing or recycling water.

Best practice environmental management for an activity, see *Environmental Protection Act 1994*.

In deciding best practice environmental management of an activity is the management of the activity to achieve an ongoing minimisation of the activity's environmental harm through cost-effective measures assessed against the measures currently used nationally and internationally for the activity.

In deciding the best practice environmental management of an activity, regard must be had to the following measures:

1. strategic planning by the person carrying out, or proposing to carry out, the activity
2. administrative systems put into effect by the person, including staff training and monitoring and review of the systems
3. public consultation carried out by the person
4. product and process design
5. waste prevention, treatment and disposal.

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.

Coal seam gas water means underground water brought to the surface of the earth or moved underground in connection with exploring for or producing coal seam gas.

Contaminated agricultural run-off water means overland flow water that contains, or is likely to contain, excess nutrients or farm chemicals at levels potentially harmful to the quality of water in a watercourse, lake or spring.

Environmental authority Environmental authority means generally an environmental authority issued under section 195 of the *Environmental Protection Act 1994* that approves an environmentally relevant activity applied for in an application.

Environmental harm see the *Environmental Protection Act 1994*

Note: **Environmental harm** is any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on environmental value, and include environmental nuisance.

Environmentally relevant activity (ERA) Each of the following is an environmentally relevant activity:

1. an agricultural ERA as defined under section 75 of the Environmental Protection Act 1994
2. a resource activity as defined under section 107 of the Environmental Protection Act 1994

Existing works means works that allow taking of overland flow water that are in existence at the time the relevant development application is made.

Floodwater see the *Water Act 2000*.

Note: **Floodwater**, in relation to a **watercourse** or **lake**, means water that has overflowed the outer banks of the **watercourse**, or the bed and banks of the **lake**, because of a flood event affecting the **watercourse** or **lake**, and is on land near the **watercourse** or **lake**.

Incidental take of overland flow water means to take overland flow water in a storage that is primarily for storing water from a source other than overland flow.

Intensive stocking means a technique of stocking land on a long term basis above what is normally considered to be the carrying capacity of the land, for example, by implementing strategic or rotational grazing.

Lake includes:

1. if a feature is identified on the watercourse identification map as a lake – means the feature identified on the map; or
2. otherwise, includes:
 - a. a lagoon, swamp or other natural collection of water, whether permanent or intermittent
 - b. the bed and banks and any other element confining or containing the water.

Levee means an artificial embankment or structure which prevents or reduces the flow of overland flow water onto or from land. A levee includes levee-related infrastructure. See schedule 4 of the *Water Act 2000*.

Limited catchment areas are areas listed in table 10.3 of the SDAP.

Murray Darling Basin catchment includes the following **water plan** areas:

1. Water Plan (Condamine and Balonne) 2019 area
2. Water Plan (Border Rivers and Moonie) 2019 area
3. Water Plan (Warrego, Paroo, Bullo and Nebine) 2016 area; except the Bulloo River catchment (see schedule 1 of the Water Plan).

Overland flow water means water, including floodwater, that is urban stormwater or is other water flowing over land, other 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

does not include:

- c) water that has naturally infiltrated the soil in normal farming operations, including infiltration that has occurred in farming activity such as clearing, replanting and broadacre ploughing; or
- d) tailwater from irrigation if the tailwater recycling meets best practice requirements; or
- e) water collected from roofs for rainwater tanks.

Same premises means contiguous parcels of land or tenure under the same land ownership or tenure holder.

Spring see schedule 4 of the *Water Act 2000*.

Note: **Spring** means:

1. if a feature is identified on the **watercourse** identification map as a **spring** – the feature identified on the map; or
2. otherwise – the land to which water rises naturally from below the ground and the land over which the water then flows.

Underground water see schedule 4 of the *Water Act 2000*.

Note: **Underground water** means water that occurs naturally in, or is introduced artificially into, an aquifer.

Water entitlement means a water allocation, interim water allocation or water licence granted under the *Water Act 2000*.

Water plan means a plan approved by the Governor in Council under section 48(1) of the *Water Act 2000*

Water management protocol means a protocol made by the chief executive under section 68 of the *Water Act 2000*

Water sensitive urban design means design that integrates total water cycle management into the urban built form to minimise the effects of development on the natural water cycle and environmental values, and to address water supply and use. See the *Water Plan (Moreton) 2007*.

Watercourse see schedule 4 of the *Water Act 2000*.

Note: a **watercourse**:

1. is a river, creek or other stream, including a stream in the form of an anabranch or a tributary, in which water flows permanently or intermittently, regardless of the frequency of flow events:
 - a) in a natural channel, whether artificially modified or not; or
 - b) in an artificial channel that has changed the course of the stream
2. includes any of the following located in it:
 - a) in-stream islands
 - b) benches

- c) bars
- 3. does not, however, include a drainage feature
- 4. further, unless there is a contrary intention, a reference to a **watercourse** in the *Water Act 2000*, other than in section 5 or in the definitions
- 5. in schedule 4 to the extent they support the operation of section 5, is a reference to anywhere that is:
 - a) upstream of the downstream limit of the **watercourse**
 - b) between the lateral limits of the **watercourse**
 - c) a reference to the *Water Act 2000* to, or a to a circumstance that involves, land adjoining a **watercourse**, is a reference to, or a circumstance that involves, and effectively adjoining a **watercourse**.

Section 5AA of the *Water Act 2000* provides for the watercourse identification map that identifies the known extent of **watercourses** and drainage features that are managed under the *Water Act 2000*. Please be aware that the majority of minor **watercourses** and drainage features in Queensland have not yet been mapped, as indicated in the mapping. Therefore it should not be the only source of information that is relied upon when interpreting the SDAP provisions or identifying assessment triggers.

Water year see schedule 4 of the *Water Act 2000*

Note: a **water year**, for a water management protocol, resource operations licence, operations manual, interim resource operations licence or water licence, means

- a) the accounting period prescribed by regulation for the protocol, licence or manual; or
- b) until a period is prescribed under paragraph (a)—the accounting period stated in the protocol, licence or manual for taking water under the protocol, licence or manual.



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