## State code 10: Taking or interfering with water

Table 10.2.2: Operational works

| **Performance outcomes** | **Acceptable outcomes** | **Response** |
| --- | --- | --- |
| General | | |
| PO1 Works do not adversely impact on the natural riverine ecosystem. | No acceptable outcome is prescribed. | *Complies with PO# / AO#*  *Use this column to indicate whether compliance is achieved with the relevant PO or AO (or if they do not apply), and explain why* |
| PO2 Works do not adversely impact other users’ ability to access the resource. | No acceptable outcome is prescribed. |  |
| PO3 Works do not adversely impact on the physical integrity of the watercourse. | No acceptable outcome is prescribed. |  |
| 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*.   Note: Moratorium notices are published on the Department of Natural Resources and Mines website.  An example of a requirement in a water plan is a prescribed setback distance for new water bores from other existing water bores. These requirements will be different for each water plan. | No acceptable outcome is prescribed. |  |
| Underground water | | |
| PO5 Works maintain the natural ecosystem processes of the underground water system. | No acceptable outcome is prescribed. |  |
| PO6 Works minimise impacts on connectivity between underground water and water in a watercourse, lake or spring. | No acceptable outcome is prescribed. |  |
| Overland flow water | | |
| PO7 Works must not take overland flow water unless the works are:   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. | No acceptable outcome is prescribed. |  |
| PO8 Works minimise the impact on receiving waters and neighbouring properties. | AO8.1 Works are in accordance with a certified report, or the works are for:   1. the taking of contaminated agricultural runoff water where the volume is less than the volume of the limited capacity identified in a water plan or water management protocol; or 2. if no limited capacity is identified the capacity is less than 12 megalitres of contaminated agricultural run-off water; or 3. taking for stock and domestic purposes; or 4. taking overland flow water under a water entitlement. |  |
| PO9 Works are located, constructed and operated in a way that minimises adverse impacts on neighbouring properties. | AO9.1 Works are contained within the property boundaries.  AND |  |
| AO9.2 At full supply level, the area inundated is contained within the property boundaries.  AND |  |
| AO9.3 Bywash resulting from the works and any water diverted away from contaminated areas exits the property as close as practicable to the same location to which it exited the property boundary prior to construction of the works. |  |
| Reconfiguring existing works | | |
| PO10 Construction of new works must not increase the overall take of overland flow water. | AO10.1 Construction of new works must not result in an increase any of the following:   1. the capacity of the works to store water; or 2. the rate at which the works take water; or 3. the average volume of water taken by the works. |  |
| PO11 Works must not involve reconfiguration of natural water bodies or bunded areas. | No acceptable outcome is prescribed. |  |
| PO12 Works must 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. | No acceptable outcome is prescribed. |  |
| PO13 New works must be located within the same premises as the existing works. | No acceptable outcome is prescribed. |  |
| Limited catchment areas | | |
| PO14 In the limited catchment areas, any works for storing water must not:   1. be larger than necessary for storing water other than overland flow water; or 2. be able to take floodwater overflowing from any adjacent watercourse.   Note: Limited catchment areas are listed in table 10.3.1. | AO14.1 In the limited catchment areas, the incidental take of overland flow water:   1. is located within the sub-catchment/management area listed in table 10.3.1, 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 10.3.1, column 3. |  |
| Contaminated agricultural run-off water | | |
| PO15 Works to take contaminated agricultural run-off water must:   1. demonstrate that there is no alternative way to take the water by using or reconfiguring existing works 2. be no larger than necessary to contain contaminated agricultural run-off water or tailwater 3. minimise the volume of water that becomes contaminated agricultural run-off water 4. where practicable, allow for water that is not contaminated agricultural run-off water or tailwater to be passed through the works.   Note: The design of the works should have regard to relevant industry guidelines and best practice environmental management. | No acceptable outcome is prescribed. |  |
| Coal seam gas | | |
| PO16 Works only capture overland flow water necessary for the operation of the environmentally relevant activity or environmental authority under the *Environmental Protection Act 1994.* | No acceptable outcome is prescribed. |  |
| Environmentally relevant activity | | |
| PO17 Any storage for the works must:   1. be no larger than necessary 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. minimise the volume of overland flow water taken 3. not be able to take floodwater from any adjacent watercourse 4. not contain coal seam gas water that could be stored in an existing alternative storage. | No acceptable outcome is prescribed. |  |