

# Natural disaster preparedness and recovery— rehabilitating a watercourse

Natural disasters such as floods and cyclones can significantly impact watercourses and adjacent landowner properties. Landowners can mitigate these impacts by carrying out certain activities in a watercourse to help prepare for and recover from a disaster.

The legal requirements for undertaking activities in a watercourse before, during and after an emergency or disaster are outlined below.

## During an emergency

Under section 814 of the *Water Act 2000* (Water Act), a person can destroy native vegetation in a watercourse, or excavate or place fill in a watercourse, without further authority if there is an emergency involving:

- the life or health of a person
- water quality
- the physical integrity of the watercourse.

For example, during a flood, swirling waters may be deeply eroding a bank and threatening serious loss of land or infrastructure. In this case, hard natural fill such as rocks and boulders can be added to the watercourse to prevent further erosion. When placing fill, take care to ensure it does not obstruct the flow of water and cause local flooding.

The only legal requirement is to give notice of the activity to the Department of Natural Resources and Mines as soon as practical.

## Preparing for and recovering from natural disasters

To prepare for or recover from a disaster, a landowner can carry out activities to rehabilitate a watercourse or repair infrastructure in and around a watercourse.

Landowners should plan all work to minimise potential impacts on the watercourse.

## Removing debris

Woody debris is often best left in the watercourse how it falls, if the quantity is not excessive. This can help stabilise the stream bed and banks, provide variation in flow and a habitat for plants and animals.

Major flooding and severe wind can result in a considerable amount of large woody debris obstructing the flow of water in a watercourse. It may be necessary to remove the debris to restore the flow of the watercourse and prevent future flood damage.

Landowners can remove large woody debris or other objects from a watercourse without a permit or without reference to the Guideline—Activities in a watercourse, lake or spring carried out by a landowner (the guideline), except in wild river areas (see 'Other requirements' below). This may include debris such as dead tree branches and trunks, or objects such as building materials and other foreign objects.

Removing debris can help to reinstate road crossings, remove silt around pumps and weirs, and redistribute excess sediment.

If debris needs to be removed from the watercourse, ensure it is disposed of outside the outer banks.

## Rehabilitating a watercourse

In order to rehabilitate a watercourse, landowners may first need to undertake work that involves clearing native vegetation, excavating or placing fill in a watercourse.

These activities may only be carried out where a riverine protection permit has been granted or the activity is in accordance with the guideline.

It is important to check the guideline before starting any activity to identify any limits or conditions.

Examples of work in a watercourse that must be carried out under the guideline include:

- placing rocks or other natural fill in the watercourse to stop erosion or bank slumping
- cutting fallen trees still rooted in the ground
- desilting waterholes
- removing deposited sediments in, on or around road crossings, culverts or other infrastructure
- redistributing accumulated sediment.

### **Clearing in and around authorised water infrastructure**

Landowners can clear and desilt around infrastructure including pumps, weirs and dams. A permit is not required where the clearing and desilting are an unavoidable part of installing and operating authorised infrastructure for taking or interfering with water.

The work must be minor in nature and done in a way that minimises any potential damage.

Work may include:

- excavation and fill required to replace water pipes and pump suction pipes
- excavation required to allow the operation of a pump (desilting a pumping hole)
- removal or destruction of native vegetation growing on a weir or dam wall.

### **Other requirements**

There is no obligation for a landowner to rehabilitate a watercourse. However, if a landowner chooses to carry out work to rehabilitate a watercourse, they are responsible for any costs incurred.

### **Additional considerations in a wild river area**

In a wild river area, the removal of large woody debris from watercourses is restricted.

This activity may only be carried out after obtaining a riverine protection permit or in accordance with the guideline.

### **Impacts on fish passages**

Any barriers in watercourses that interfere with fish passage will require approval under the *Fisheries Act 1994*.

For more information, contact the Department of Agriculture, Fisheries and Forestry or visit <[www.daff.qld.gov.au](http://www.daff.qld.gov.au)>.

### **River improvement trusts**

River improvement trusts (trusts) may carry out activities within a river improvement area to prepare for and recover from a disaster. Trusts may carry out activities to:

- protect and improve rivers
- repair and prevent damage to rivers
- prevent or mitigate flooding.

A trust does not require a permit under the Water Act provided the work is carried out in accordance with the *River Improvement Trust Act 1940*.

### **Further information**

Guidelines are available to support activities in a watercourse, lake or spring carried out by:

- specified entities
- interim resource operation licence holders, resource operation licence holders or distribution operation licence holders
- mining operations and holders of environmental authorities.

For information on riverine management, guidelines or protection permits, contact your local departmental office or visit <[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)>.