

**9.3.12 Extractive industry code**

**9.3.12.1 Application**

- (1) This code applies to assessing development for an Extractive industry.
- (2) When using this code, reference should be made to Part 5.

**9.3.12.2 Purpose**

- (1) The purpose of the Extractive industry code is to:
  - (a) facilitate resource extraction through safe and efficient work operations;
  - (b) avoid or appropriately mitigate adverse impacts on areas of biodiversity significance;
  - (c) manage amenity and environmental performance standards;
  - (d) achieve progressive rehabilitation of land associated with the use.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) extractive industries are established in locations that are adequately separated from sensitive land uses and do not have significant ecological, landscape or rural value.
  - (b) a separation area is established to maintain a buffer between the extractive industry and existing and future sensitive land uses;
  - (c) external operations such as haulage routes do not adversely impact on amenity and well-being of the community;
  - (d) extractive industry operations are designed and managed to operate safely and avoid adverse impacts on amenity of adjacent sensitive land uses;
  - (e) extractive industry development is designed and managed to avoid potential adverse impacts on scenic amenity;
  - (f) extractive industry sites are effectively and progressively rehabilitated including the achievement of a stable land form that is safe and suitable for other appropriate uses.

**9.3.12.3 Criteria for assessment**

Part A - Criteria for assessable development

**Table 9.3.12.3.a – Extractive industry code – assessable development**

Performance outcomes	Acceptable outcomes
<b>For assessable development</b>	
<b>Site requirements</b>	
<p><b>PO1</b> The use is located outside of areas of environmental significance.</p> <p>Note – Refer to the definition of areas of environmental significance contained in Schedule 1.2.</p>	<p><b>AO1.1</b> No acceptable outcomes are provided.</p>
<p><b>PO2</b> Extractive industry operations are adequately separated from sensitive land uses to minimise potential for nuisance.</p>	<p><b>AO2.1</b> The dimensions of the extractive resource / processing area and separation area for the extractive industry are based upon the following minimum distances:</p> <ul style="list-style-type: none"> <li>(a) 1000 metres where the extraction or processing of the extractive resource involves blasting or crushing (namely rock), or</li> <li>(b) 200 metres for any other extractive resource not involving blasting or crushing (namely sand, gravel, clay and soil).</li> </ul>

Performance outcomes	Acceptable outcomes
	<p>Note – These are indicative distances only. The extent of the separation area shown in each key resource area identified in the Extractive Resource Overlay map contained in Schedule 2 .</p>
<p><b>PO3</b> The use is located so as not to detract, or diminish the scenic amenity of the surrounding area, scenic routes, landmarks, lookouts and vistas.</p>	<p><b>AO3.1</b> The site of an extractive industry is not readily visible from urban development or from roads.</p> <p><b>AO3.2</b> Existing vegetation is retained and only removed to provide for the extractive use.</p>
<p><b>PO4</b> The site of an extractive industry is of suitable size and dimensions to accommodate the use and incorporates significant buffering to effectively screen adjoining and nearby land uses from extractive operations.</p>	<p><b>AO4.1</b> The use is designed to incorporate a densely vegetated buffer of a minimum of 10 metres to all road frontages and to all perimeter boundaries.</p> <p><b>AO4.2</b> The site is of sufficient area to provide for the following: (a) the extractive use; (b) areas of stockpiles; (c) sufficient car parking area to accommodate the level of car parking generated, including staff demand; (d) vehicle access and manoeuvring areas; (e) staff facilities.</p>
Operation	
<p><b>PO5</b> The operation of the extractive industry avoids or mitigates potential adverse impacts on environmental, ecological and hydrological processes meeting all applicable environmental standards, plans or programs to minimise environmental harm and nuisance.</p>	<p><b>AO5.1</b> Development is carried out in accordance with a site and development specific Environmental Management Plan.</p> <p>Note – Planning scheme policy – Environmental management plans provides further guidance.</p> <p>Note – Air Quality Objectives are contained in the Environmental Protection (Air) Policy 2008</p> <p>Note – The Environmental Protection Act 1994 contains guidance on acceptable vibration levels</p> <p>Note – Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting provides guidance compliance standards for lighting.</p> <p>Note – Australian Standard 1940 – Storage &amp; Handling of Flammable and Combustible Liquids provides guidance on the storage of fuels and chemicals on-site.</p>
<p><b>PO6</b> The operation of the extractive industry avoids or mitigates potential adverse impacts on adjoining or nearby land uses.</p>	<p><b>AO6.1</b> No acceptable outcomes are provided.</p>
<p><b>PO7</b> The operation of the extractive industry does not compromise public safety.</p>	<p><b>AO7.1</b> Safety fencing and signage is provided around extractive industry stockpiles and operation to prevent unauthorised access.</p> <p><b>AO7.2</b></p>

Performance outcomes	Acceptable outcomes
	<p>Blasting does not result in materials escaping or being ejected from the site.</p> <p><b>AO7.3</b> Prior to any blasting, notices of warning which provide warning to those working on the site and to passers-by is erected and kept clearly exhibited on the approaches to, and not less than 800 metres from the site of the blasting.</p>
<p><b>PO8</b> Extractive industry activities occur at times that will not result in disturbance at surrounding uses.</p>	<p><b>AO8.1</b> Extractive Industry operations are confined to the following periods:</p> <ul style="list-style-type: none"> <li>(a) Blasting operations are limited to 9:00am to 5:00pm Monday to Friday;</li> <li>(b) Extraction, crushing, screening, loading, operation of plant equipment, ancillary activities and haulage are limited to 6:00am to 6:00pm Monday to Saturday;</li> <li>(c) Maintenance of equipment and vehicles outside of normal operating hours is carried out so as not to cause nuisance at nearby sensitive land uses;</li> <li>(d) No operations are conducted on Sundays or Anzac Day, Good Friday, Easter Monday or Christmas Day.</li> </ul>
<p><b>PO9</b> The transportation of materials:</p> <ul style="list-style-type: none"> <li>(a) is undertaken on a designated haulage route identified in the Extractive resources overlay mapping contained in Schedule 2;</li> <li>(b) does not compromise traffic safety on the haulage route;</li> <li>(c) minimises amenity impacts on premises within a haulage route separation area.</li> </ul>	<p><b>AO9.1</b> No acceptable outcomes are provided.</p>
<b>Rehabilitation</b>	
<p><b>PO10</b> The site is progressively rehabilitated in accordance with an approved rehabilitation plan to ensure that:</p> <ul style="list-style-type: none"> <li>(a) a re-contoured and stable landform is achieved with the reinstatement of appropriate soil profiles;</li> <li>(b) revegetation of areas disturbed by operations;</li> <li>(c) there are no adverse environmental or visual amenity impacts;</li> <li>(d) the landform is suitable for alternative uses.</li> </ul> <p>Note – Planning scheme policy – Environmental management plans provides further guidance on the preparation of a rehabilitation plan.</p>	<p><b>AO10.1</b> No acceptable outcomes are provided.</p>