

8.2.6 Extractive resources overlay code^{17 18 19}

8.2.6.1 Application

- (1) This code applies to assessable development:-
 - (a) subject to the extractive resources overlay shown on the overlay maps contained within **Schedule 2 (Mapping)**; and
 - (b) identified as requiring assessment against the Extractive resources overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.
- (2) All provisions in this code are assessment benchmarks for applicable assessable development.

8.2.6.2 Purpose and overall outcomes

- (1) The purpose of the Extractive resources overlay code is to protect extractive resource areas and *transport routes*, and minimise the potential for land use conflicts between *extractive industry* operations and other activities.
- (2) The purpose of the Extractive resources overlay code will be achieved through the following overall outcomes:-
 - (a) development occurring within, adjacent or proximate to an extractive resource area does not adversely affect or impair the ability of existing or future extractive industries to viably win the resource; and
 - (b) development occurring within or adjacent to a *transport route* for *extractive resources* does not constrain or otherwise conflict with the ongoing safe and efficient transportation of the *extractive resource*.

8.2.6.3 Performance outcomes and acceptable outcomes

Table 8.2.6.3.1 Performance outcomes and acceptable outcomes for assessable development

| Performance Outcomes | | Acceptable Outcomes | |
|---|---|---------------------|--|
| <i>Development Within Resource/Processing Areas</i> | | | |
| PO1 | Development within the resource/processing area of a State key resource area or local resource area does not constrain, prevent or otherwise interfere with the current or future viability of the winning or processing of <i>extractive resources</i> . | AO1.1 | Development within the <i>resource/processing area</i> of an identified key resource area is limited to:- (a) <i>extractive industry</i> uses; (b) uses that are directly associated with an <i>extractive industry</i> ; or (c) temporary or non-intensive uses that are compatible with future <i>extractive industry</i> operations. |
| | | AO1.2 | Development within the <i>resource/processing area</i> of an identified local resource area is limited to those uses that will not limit or constrain the existing or future viability of the winning and processing of the resource. |

¹⁷ Editor's note—the following elements referred to in this code are shown on the Extractive Resources Overlay Maps in **Schedule 2 (Mapping)**:-

- (a) State key resource areas - *resource/processing areas*;
- (b) State key resource areas - separation areas;
- (c) local *resource/processing areas*;
- (d) local separation areas; and
- (e) designated *transport routes* and separation areas.

¹⁸ Editor's note—the Extractive Resource Area Overlay Maps also show mining lease areas located within the planning scheme area. Mining lease areas are shown for information purposes only with mining operations in these areas regulated under the *Mineral Resources Act 1989*.

¹⁹ Editor's note—the **Planning scheme policy for the extractive resources overlay code** provides advice and guidance for achieving certain outcomes in this code, including guidance for the preparation of an extractive industry impact assessment report.

| Performance Outcomes | | Acceptable Outcomes | |
|---|--|---------------------|---|
| Development Within Extractive Resource Separation Areas | | | |
| PO2 | Development does not materially increase the number of people living in the extractive resource separation area. | AO2.1 | Development does not result in an increase in the scale or density of residential uses within an extractive resource separation area. |
| | | AO2.2 | Reconfiguring a lot within an extractive resource separation area:- (a) does not result in the creation of additional lots used or capable of being used for residential purposes; and (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available house sites and the resource processing area. |
| PO3 | Development minimises the potential adverse impacts (e.g. noise, dust, vibration and blasting) from existing or future <i>extractive industry</i> operations upon people working or congregating within the extractive resource separation area. | AO3 | Development does not result in an increase in the number of people working or congregating in the extractive resource separation area. OR Development within the extractive resource separation area is compatible with the potential adverse effects arising from existing or future <i>extractive industry</i> operations. OR Development within the extractive resource separation area incorporates design, orientation and construction measures that mitigate the potential adverse effects from existing or future <i>extractive industry</i> operations to acceptable levels. OR Development within the extractive resource separation area operates outside the normal hours of operation for existing or future <i>extractive industry</i> activities. |
| PO4 | <i>Extractive industry</i> development maintains the function and integrity of the extractive resource separation area as an efficient and effective buffer between extractive/processing operations and incompatible uses beyond the separation area. | AO4 | <i>Extractive industry</i> development does not occur within the extractive resource separation area. OR Where <i>extractive industry</i> development occurs within the extractive resource separation area, the <i>extractive industry</i> does not impact on <i>sensitive receptors</i> located either within or outside of the extractive resource separation area. |
| Development Within Transport Route Separation Areas | | | |
| PO5 | Development does not materially increase the number of people living in an identified transport route separation area. | AO5.1 | Development does not result in an increase in the scale or density of residential uses within a transport route separation area. |
| | | AO5.2 | Reconfiguring a lot within a transport route separation area:- (a) does not result in the creation of additional lots used or capable of being used for residential purposes; and |

| Performance Outcomes | | Acceptable Outcomes | |
|----------------------|--|---------------------|--|
| | | | (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available building sites and the <i>transport route</i> . |
| PO6 | Development involving a <i>sensitive land use</i> within an identified transport route separation area maintains an acceptable level of amenity. | A06 | Development involving a <i>sensitive land use</i> within a transport separation area ensures an acceptable level of amenity by:- (a) maintaining adequate separation distances; and (b) incorporating mitigation measures such as <i>landscape buffer</i> strips, mounding and screening. |
| PO7 | Development does not adversely affect the safe and efficient movement and operation of vehicles transporting extractive materials along an identified <i>transport route</i> . | A07 | Development ensures that the number of properties with <i>access</i> points to an identified <i>transport route</i> is not increased. OR Development provides <i>access</i> points that are designed to avoid adversely affecting the safe and efficient operation of vehicles transporting extractive materials along a <i>transport route</i> . |