

2.1.8 Code for Protection of Extractive Resources

PURPOSE

The purpose of this code is to protect extractive resources in the Shire by preventing incompatible development and use of premises, which could sterilise valuable extractive resources. This can occur when incompatible premises are located on or near existing or potential resource areas and associated haulage routes.

(1) Development in Extractive Resource Areas

PURPOSE

To protect land that contains extractive resources in the Shire so that such resources can be extracted, when needed, in an efficient and ecologically sustainable manner.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 The development and use of premises on land where extractive resources are known to exist must not preclude the efficient winning of those resources.</p>	<p>A1.1 In Extractive Resource Areas as shown on Regulatory Map No. 1.9, development and use of premises are for purposes other than the following:</p> <ul style="list-style-type: none"> • residential • commercial • industrial • special uses except where there is an overriding public need • community uses except where there is an overriding public need • rural service industry • indoor recreation. <p>AND</p> <p>A1.2 Development being the reconfiguring of a lot where the number of lots are not increased.</p>

(2) Development in Extractive Resource Buffer Areas and Haulage Route Buffer Areas

PURPOSE

To prevent land use conflicts from arising in areas around extractive resources such that the entire extractive resource can be extracted in a normal, efficient and ecologically sustainable manner.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The development and use of premises in the vicinity of extractive industry are compatible with extractive industry and allow for the winning of the entire resource in an efficient and ecologically sustainable manner.¹	<p>A1.1 In Extractive Resource Buffer Areas as shown on Regulatory Map No. 1.9, development and use of premises are for purposes other than the following:</p> <ul style="list-style-type: none"> • residential uses • special uses except where there is an overriding public need or it is demonstrated that impacts are within acceptable limits, • community uses except where there is an overriding public need or it is demonstrated that impacts are within acceptable limits. <p>OR</p> <p>A1.2 Development being the reconfiguring of a lot where the number of lots are not increased.</p>
P2 The development and use of premises in the vicinity of extractive industry haulage routes must be compatible with extractive industry transportation operations and must allow for such operations to occur in an efficient and ecologically sustainable manner.	<p>A2.1 Development and use of premises in Extractive Resource Haulage Route Buffer Areas as shown on Regulatory Map No. 1.9 are for the purposes other than the following:</p> <ul style="list-style-type: none"> • residential uses except where it is demonstrated that impacts are within acceptable limits for residential premises, • special uses except where there is an overriding public need or it is demonstrated that impacts are within acceptable limits, • community uses except where there is an overriding public need or it is demonstrated that impacts are within acceptable limits. <p>OR</p> <p>A2.2 Development being the reconfiguring of a lot which increases the number of lots for residential or community purposes where it is demonstrated that impacts are within acceptable limits for residential or community use.</p>
P3 Measures incorporated in the development and use of premises (not associated with the extractive industry) must avoid or mitigate adverse impacts from the winning and transportation of extractive resources.	<p>A3.1 Inclusion of measures in the development and use of non-extractive industry premises which overcome land use conflicts, such as landscape buffers, screening and separation distances.</p>

¹ If an alternative to the listed acceptable measures is proposed (or if applicants are seeking to establish that impacts are within acceptable limits for uses listed within the acceptable measures), compliance with the performance criterion should be demonstrated with the assistance of a detailed assessment which addresses:

- Likely impacts arising from the entire winning of the nearby extractive resource, including noise, dust, vibration and other impacts,

- The potential for land use conflicts between the proposed use and impacts arising from winning of the extractive resource,
- Solutions which overcome land use conflicts, but which are not imposed upon the extractive resource or its operations; and
- Compliance with the Planning Scheme Policy No. 7 – Acoustic Environment Assessment.