

9.2.3 Extractive industry code

9.2.3.1 Application

This code applies to assessing material change of use development applications for development involving Extractive industry in all zones.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.2.3.2 Purpose

- (1) The purpose of the Extractive industry code is to ensure that extractive industry operations are undertaken in a safe and efficient manner, are sensitive to environmental and sensitive receptors and minimises off-site impacts.
- (2) The purpose of the Extractive industry code will be achieved through the following overall outcomes:
 - (a) extractive resources are appropriately separated from incompatible and sensitive land uses;
 - (b) waterways, wetlands and riparian areas are protected from the impacts caused by extractive industries, including haulage of the resource;
 - (c) haulage routes associated with extractive industry do not interfere with the safe and efficient operation of the road network or adversely impact on the amenity of sensitive land uses adjacent to the route;
 - (d) ensure that the operation of the development adequately provides for both the ongoing and post-extraction site rehabilitation;
 - (e) *Extractive industry* establishment and operations mitigates the introduction and spread of weeds and pest animals.

9.2.3.3 Assessment benchmarks

Part A—Criteria for accepted and assessable development

Table 9.2.3.1—Extractive industry code

| Performance outcomes | Acceptable outcomes |
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| For accepted, accepted subject to requirements and assessable development (code, code (fast tracked) and impact) | |
| Buffers, Separation and Amenity | |
| PO1 The effects of Extractive industry operations (dust, air and noise emissions, blasting, vibration and overpressure) and from associated transport movements do not create significant environmental harm or unreasonably disrupt the amenity of sensitive land uses or land identified for future sensitive land uses. Note—to demonstrate compliance with this Performance Outcome, the following information will be required, which may include (but is not limited to): <ol style="list-style-type: none"> (a) the term, extent, sequencing and nature of extraction proposed over the life of the operation; (b) the nature and frequency of blasting and measures to be taken to warn and protect the public when blasting is planned; (c) the type of vehicles and equipment involved both on and off the site; (d) measures to control air pollution and noise; (e) the proximity and type of nearby sensitive land uses and receptors; (f) likely haul routes, including a description of the environments through which they pass; and | AO1.1 Extractive industry operations that involve blasting, crushing or screening are located with a minimum separation distance of 1,000 metres from a sensitive land use or land in a residential zone category. AO1.2 Extractive industry operations that do not involve blasting, crushing or screening are located with a minimum separation distance of 200 metres from a sensitive land use or land in a residential zone category. AO1.3 Haul routes, except those that involve a State-controlled Road or an existing rail line, are more than 100 metres from a sensitive land use or land in a residential zone category. AO1.4 Extractive industry operations are located a minimum of 500 metres from a Protected Area |

| Performance outcomes | Acceptable outcomes |
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| (g) environmental nuisance report detailing weeds, dust, waste and noise mitigation measures. | |
| <p>PO2 Extractive industry buildings, machinery operating areas and access ways are to be located and effectively screened from public roads, public vantage points and neighbouring properties, in the protection of the prevailing visual character of the locality.</p> <p>Note—to demonstrate compliance with this Performance Outcome, adequate information on the methods to be employed to reduce visual impacts is required, which may include (but is not limited to):</p> <ul style="list-style-type: none"> (a) locating exposed features behind natural barriers; (b) constructing amenity banks and vegetation screens; (c) carrying out timely rehabilitation works; (d) minimising signage; (e) construct and paint buildings and facilities using materials and colours existing in the landscape; (f) limit and contain security and night lighting within the site; (g) align access and haulage roads to prevent direct views into the site. | <p>AO2 No acceptable outcome.</p> |
| Hours of Operation | |
| <p>PO3 Extractive industry occurs at times that will not result in disturbance of sensitive land uses.</p> | <p>AO3.1 Blasting operations are limited to between the hours of 9.00am to 5.00pm Monday to Friday.</p> <p>AO3.2 Extraction, crushing, screening, loading haulage and the operation or maintenance of plant equipment and vehicles are only to be undertaken between the hours of:</p> <ul style="list-style-type: none"> (a) 6.00am and 6.00pm Monday to Friday; and (b) 8.00am and 2.00pm on Saturdays. <p>AO3.3 No Extractive industry operations are conducted on a Sunday or public holiday.</p> |
| Managing the Effects of Extractive Industry Operations | |
| <p>PO4 Water run-off from the site is managed so as not to adversely affect the quality of adjoining and downstream waterways or groundwater, minimise erosion, and does not create any worsening of the quality and quantity of water discharged from the site onto or towards any other land, including roads.</p> <p>Note—to demonstrate compliance with this Performance Outcome, the following information is required, which may include (but is not limited to):</p> <ul style="list-style-type: none"> (a) site levels before, during and after excavation works; (b) the location and description of potentially affected waters, including waterways, wetlands and groundwater; (c) erosion and sediment control; (d) means used to prevent downstream contamination caused by the storage, maintenance and operation of machinery and equipment (e.g. bunding, spill cleanup procedures); and | <p>AO4 No acceptable outcome.</p> |

| Performance outcomes | Acceptable outcomes |
|--|---|
| (e) means used to retain stormwater during significant rainfall events. | |
| PO5 Extractive industry operations minimise lighting impacts on roads, public vantage points and neighbouring properties by taking into consideration: <ul style="list-style-type: none"> (a) illumination levels; (b) periods of illumination; (c) direction of lighting; (d) use of vegetation buffers; (e) proximity to <i>sensitive land uses</i>. | A05 Fixed site lighting complies with Australian Standard <i>AS4282—Control of the obtrusive effects of outdoor lighting</i> . |
| PO6 The haulage of extractive material does not result in the deterioration of roads used by ensuring: <ul style="list-style-type: none"> (a) the roads used as haulage routes are of an adequate standard to accommodate the type and frequency of traffic generated; (b) haulage routes are maintained including the removal of dirt and other spillage from trucks; and (c) haulage routes do not compromise traffic safety or amenity in the area. Note—a road maintenance plan is required to demonstrate compliance with this Performance Outcome. | A06 No acceptable outcome. |
| PO7 Public access to the site is managed to protect the health and safety of the public. | A07.1 Suitable fencing is provided and maintained on the perimeter of the site. A07.2 Warning signs are to be placed on the perimeter fence where access is obtained on any frontage to a public road. |
| Landscaping and Rehabilitation | |
| PO8 Landscaping is utilised to screen operational areas and complement the biodiversity values of the surrounding area. Note—landscaping incorporates the following elements where appropriate: <ul style="list-style-type: none"> (a) native plants of local origin; (b) known food and habitat trees and shrubs; (c) replication of adjacent healthy remnant habitats, including understorey vegetation; and (d) no declared noxious plants, weeds or invasive plants likely to displace native flora species or degrade fauna habitat. | A08 No acceptable outcome. |
| PO9 Progressive rehabilitation of the site is to be carried out over the life of the Extractive industry operations to minimise the potential for impacts on the environment and to retain the environmental values and natural appearance of the surroundings. | A09 No acceptable outcome. |