

Policy Name	Local Planning Policy: Extractive Industries
Purpose	To provide a framework for the assessment of proposed Extractive Industries.
Statutory Compliance	Local Planning Scheme (LPS) No. 5
Definitions	Extractive Industries have the land use definition of ‘Industry-Extractive’ within Local Planning Scheme No. 5 and means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar materials from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include Industry – Mining.

Policy Objectives:

1. To detail the specific requirements for assessing Extractive Industry proposals in the General Farming and Rural Smallholding zones.
2. To set out matters to be taken into account when assessing Extractive Industry proposals.
3. To ensure Extractive Industry proposals occur with minimal detriment to the environment, public safety, local amenity or the character and setting of the local area.

Policy Provisions:

1. Under Local Planning Scheme No. 5, Extractive Industry proposals can only be granted Planning Approval within the General Farming and Rural Smallholdings zones. This land use is prohibited in all other zones.
2. All Extractive Industries shall be publicly advertised for a period being not less than 14 days, in accordance with Clause 9.4 of Local Planning Scheme No. 5.
3. An Extractive Industry will only be approved where the local government is satisfied that the proposal will not result in unacceptable environmental impacts as a result of noise, dust, light spill, odour, visual intrusion or contamination.
4. When determining setbacks the local government shall consider the nature of the proposed extractive industry, local wind, topography and vegetation conditions, setback distances from site boundaries, existing watercourses or bodies, land-uses on adjoining and nearby properties, and any other relevant planning considerations.
5. The local government may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties. Buffer areas should be in accordance with the Department of Health’s Guidelines for the Separation of Agricultural and Residential Land Use.
6. Where an extractive industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by the local government), the crossover and access drive (to a maximum of 50 metres from the road) shall be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard, the construction of a crossover shall be in accordance with the local government’s crossover policy.
7. Where an extractive industry is being developed with or without direct access to a sealed road, the Council may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
8. The local government will not support the operation of extractive industry outside of the following hours, unless it can be demonstrated the proposed extraction area/activity is at least 1000 metres from the closest neighbouring residence upon which the Council may entertain extended operating times:
 - Monday to Saturday - 7.00 am to 6.00 pm
 - Sundays and Public Holidays - no operations
9. Extractive Industry proposals must include the following details:

- i. a completed planning application;
- ii. accurately dimensioned plans, including:
 - a surveyed plan of the site showing the proposed area of extraction in relation to topographical features, area of remnant vegetation, existing and proposed access and internal roads, existing buildings, proposed stock pile area and setback distances from property boundaries;
 - a cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area; and
 - a rehabilitation plan for the area of extraction prepared in accordance with Department of Environment Regulation guidelines showing the re-contouring of the land and areas of re-planting;
- iii. a written submission detailing the type and quantity of material to be mined, stages of extraction (if applicable), depth of extraction, life expectancy of the resource, specific hours of operation; number of vehicular movements per week and machinery to be used.
- iv. a management plan containing:
 - the nature and estimated duration of the proposed excavation;
 - the stages and the timing of the stages in which it is proposed to carry out the excavation;
 - details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
 - details of the depth and extent of the existing and proposed excavation of the site;
 - an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
 - a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
 - a description of the means of access to the excavation site and the types of thoroughfares to be constructed;
 - details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles (please note that the local government may require contributions towards the upgrade of roads);
 - a description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
 - details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
 - a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
 - a description of the measures to be taken to comply with the Environmental Protection (Noise) Regulations 1997;
 - a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
 - details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the clearing of existing vegetation;
 - a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas; a
 - management of environmental planning issues such as weed and dieback hygiene management.
- v. A rehabilitation and decommissioning plan indicating:
 - the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
 - whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
 - how any face is to be made safe and batters sloped;
 - the method by which topsoil is to be replaced and revegetated;

- the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
 - how rehabilitated areas are to be maintained; and
 - the program for the removal of buildings, plant, waste and final site clean-up; and
 - the site (pit) should be rehabilitated in a manner that will support agriculture of a similar nature as that prior to the establishment of the extractive industry
- vi. A Weed Management Plan in accordance with the Department of Agriculture and Food WA guidelines for weed control procedures for extractive industries licence'
10. A 25 metre buffer area must be maintained to separate the Dampier-Bunbury Natural Gas Pipeline corridor boundary from all extraction activity.
 11. Approved Extractive Industries must comply with relevant requirements associated with the Allanooka – Dongara Water Reserve and the Reserve and Water Source Protection Plan.
 12. Extractive Industry proposals will generally be approved for a one year period from the date of issue. Operations that continue beyond one year's duration will be subject to an annual renewal. For large scale mining operations an extended period of approval may be considered by the local government based on individual merit.
 13. Applications for annual renewals must be submitted prior to expiry of the relevant Planning Approval and shall include the following details:
 - i. a written statement detailing the works, excavation and rehabilitation stages reached and any proposed changes;
 - ii. a plan showing the contours of the excavation carried out to the date of that application.
 14. Prior to the commencement of any works, the developer must contact '1100 Dial Before You Dig'.

Variation of Provisions

Applications seeking variations to the policy provisions shall be determined by the local government, in accordance with Local Planning Scheme No. 5 and the purpose, objectives and other relevant provisions of this policy.

Guidance

1. Extractive Industry applications must be referred to the Department of Agriculture and Food Western Australia will ensure that High Quality Agricultural Land areas can be identified and protected.
2. If any vegetation needs to be cleared, the proponent may require a Clearing Permit from the Department of Environment Regulation.
3. Applications for sites that fall within 660 metres of the Dampier-Bunbury Natural Gas Pipeline must be referred to the Department of Lands and to the relevant authority for the pipeline.
4. Applications for sites that fall within 300 metres of the Parmelia Pipeline must be referred to the APA Group.