

52.09 EXTRACTIVE INDUSTRY

Purpose

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

52.09-1 Requirements

Cessation of use

Permits for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

Boundary setback

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

Screen planting

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

Parking areas

Parking areas must be provided for employees' cars and all vehicles used on the site to the satisfaction of the responsible authority.

52.09-2 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, responsible authority must consider, as appropriate:

- The significance of any stone deposit on and near the land.
- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the extractive industry operations on sites of cultural and historic significance, including any effects on Aboriginal places, sites or objects.
- The effect of the extractive industry operation on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the extractive industry operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the Extractive Industries Development Act 1995 and other relevant regulations.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.

- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed extractive industry on groundwater and quality and the impact on any affected water uses.
- The impact of the proposed extractive industry on surface drainage and surface water quality.
- The impact of social dislocation including changing employment and transport patterns on the amenity of surrounding areas.
- Any proposed provisions, conditions or requirements in a 'Work Authority' to be issued under the Extractive Industries Development Act 1995.

52.09-3 Notice of an application

Notice of the kinds of application listed below must be given to the Secretary of the Department administering the Extractive Industries Development Act 1995 in accordance with Section 52(1)(c) of the Act:

- An application which, if a permit is granted, would allow residential land use, rural residential land use or a land use with a substantial residential or rural residential component within an extractive industry interest area.
- An application which, in the opinion of the responsible authority, may materially affect an extractive industry site approved under the Extractive Industries Development Act 1995 or an extractive industry site in respect of which an application was made under the Extractive Industries Development Act 1995.