



LPP6 Extractive Industry

Policy Objective

The objectives of this policy are as follows:

- a) To assist Council in determining applications for extractive industries by providing general guidelines and outlining matters Council will have regard for in assessing applications.
- b) To protect and maintain the existing landscape character, native vegetation, productive agricultural uses and general amenity of the Shire.
- c) To set out standard conditions that will be considered by Council in their assessment of extractive industry applications.
- d) To provide for appropriate 'buffers' between extractive industries and sensitive land uses.

Policy

Background

The Shire of Ravensthorpe Local Planning Scheme No.6 (as amended from time to time) defines an extractive industry as follows: **“industry – extractive”** means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –

- a) the processing of raw materials including crushing, screening, washing, blending or grading;
- b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.

Extractive industries are an Advertising Land Use in the 'Rural' zone and not permitted in any other zone. Council may require that they be referred to neighbouring landowners for comment.

Extractive industries can have a high impact on the surrounding road infrastructure, existing vegetation and amenity of surrounding landowners and will therefore be referred to the relevant government agencies during the assessment period for comment. These may include Main Roads WA, Department of Biodiversity Conservation and Attractions, Department of Water and Environmental Regulation, Department of Mines, Petroleum and Exploration, and Department of Primary Industries and Regional Development depending upon the nature of the application.

Where existing remnant vegetation is proposed to be cleared the applicant may need to seek a Vegetation Clearing Permit from the Department of Water and Environmental Regulation in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Larger extractive industries may require registration or a license as a 'prescribed premise' from the Department of Water and Environmental Regulation under Part V of the *Environmental Protection Act 1986* (Environmental Protection Regulations, 1987, Schedule 1)

Local Planning Policy No.6 - Requirements

Exemptions from Development Approval

No exemptions are applicable to this policy

General Requirements

- a) The following setbacks will generally be applied to excavation areas/ pits;
 - i) A minimum of 75 metres to any road or thoroughfare;
 - ii) A minimum of 50 metres to any property boundary in a different ownership;



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- iii) A minimum of 50 metres to any water course or stand of remnant vegetation.
- b) Excavation areas/ pits are to be separated from the closest 'sensitive land use' on a different lot (usually a house) by the recommended generic buffer distance listed in Table 1 unless a site specific technical study is prepared.
- c) Where an extractive industry proposes direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may require crossover and vehicle access areas within 50 metres of the road to be constructed with a stable, impervious surface.
- d) Those portions of public roads as are affected by the activities related to an extractive industry shall be maintained to a 'pre-development' standard acceptable to Council at the applicants cost. A road maintenance contribution and / or bond may be payable to Council prior to commencement of works to ensure roads are maintained to satisfactory standards. The contribution may be applied at the discretion of Council. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- e) An Environmental Management Plan is to be submitted addressing dieback controls, spread of noxious weeds, dust and noise is to be compiled in consultation with the Department of Biodiversity Conservation and Attractions and submitted to the Shire for separate written endorsement prior to commencement of any site work or an alternative time period agreed to in writing by the Shire.
- f) A Rehabilitation Plan is to be submitted and approved by the Shire in writing. This plan is to address (but not be limited to) the following issues:
- i) Restrict the area of open pit to 2 hectares. Larger pits may be considered for gravel extraction where the applicant can demonstrate that it will not have any detrimental impact on the environment or amenity of the area (by lodging a detailed environmental management plan).
 - ii) How the portions of land subject to extraction are to be rehabilitated (following each stage of extraction) to allow for future rural use and shall include;
 - Flattening the land;
 - Spreading of stockpiled topsoil (capable of supporting seed and plant re-growth);
 - Forming stable battered banks not to be steeper than 1 in 5; and/or
 - And revegetation using native trees, shrubs and groundcovers/ undergrowth.
- g) An extractive industry licence is valid for twelve (12) months from issue of the Planning Development Approval starting from the 1st July. It is renewable annually by the Shire subject to no complaints being received by the Shire.
- h) Should Council be informed by the Permit Holder that renewal of the Approval is not required; Council will formally revoke the Approval. The operator is to ensure that the excavation is properly rehabilitated.

Table 1 – Generic buffers to sensitive land uses

Industry	Description of Industry	Buffer distance in meters
Clay extraction or processing	Mining, extraction or processing of clay	500-1000 depending on size.



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Extractive Industry – hard rock	quarrying (including blasting), crushing and screening	1000
Sand and limestone extraction	no grinding or milling works	300-500 depending on size

Special Application Requirements

- a) Where a new extractive industry is proposed, or an existing industry is to be increased in size over what was originally approved, development approval is required prior to the industry commencing or extending. Applicants need to lodge;
- A completed development application form to be signed by the owner of the land;
 - A detailed written submission explaining the application, and addressing the matters to be considered at part 3b of this policy (as per below); and
 - Detailed, accurate and scaled plans.
- b) In considering any application, Council will have regard for the following matters;
- i) It is important that each application be examined on its individual merit having regard for the existing land uses, topography of the land, and its specific location;
 - ii) Whether the site is in a visually significant location such as on a ridge, adjacent to the coast or an estuary, close to a national park or nature reserve, visible from a major road, tourist destination, scenic route or tourist route;
 - iii) Compatibility with adjoining land uses;
 - iv) Noise, dust and vibration abatement measures;
 - v) Proximity and buffers to wetlands and water courses;
 - vi) Whether the proposal includes clearing of significant remnant vegetation and the quality of vegetation;
 - vii) Drainage implications including surface and ground water impacts;
 - viii) Rehabilitation measures;
 - ix) Intended end use of the land and future planning for the area;
 - x) Prevention of spread of dieback or other disease;
 - xi) Whether the access roads proposed are suitable for the volume of traffic and type of heavy vehicles proposed;
 - xii) Whether the site has access to major roads, and whether the existing roads to be used by trucks are in good condition;
 - xiii) The proposed road haulage route and whether the use of any state controlled roads are proposed;
 - xiv) Size of trucks and number of truck movements;
 - xv) Existence of other extractive industry or heavy haulage-associated use in the vicinity;
 - xvi) Details of the storage of fuel and flammable materials on the site;
 - xvii) The material to be excavated, including maximum depth of excavation, area to be open at any one time and expected pit life.



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- c) Council has discretion to advertise any application for extractive industry through letters to adjacent and nearby landowners, letters to relevant authorities, newspaper advertising and / or a sign on site.

Whilst the need for advertising can be determined on a 'case by case' basis, this Policy recommends that all 'extractive industry' applications be advertised due to potential impact on amenity and application of buffers.

Advertising will be for a minimum of 14 days in accordance with Clause 64 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The application may also be referred to relevant authorities in accordance with Clause 66 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The types of authorities that Council may liaise with include (but are not limited to):

- Environmental Protection Authority (EPA);
- Department of Biodiversity Conservation and Attractions (DBCA);
- Water Corporation (WC);
- Department of Water and Environmental Regulation (DWER);
- Department of Mines, Petroleum and Exploration (DMPE);
- Department of Primary Industries and Regional Development (DPIRD);
- Main Roads (MRWA);
- Western Power (WP);
- Department of Planning, Lands and Heritage (DPLH);
- Tourism WA; and
- Any other authority Council considers relevant.



DOCUMENT CONTROL BOX		
Custodian: Chief Executive Officer		Decision Maker: Council
Compliance Requirements:		
Legislation: Clause 4 of the Deemed Provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> <i>Environmental Protection Act 1986</i>		
Industry:	Mining	
Organisational:	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy	
Document Management:		
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Version #	Decision Reference:	Description:
a	OCM 20/12/18 – Item 10.2.1	Major Revision to Planning Scheme Policies
b	OCM 15/09/20 – Item 15.1	Policy Reconfirmed – No Amendments.
c	OCM 19/07/22 – Item 12.1.2	Comprehensive Policy Manual Review
d	OCM 17/12/2024 Item 12.1.2	Policy Reconfirmed – No Amendments
e	OCM 15/12/2025 Item 12.1.1	Comprehensive Policy Register Review