4.5 Extractive and Mineral Resources Overlay Code

4.5.1 Applicability

a) The following acceptable solutions are applicable to self assessable development as identified in the Level of Assessment Tables; or

b) the following code is applicable to assessable development as identified in the Level of Assessment Tables

for land identified as Extractive and Mineral Resources on the Planning Scheme Overlay Maps.

4.5.2 Overall Outcomes for the Extractive and Mineral Resources Overlay Code

The overall outcomes are the purpose of the Extractive and Mineral Resources Overlay Code. The overall outcomes are as follows –

a) Mineral and extractive resources and their processing sites and transportation routes are protected from incompatible development which might sterilise such resources.

b) Known resources are exhausted before the intrusion of incompatible uses is supported.

4.5.3 Compliance with Extractive and Mineral Resources Overlay Code

Code Assessable development that is consistent with the performance criteria within this code is considered to comply with the Extractive and Mineral Resources Overlay Code.

4.5.4 Development Principles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
PC1 Where Extractive and Mineral Resources are known to exist development does not sterilise or preclude the winning of those resources.	**AS1.1** Development other than Extractive Industry and Special Industry (where directly associated with the Extractive Industry) does not occur in a Key Resource Area Boundary or areas containing Extractive Resources/Mining Tenements (as identified on the Planning Scheme maps). Where assessable development (AS1.2 applies) - **AS1.2** There is no increase in persons living, working or congregating within a Key Resource Area, unless for purposes associated with the winning of extractive resources.
PC2 Potential impacts on adjoining development from Key Resource Areas or Extractive Resources/Mining Tenements (as identified on Planning Scheme Maps) are avoided or mitigated.	**AS2.1** Development that involves blasting for the purposes of extraction requires a separation distance of 1,000 metres between the site and adjoining development. **AS2.2** Development that involves mechanical methods (eg. Ripping) for the purposes of extraction, a separation distance of 200 metres is required between the site and adjoining development.
PC3 Development in close proximity to Extractive Resources/Mining Tenements, Key Resource Areas, Potentially Mined Properties or Extractive Resource Haulage Route is compatible with the extractive industry and does not prevent or constrain the efficient	**AS3.1** Development adjoining an Extractive Resources/Mining Tenement, Key Resource Area, Potentially Mined Property or Extractive Resource Haulage Route (as identified on the Planning Scheme Mapping) does not involve the following: a) Residential uses; b) Commercial uses; or c) Community Facilities.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
winning or transportation of the resource in an efficient, safe and ecologically sustainable manner.	**AS3.2** Development is setback 1,000 metres from Extractive Resources/Mining Tenements that involve blasting for the purposes of extraction. **AS3.3** Development is setback 200 metres from Extractive Resources/Mining Tenements that involve mechanical methods (eg. Ripping) for the purposes of extraction. **AS3.4** Development is setback 100 metres from an Extractive Resource Haulage Route and does not involve direct vehicular access from the Haulage Route. Where assessable development (AS3.5 to 3.7 applies) - **AS3.5** Reconfiguring a Lot does not result in an increase in the number of lots within Extractive Resources/Mining Tenements, a Key Resource Area, Potentially Mined Property or Extractive Resource Haulage Route (as identified on the Planning Scheme maps). **AS3.6** Development adjoining an Extractive Resources/Mining Tenement, Key Resource Area, or Potentially Mined Property is to propose solutions[10] to mitigate: a) likely impacts (eg. dust, noise) resulting from the winning of the entire resource; and b) land use conflicts to arise between the proposed use and the winning of the resource. **AS3.7** Development within 100 metres of an Extractive Resource Haulage Route: a) mitigates the likely impacts (eg. noise, dust) resulting from transportation of material both to and from the mineral resource/extractive industry; b) avoids the potential for land use conflicts arising between the proposed use and the transportation of material both to and from the mineral resource/extractive industry; and c) does not adversely affect the safe and efficient operation of an Extractive Resource Haulage Route.

10 *Solutions are not to be imposed upon the extractive industry resource or the associated operations.*