

TRAINING NOTES

State Planning Policy 2/07: Protection of Extractive Resources

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1.0 What Is a Key Resource Area?

Key Resource Areas (KRAs) are locations across Queensland that have been found to contain important extractive materials such as sand, gravel and rock. These materials are the major ingredients used for building our homes, hospitals, schools and factories, as well as the supporting infrastructure of roads, railways, ports, and water supply systems.

A KRA contains a sand or rock resource of State or regional significance which has been included in the State Planning Policy: Protection of Extractive Resources (SPP) and it will be included in the local government planning scheme when the planning scheme is made or amended.

KRAs have three parts to them, as shown in Figure 1, below:

- (1) The resource/processing area covers the site where the sand or rock resource occurs and where a processing plant is or could be located.
- (2) The land around the resource/processing area, which is called a separation area.
- (3) A transport route, which is used to transport the raw quarry products from where they have been extracted out to a rail link or the nearest and most suitable State controlled road. This transport route also has a separation area.

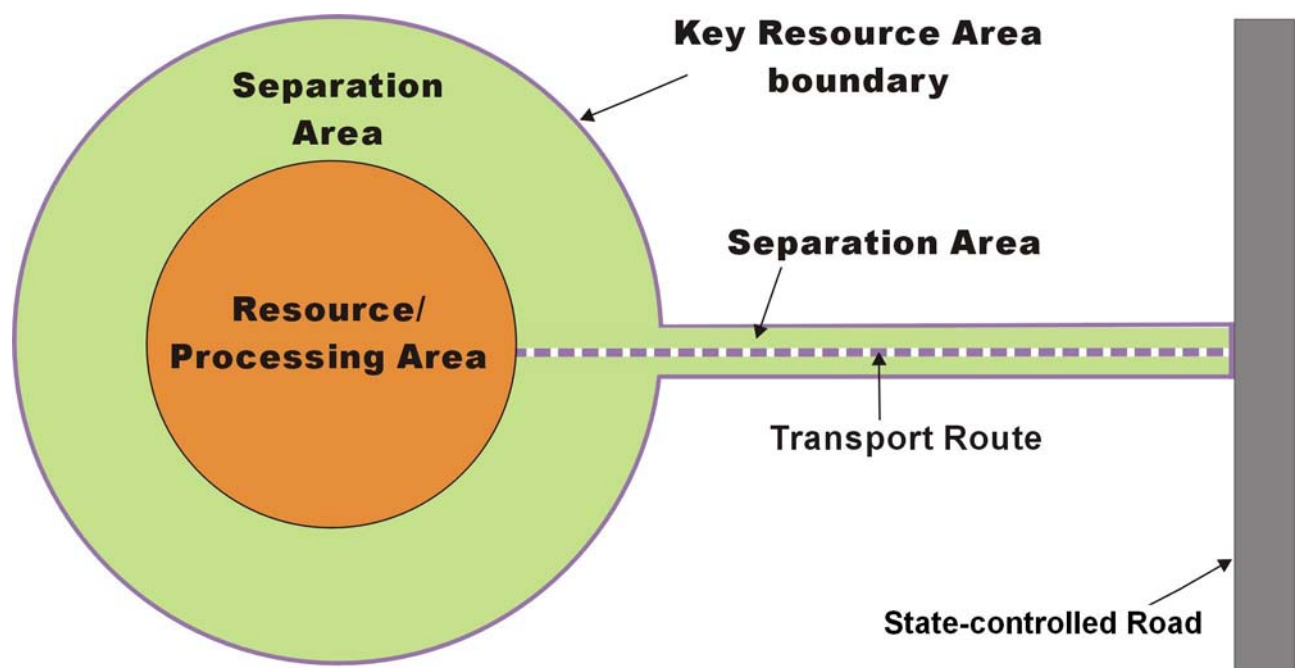


Figure 1. The Key Resource Area

2.0 How Have Key Resource Areas Been Identified?

The criteria used to define a KRA to be of State or Regional significance must include the following:

1. The size of the resource is equal to or greater than the annual demand for the commodity type in its region or sub-region; or
2. The resource is capable of producing 5% of annual demand for the commodity type in its region or sub-region; or
3. The resource can supply more than one significant part of the region or sub-region; or
4. The resource has particular physical properties that are scarce in the region or sub-region; or
5. Specialised resources needed for strategic infrastructure.

3.0 Why Protect Key Resource Areas?

In short, KRAs need to be protected from incompatible land development because of basic economics: supply and demand. There is only a limited supply of raw construction materials that we can access through these KRAs. If we can no longer access this supply, then the continued demand for these materials will mean we need to source them from elsewhere, at a significantly higher price because of transport costs.

One of the greatest risks to supply is incompatible land development on top of or near the extractive resource or along the transport route which can constrain or prevent extraction of the resource in the KRA. The separation areas are designed to prevent this. The KRA separation areas ensure there is a suitable distance between the extractive resource or the transport route and the surrounding community. These separation areas protect the surrounding community from the impacts of noise, dust, ground vibration and air blast overpressure that can occur when extracting and processing rock and/or sand resources.

There have been examples in the past (*e.g. Ashgrove Quarry, Brisbane; Bridge Street Quarry, Toowoomba*) where residents have been located too close to extractive resources with an operating quarry. The result is a lose:lose scenario, in which residents become aggrieved from living too close to the quarry, and the quarry cannot be fully utilised because of the effect on residents. What we are seeking by placing KRAs is a win: win scenario, in which residents are located far enough away from the resource so as not to be adversely affected by the extraction process, and the extractive resource is able to be fully utilised without creating discomfort or frustration for the surrounding community.

4.0 When This Policy Applies

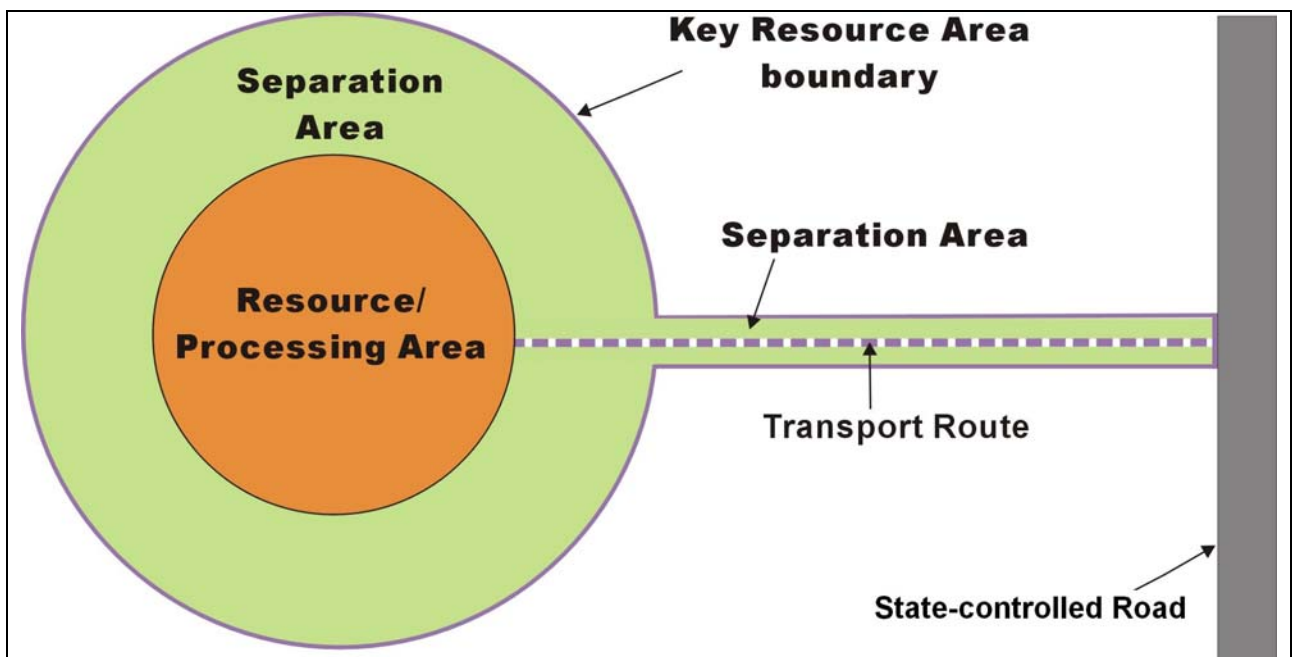
The SPP operates under the *Integrated Planning Act 1997*, and needs to be applied in the following circumstances:

- (1) when development applications are assessed;
- (2) when planning schemes are made or amended; and
- (3) when land is designated for community infrastructure.



Assessing Extractive Industry Development Applications and the Policy

This SPP identifies and maps State and regionally significant extractive resources as Key Resource Areas (KRAs). The SPP has been developed because past planning decisions have led to residential development encroaching on existing and future potential quarry sites. This policy ensures the planning system does not approve new residential developments too close to quarry resources. However, the identification of KRAs under the policy does not guarantee automatic approval of quarry development. As is the case now, each application will be assessed under the *Integrated Planning Act 1997* (IPA) through the local council and the EPA with an opportunity for public input. Approval of a specific quarry site will depend on the results of that IPA assessment.

5.0 What Development Does This Policy Apply to?
(Section 4 of the Policy)





Reconfiguring a lot in: All KRA areas


-  Resource / Processing Area
-  Separation Area for the Resource / Processing Area & Transport Route

Material change of use

in:


-  Resource / Processing Area
-  Separation Area for the Resource / Processing Area

EXCEPT:
 Caretaker's residence for extractive industry
 Agriculture not involving intensive animal husbandry
 Forestry
 Nature Conservation
 Land fill or refuse transfer station
 Passive recreational uses such as open space

-  Separation Area for the Transport Route

SPECIFICALLY:
 Increasing the number of people living in the area

Operational Works in:

-  Separation Area for the Transport Route

SPECIFICALLY:
 Operational works associated with the making or upgrading of vehicular access to the transport route

6.0 What Development Does This Policy NOT Apply to? (Section 4 of the Policy)

Domestic activity in any part of the Key Resource Area	Domestic activity means the use of premises for a residential purpose and associated activities comprising any one or more of the following— a single residential dwelling on an existing lot; home based business employing no more than two non-resident people; or relative's accommodation (e.g. granny flat).
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7.0 Key Points for Making or Amending a Planning Scheme (Section 6 of the Policy)

The policy outcome is achieved when making or amending a planning scheme by—

- ◆ identifying in the planning scheme each KRA located within the local government area (show components of KRA on a cadastral map) ; and
- ◆ allocating uses in KRAs, that are compatible with the existing or future extraction, processing and transportation of extractive resources, consistent with Part 4 of the policy; and
- ◆ making development to which the Policy applies assessable or self assessable having regard to the compatibility of development consistent with Part 4 of the Policy; and
- ◆ incorporating assessment criteria in one or more applicable codes for assessable development consistent with Part 4 of the policy and
- ◆ stating in the planning scheme or a planning scheme policy the appropriate information that may be requested for assessing development to which the policy applies.

Local governments can identify and protect extractive resources which are of local significance using the KRA concept and components in their planning schemes even if these resources have not been included as KRAs in the State Planning Policy.

It is intended to review the State or regional significance of a KRA on an ongoing basis in light of new information pertaining to the actual or potential contribution of a resource to the development of its region. The components and extent of a KRA can be modified to reflect new information about the resource either by the local government (in consultation with DME) through their planning scheme which is approved by the Minister for Local Government, Planning and Sport, or by amending the State Planning Policy.

8.0 Key Policy Points for Development Assessment *(Section 7 of the Policy)*

Any development (i.e. reconfiguring a lot or a material change of use) needs to be compatible with existing or future extraction, processing and transportation of extractive resources from a KRA.

Any development which is associated with either the extraction or processing of the extractive resource is compatible with this policy in the resource/processing area.

A development is compatible with this policy in the separation area of the resource/processing area if it:

- ◆ does not increase the number of people living in the separation area (*this requirement excludes residential developments from the separation area*); and
- ◆ to the greatest extent practicable minimises the potential adverse effects from existing or future extractive industries on people working or congregating in the separation area (*eg. a church or drive-in movie theater which only conducts business outside the hours of quarry operation*); and
- ◆ does not compromise the function of the separation area in providing a buffer between extractive/processing operations and any incompatible uses outside the separation area (*eg. a telecommunications tower*).

A development is compatible with this policy in the separation area of the transport route if it does not increase the number of people living in this separation area (*eg. Building envelopes that keep dwellings outside the separation area may be suitable*).

Direct vehicular access to the transport route is only compatible if it does not adversely affect the safety and efficiency of vehicles using the transport route to transport extractive resources from an existing or future extractive industry (*eg. traffic light or roundabout access to the transport route*).

9.0 Exceptions to this Policy *(Section 8 of the Policy)*

Acceptable circumstances for not achieving the policy outcome include:

- ◆ when the development is a development commitment which has previously been granted development approval by the local government; or
- ◆ when the material change of use provides an overriding benefit to the State or regional community in social, economic or ecological terms that outweighs the community benefit of maintaining the long-term availability of the extractive

resource and the development cannot reasonably be located elsewhere (*eg. no common examples have been identified*). It is important to note though, that even in these circumstances, any adverse affects access to the KRA resource should be minimised.

As previously indicated, this policy does not apply to development for domestic activity (*eg. residential house on an existing lot, home-based business, relative's accommodation*).

10.0 What Is Not Covered by This Policy (Section 5 of the Policy)

This policy does not cover matters addressed in other legislation but in particular it does not cover:

- ◆ details of development approval for extractive industries: or
- ◆ details associated with extractive industry operations (*eg. extracting, processing and transporting the extracted resources*).

11.0 Assessing Compatibility of Development

The development proposal must comply with the policy but often a development application for a material change of use or a reconfiguration of a lot has only part of the property lot located within the KRA. In these cases, often a common sense approach to modifying the development proposal in conjunction with imposing development conditions can make the development proposal compliant with the policy.