



# FACT SHEET – Extractive Industries

## What is an Extractive Industry?

Extractive Industry is the use of premises for:

- (a) extracting or processing extractive resources; and
- (b) any related activities including, for example, transporting the resources to market.

An example of an Extractive Industry is a Quarry.

## Will I need an approval?

The start of a new 'Extractive Industry' or the re-establishment of an abandoned Extractive Industry or an increase in the extraction area or volumes for an existing Extractive Industry use, will require approval from Council for a Material change of use (as defined under the *Planning Act 2016*), unless the activity is located in the Rural Zone and associated with rural activities on the same site.

## Environmentally Relevant Activities (ERA)

Environmentally Relevant Activities are generally industrial activities but can also include some agricultural activities.

Any 'Extractive Industry' involving the extraction of greater than 5,000 tonnes of material per annum, is defined as an Environmentally Relevant Activity (ERA).

## What is a prescribed ERA?

Prescribed ERAs are activities that have potential environmental risks, including **ERA 16 - Extractive and screening activities**. Prescribed ERAs are dependent on the quantity of material extracted (thresholds). These are set out in Schedule 2 of the *Environmental Protection Regulation 2008*.

The prescribed ERAs marked with a 'C', are known as Concurrence ERAs. New development involving a Concurrence ERA will require referral of the application to the State Assessment and Referral Agency (SARA) during the application process.

Threshold	ERA
Extracting, other than by dredging, in a year, the following quantity of material -	
(a) 5000t to 100,000t	
(b) more than 100,000t but not more than 1,000,000t	C
(c) more than 1,000,000t	C

## Environmental Authority (EA)

In Queensland, you need to apply for an Environmental Authority (EA) to perform an environmentally relevant activity (ERA). This is a separate process to a development application through Council. It is recommended that you contact the Department of Environment and Science to determine the requirements for the EA component of your proposal. There will be separate processing fees for this agency as well as requirements for more detailed plans and reports.

## Other types of Development

### Vegetation clearing:

Clearing vegetation may require additional Operational works applications and approval from Council and/or may trigger referral to the State Assessment and Referral Agency (SARA)

### Screening and crushing:

Screening and crushing are often associated with an Extractive Industry. When applying for an ERA for an Extractive Industry (ERA16), this also includes the screening component of an operation. Screening includes washing, crushing, grinding, milling, sizing or separating material.

## Common Questions

- **What if the volume extracted is less than 5,000 tonnes per annum?**

The volume of material proposed to be extracted will not affect the requirement to obtain a development permit for an Extractive Industry use under the Balonne Planning Scheme. All extractive industry that fits the description within the definitions, regardless of the amount extracted, will require a development permit. Extracting less than 5,000 tonnes per annum only removes the requirement for an Environmental Authority under State legislation, which is a separate process under the *Environmental Protection Act 1994*.

- **What if the extractive industry is existing?**

The applicant will need to provide evidence if claiming an existing use right. In general, existing lawful uses are able to continue operating provided the use has not been abandoned or changed in a way that would trigger a Material change of use i.e. increase in volume or area extracted.

- **What if it's linked to road construction?**

An application for a Material change of use will still be required even if the material is being removed for road construction for local government roads.

- **If I do not need an Environmental Authority do I still need a Material change of use application?**

Yes, extracting less than 5,000 tonnes per annum only removes the requirement under State legislation for an Environmental Authority which is a separate process under the *Environmental Protection Act 1994*.

## Making and lodging an application

A well-prepared application will consist of the following Information:

- DA Form 1 - Application details
- Payment of the Application fee - Please see Council's Current Fees and Charges
- Site Plan including access locations
- Haul Route/s
- Transport movements
- Site based management plans

### Haul Routes

Extractive industry proposals will generally require examination of the potential impacts of haul trucks movements within the Shire. Council may request a Traffic Impact Assessment and other reports where haulage has an impact on Shire roads and residents adjoining haul routes.

### Referral Agencies

Your application may require referral to the State Assessment and Referral Agency (SARA). This will depend on the location of the proposal and additional aspects of the development (i.e. vegetation clearing, extraction volumes, proximity to Main Roads).

### Getting advice

- Applicants are encouraged to contact Council and the relevant State agencies with accurate property information (real property description) or seek independent advice about the approvals process and preparation of a development application.
- Department of Environment and Science Licensing and Permits 1300 130 372
- State Assessment and Referral Agency (SARA)  
Phone: (07) 4616 7307  
Email: [ToowoombaSARA@dSDLGP.qld.gov.au](mailto:ToowoombaSARA@dSDLGP.qld.gov.au)