

Explanatory Note

State Planning Policy 2.4 Planning for Basic Raw Materials

ACTIVE
IN FORCE

This Explanatory Note provides an overview of the Basic Raw Materials framework and includes a summary of the key policy changes, and Frequently Asked Questions.

INTRODUCTION

Basic Raw Materials (BRM) are a finite resource and their efficient use is required to ensure an ongoing supply to support economic development in Western Australia. BRM are essential for the construction of buildings, roads, other infrastructure and agricultural production. For the purposes of this policy, BRM are:

- sand (including silica sand)
- clay
- hard rock (including dimension stone)
- limestone (including metallurgical limestone)
- agricultural lime
- gravel
- gypsum
- other construction and road building materials
- materials which may substitute BRM.

The extraction of BRM is recognised as an extractive industry under the *Planning and Development (Local Planning Schemes) Regulations 2015*. Extractive industry proposals on freehold land may require development approval from the relevant local government under the *Planning and Development Act 2005* and/or an extractive industry license under the *Local Government Act 1995*. Extractive industry proposals on Crown Land are regulated under the *Mining Act 1978* and require a granted mining tenement.

The BRM land use planning policy framework has been amended to ensure BRM and extractive industry matters are considered during planning and development decision-making to facilitate the responsible extraction and use of the State's BRM resources.

BRM FRAMEWORK

Decision-making in relation to BRM extraction or proposals that may impact extraction activities is to be guided by a framework consisting of three key components:

1. *State Planning Policy 2.4 Planning for Basic Raw Materials* (SPP 2.4)
2. *The Planning for Basic Raw Materials Guidelines* (the guidelines)
3. Department of Mines, Industry Regulation and Safety (DMIRS) interactive geological map GeoVIEW.WA (replicated on the Department of Planning, Lands and Heritage's (DPLH) PlanWA, on the DPLH website).

The intent of **SPP 2.4** is to ensure BRM and extractive industries matters are considered during planning and development decision-making, to facilitate the responsible extraction and use of the State's BRM resources. SPP 2.4 sets the high order policy matters to be considered when making determinations in relation to extraction proposals or development that may impact on extraction activities. SPP 2.4 applies where:

- (a) proposals are over or adjacent to sites identified to contain BRM resources
- (b) significant volumes of fill may be required
- (c) approval is required for extractive industries under the *Planning and Development Act 2005*
- (d) extractive industry proposals are assessed under the *Mining Act 1987* and due regard is given to planning instruments by the decision-maker.

The **guidelines** provide support for decision-making authorities, proponents and referral agencies to implement SPP 2.4. Specifically, they assist in:

1. guiding land use planning and development approval in relation to BRM across Western Australia, by specifying the requirements that need to be met; and
2. ensuring that necessary BRM management measures are incorporated into land development.

The guidelines outline a range of considerations relevant to the establishment, expansion or modification of BRM operations in Western Australia and are structured into two sections:

PART 1. Guidance for planning decision-makers when determining BRM proposals.

PART 2. Information for proponents to gain a general understanding of the requirements associated with BRM proposals.

The information provided in the guidelines may also be used to inform extractive industry proposals, subject to other approvals processes.

The **GeoVIEW.WA** mapping tool identifies the following sites:

- **Significant Geological Supplies** – identified as the highest priority extraction areas for BRM with many long-term supply areas. These are largely located on Crown land.
 - **Extraction Sites** – secondary extraction areas for BRM that have less strategic supply importance.
 - **Exclusion Areas** – contain known BRM resources but are considered unfavourable for excavation. Exclusion Areas are likely to have protected environmental values or are excluded for planning or infrastructure reasons.
- Note: These areas do not preclude an application to mine. They help guide decision-makers and proponents to identify constrained locations where extraction approval is unlikely.

These categories were defined through interagency strategic planning as part of the Strategic Assessment of the Perth and Peel Regions (SAPPR) and industry consultation between 2015 and 2017.

The new SPP 2.4 will supersede *Statement of Planning Policy No. 2.4 Basic Raw Materials* (gazetted in 2000), the *Draft SPP 2.4 (2018)*, and *BRM provisions in State Planning Policy 2.5 Rural Planning*.

Consultation and approvals

Key stakeholders were engaged at significant drafting stages throughout the development of SPP 2.4. Formal public consultation was undertaken for 120 days commencing in November 2018. A total of 27 submissions were received from local and state government, the development and extractive industries. Generally, submissions were supportive of the overall intent of the policy subject to a range of suggested changes for improvement. Further refining and stakeholder consultation occurred post-advertising to inform redrafting.

The policy and guidelines were approved by the WAPC in February 2020. The policy was gazetted on 16 July 2021.

KEY POLICY CHANGES

SPP 2.4 includes the following key improvements:

- The policy application area has expanded to be state-wide – it was formerly limited to specific local governments in close proximity to Perth.
- Recognition of significant geological supply areas and mapping of significant geological supply areas to guide decision-making and inform strategic planning processes.
- An emphasis on protecting defined BRM sites from encroachment of sensitive land uses, including the use of transitional land uses as opposed to buffer/sterilisation of land around extractive industries. The policy

provides for the identification of transitional land uses within the separation distance to ensure appropriate protections while not unnecessarily sterilising land. Transitional land uses need to be compatible with the adjacent land use (interface).

- A greater recognition of the need for sequential land use and requirements to determine finished ground levels for sequential land uses, prior to extraction.
- The efficient use of fill has been elevated in the policy, with appropriate actions identified at the different stages of planning.
- Clarification on the need for improved consultation with community when proposing extractive industry activities.
- Greater emphasis on the consideration of BRM at the earlier strategic stages of planning, including avoidance of zoning land that will require substantial fill.

FREQUENTLY ASKED QUESTIONS

What area does State Planning Policy 2.4: Planning for Basic Raw Materials cover?

State Planning Policy 2.4: Planning for Basic Raw Materials (SPP 2.4) now applies across Western Australia.

What about basic raw material (BRM) matters outlined in *State Planning Policy 2.5: Rural Planning*?

State Planning Policy 2.5: Rural Planning (SPP 2.5) addresses BRM matters on rural land. Until such time as SPP 2.5 is reviewed, where there is a conflict between SPP 2.5 and SPP 2.4 in relation to BRM matters, SPP 2.4 prevails to the extent of any inconsistency.

Does SPP 2.4 have any exemptions?

Yes, this policy does not apply to:

- a) mining matters in accordance with the *Mining Act 1978*
- b) areas subject to State Agreement Acts
- c) dredging of material from the bed of tidal waters under the *Mining Act 1978*
- d) extraction of BRM for public works as deemed necessary by local governments under the *Local Government Act 1995*.

What is GeoVIEW.WA?

GeoVIEW.WA is an interactive geological online mapping system produced by DMIRS. Users of the mapping system can construct their own geological map and incorporate other mineral and petroleum

exploration datasets including mines and mineral deposits, petroleum wells, active leases, and much more. The mapping layer is also replicated on DPLH's PlanWA for convenience. The map will be updated as needed.

What does the GeoVIEW.WA mapping cover?

For the Perth and Peel regions, GeoVIEW.WA mapping provides detail on the boundaries of Significant Geological Supplies, Extraction Sites and Exclusion Areas.

Outside the Perth and Peel regions, Significant Geological areas and known Extraction Sites are identified by the presence of geological resources and mining tenements.

How can I access GeoVIEW.WA?

GeoVIEW.WA is available via the DMIRS website. The spatial layers can also be viewed at <https://www.dmp.wa.gov.au/GeoView-WA-Interactive-1467.aspx>

Are there any limitations with GeoVIEW.WA?

Yes. It is not possible to include all Extraction Sites, due to limitations in accessing information and the fact that some Extraction Sites are only in operation for short periods of time. For these sites, operations may commence and cease in between mapping updates. The mapping layer shows the most up to date data available to DMIRS at the time of publication.