

AIGLE ROYAL

DEVELOPMENTS

1 August 2022

Chief Executive Officer
Shire of Serpentine Jarrahdale
6 Paterson Street, Mundijong WA, 6123

Dear Sir,

LOT 4 KING RD, OLDBURY - AMENDED APPLICATION FOR SAND EXTRACTION

We seek to amend our current development approval for sand extraction at Lot 5 King Rd, Oldbury.

You will recall the Shire of Serpentine Jarrahdale granted approval, subject to conditions, in July 2021 (application PA21/594 refers).

The current application seeks to amend the following conditions of the approval:

Updated excavation plan

b. Prior to commencement of development, the applicant shall submit an updated excavation site plan showing a minimum of 10m setback to the northern boundary, and the protection of the community of the 'Good to Very Good' Banksia Woodlands' on the eastern portion of the subject land, to the satisfaction of the Shire of Serpentine Jarrahdale. This must be approved prior to operations commencing.

Approval period

c. This approval is valid for a period of 12 months from the date that operations commence.

Road bond

l. Prior to the issue of an Extractive Industry Licence and prior to the commencement of works, the applicant shall make a financial contribution of \$69,379.20 to the Shire of Serpentine Jarrahdale, reflective of the calculated road asset deterioration impact of the proposed development. This contribution satisfies the road maintenance agreement, in order for the Shire to address damage to the road asset associated with the haulage route, in order to address road safety along this route.

Separation to groundwater

n. The finished ground level of the operation shall achieve a minimum of 1m separation from

Aigle Royal Developments Pty Ltd ABN: 90 560 467 066 As Trustee For
Aigle Royal Developments Discretionary Trust | Part of the Aigle Royal Group
Level 8, 225 St Georges Terrace, Perth, Western Australia 6000

PO Box 7987 Cloisters Square, Perth, WA, 6850 | Tel: +61 8 9322 2248 Email: info@aigleroyal.com.au

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groundwater and shall not be below 21m AHD.

Updated excavation plan

Retention of the banksia woodland vegetation on the eastern boundary is not supported. The location of the vegetation equates to the area of greatest sand yield. Retention of this area would render the project almost unfeasible.

A flora and fauna survey has recently been completed for this area. The survey did not identify any rare or endangered species in this location. We acknowledge Banksia Woodland is a threatened ecological community TEC, however, would make the following observations:

- a) The area of vegetation on the subject land is less than 1 hectare;
- b) Given that the area is less than 1 hectare, referral to the Commonwealth Department of Agriculture, Water and Environment is not required.

The Shire's local planning scheme, at Clause 7.12.6, provides guidance on the removal of trees. The following criteria are to be addressed:

- a) *that there should be a minimum disturbance to the landscape characteristics of the locality;*
- b) *generally that a realistic need should be demonstrated for the removal of any tree or trees for the purpose of facilitating appropriate development or agricultural use of the land.*
- c) *the intrinsic value of the tree or trees in terms of physical state, rarity and variety, and particularly whether or not the tree is naturally growing;*
- d) *reflecting upon the adequacy of the information supplied as to the general description of the tree or trees and the character of the locality;*
- e) *giving effect to any proposals made for replacement of trees removed, for planting or replanting generally, and any comprehensive proposal for landscaping;*
- f) *preservation of the existing and future amenity of the adjoining land and the natural environment of the locality;*
- g) *minimising the effect of removing trees and naturally growing vegetation on the environment and in particular erosion and salination effects.*

The criteria are responded to as follows:

The proposal clearly results in minimal disturbance of vegetation:

- a) The site has been substantially cleared over the years to enable sand extraction;
- b) The main area of remnant vegetation to be cleared is less than 1 hectare and will represent the completion of sand extraction on the land; and
- c) The proposed eastern boundary setback has been increased to 20m to assist in retention of some Banksia Woodland onsite.

The clearing is necessary to enable appropriate development. Sand extracted from the site will be

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used for various developments in Byford. These developments will directly contribute to the promotion of Byford as a district centre. Given its low-lying nature, it is not possible to develop Byford without a reliable source of sand fill. Given the proximity of the site to Byford and minimal clearing involved, extraction of sand from the subject land is considered sustainable.

We would also add that sand extraction is a highly appropriate form of development in this locality. As stated already, historically the site has been excavated along with a number of other holdings nearby.

Surveys have confirmed that the trees are not associated with any rare or endangered flora.

Aigle Royal Group is committed to implementing a rehabilitation plan upon completion of sand extraction activity. As a component of rehabilitation, consideration can be given to replanting the site with Banksia trees.

Removal of the trees will have no impact on the amenity of the locality. Surrounding land is excavated for sand and utilized for agriculture. No future residential or special rural uses are planned at this location.

Approval period

We request that the approval period be extended from 12 months to 4 years.

The additional time will allow Aigle Royal to better respond to market conditions in the construction and building industry.

Road bond

ARG agrees to the following revised bond condition:

By 31 July each year in which the development operates, the landowner shall pay an annual contribution to the Shire reflective of the road pavement asset deterioration associated with the development. The contribution is to be based upon a Road Deterioration Impact Audit which is to be submitted by 1 July each year, documenting the amount of vehicles generated by the development based on verified surveyor certificate of such vehicle movements. The contribution is to be calculated in accordance with WALGA User Guide Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, utilising Figure 4, ESA per vehicle for increasing payload.

Separation to groundwater

Since issue of the original approval, ARG has completed groundwater level monitoring of the site (refer attached). The report, prepared by Hyd2O, has been endorsed by the Department of Water, Environment and Regulation.

The assessment confirmed:

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- a) Maximum groundwater level of 19.5 AHD on the western margins, decreasing to 19 AHD on the eastern boundary.
- b) Average groundwater level of 18.8 AHD to 18.4 AHD.
- c) Based on the above, a separation of 500mm and greater, to groundwater, will be achieved over the majority of the site from maximum groundwater level. In relation to average groundwater levels the separation to the proposed pit floor will be in excess of 1m for the majority of the site.

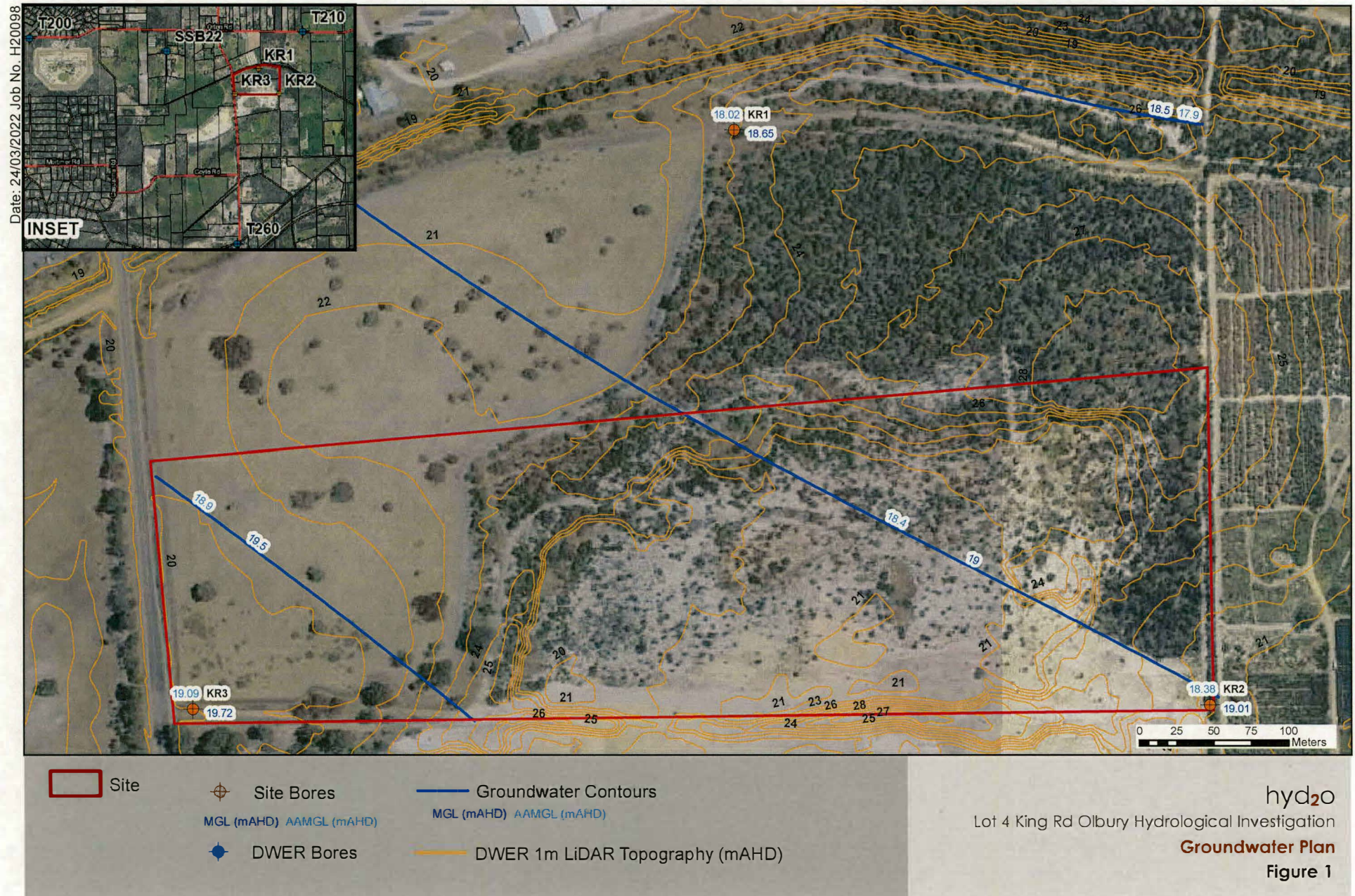
The report also recommends that the minimum separation of 500mm to maximum groundwater level provides for suitable separation to future rural land use. The relevant Department of Water and Environmental Regulation guideline only requires 300mm. A separation of 1 metre to groundwater, as required by the current approval, results in too greater impact on prospective sand yield. Given DWER guidelines related to groundwater separation; we would argue the requirement for 1 metre separation is not justified and runs counter to current policy requirements.

Queries can be directed to Kris Kennedy of this office.

Yours sincerely,



Kris Kennedy

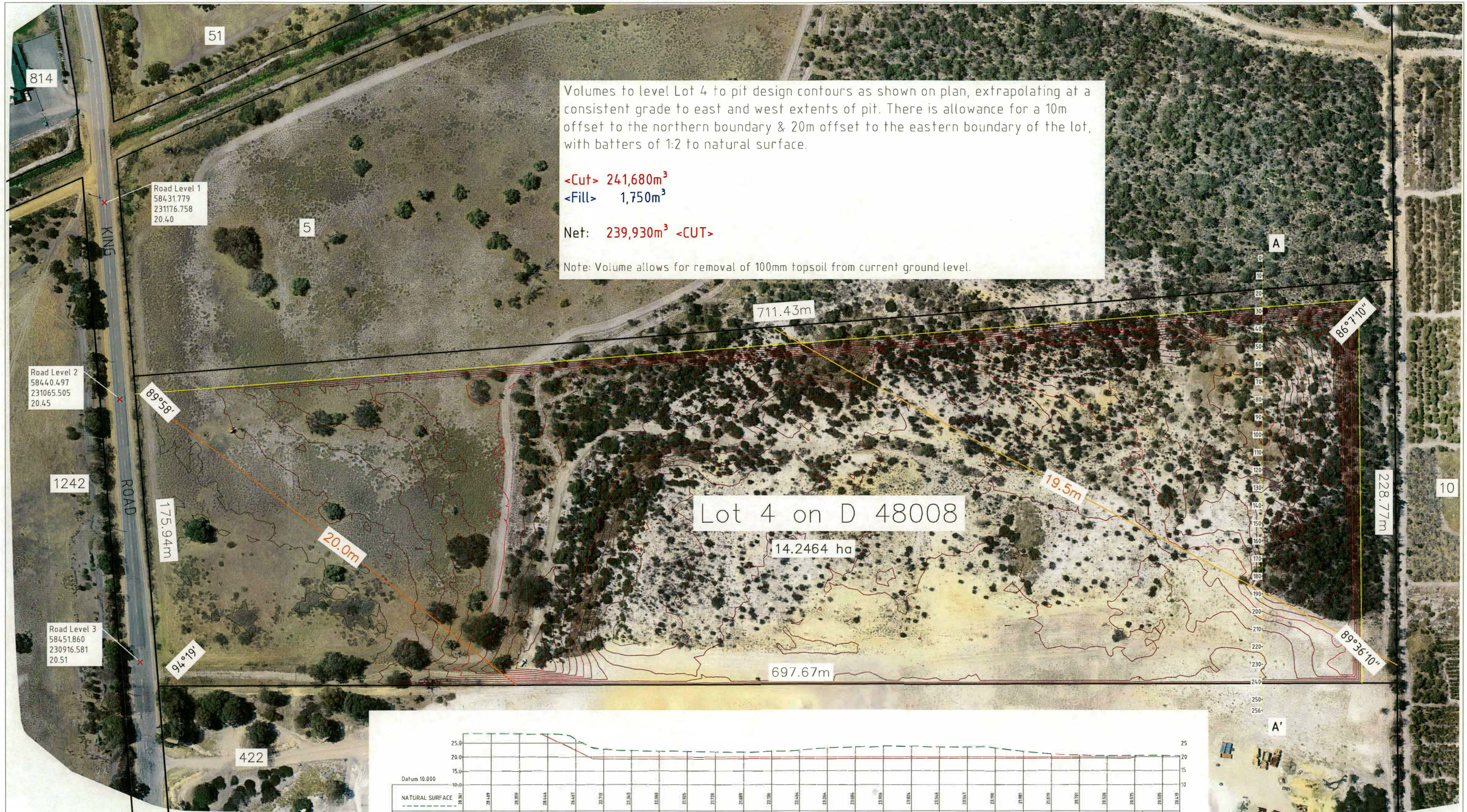


Date: 26/07/2022 Job No. H20098



- Site
- Mine Level (mAHD)
- Extractable Resource (m above mine floor level)

hyd₂₀
 Lot 4 King Rd Olbury Hydrological Investigation
Mining Plan
Figure 2

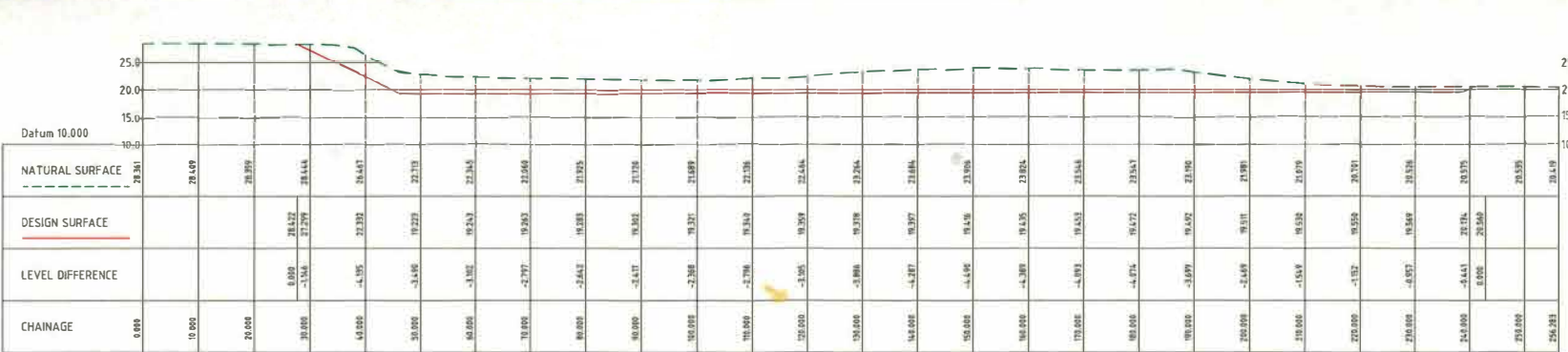


Volumes to level Lot 4 to pit design contours as shown on plan, extrapolating at a consistent grade to east and west extents of pit. There is allowance for a 10m offset to the northern boundary & 20m offset to the eastern boundary of the lot, with batters of 1:2 to natural surface.

<Cut> 241,680m³
<Fill> 1,750m³

Net: 239,930m³ <CUT>

Note: Volume allows for removal of 100mm topsoil from current ground level.



A-A' LONG SECTION

NOTES

This plan has been prepared for the client and should not be used for any other purpose without the written consent of Veris.

The location of cadastral boundaries shown on this plan has been verified from the cadastral database on 18/11/2019 and are subject to survey.

Boundary dimensions have been measured from the Diagram for this lot and are subject to survey.

Prior to the construction of any work, relevant authorities should be contacted for the location of underground services.

Due to overwriting some levels may be switched off for this plan only.

Levels are based on AHD.

Images captured using UAV (12/10/2019).

This note is an integral part of this plan.

LEGEND

- Proposed Excavation Area
- Cadastral Boundary
- Material to be removed (Cut)
- Material to be added (Fill)
- Interface contour
- Pit Design Contour (26/7/22)

Rev.	Date	Description	Surveyor	Drawn	Approved
8	29/07/22	REVISE FLOOR TO 26/7/22 DESIGN CONTOURS	N/A	NDH	DJG
7	14/07/22	REVISE FLOOR TO PROVIDED DESIGN CONTOURS	N/A	NDH	DJG
6	20/05/22	REVISE PIT FLOOR TO SET LEVELS ABOVE MSL	N/A	NDH	DJG
5	20/09/21	10m N & E SETBACKS & RETAIN WOODLAND	N/A	ABB	DJG
4	15/09/21	EXCAVATION WITHIN CLEARING AREA	N/A	ABB	DJG
3	24/06/21	ADD PROPOSED EXCAVATION BODY & SECTION	N/A	NDH	DJG
2	04/06/21	INCREASE EAST BOUNDARY SETBACK TO 20m	N/A	NDH	DJG

veris

WESTERN AUSTRALIA
T 08 6241 3333
www.veris.com.au
veris.wa@veris.com.au

Client: AIGLE ROYAL

Surveyed By: DOC Survey Date: 12/11/2019

Drawn By: NDH Drawn Date: 10/05/2021

Approved By: DJG

Scale (A1): 1:1000

Hor Datum: PCG94

Vert Datum: AHD (Based on SSM W8YF7)

PROPOSED SAND MINING EXTRACTION

Lot 4 on D48008
KING ROAD
OLDBURY

Job No: 636053 - 003 - 003 - 08
Plan No: 003 - 08
Rev: 1 of 1

Sheet 1 of 1