(1)

BARRY ARMITT
'Old Farm'
357 Marulan St Rd
MARULAN.
N.S.W. 2579.

11th July 2011.

The Minister
NSW Department of Planning
& Infrastructure
GPO Box 39
Sydney. NSW 2001 . Fax No. 92286466

Dear Minister,

Subject: Boral's Peppertree Quarry
Project Approval Modification 2.

After reading Boral's Section 75W modification plans for the Peppertree Quarry, I have identified a number of anomalies in the application, including factual errors and inconsistencies, and I am in the process of obtaining professional & legal

(2)

advice on those matters.

In these circumstances I am requesting a forther three (3) weeks to lodge a formal submission as the above advice is not yet available.

In addition, I am concerned that the quarry area is adjacent to my properties' whole eastern boundary and no buffer zone has been required.

Yours faithfully.

Barry. D. Armitt

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(1)

BARRY ARMITT
'OLD FARM'
357 Marulan Sth Rd
Marulan
N.S.W 2579
5th August 2011

The Minister
NSW Department of Planning
& Infrastructure
GPO Box 39
Sydney NSW 2001 Fax N° 92286466

Subject: Boral's Peppertree Quarry
Project Approval Modification 2.
My extension of time for
submission.

Dear Minister,

In my letter dated 11/07/20
I asked for an extension of 3 weeks to
lodge a formal submission as I was awaiting
professional & legal advice on a number

(2)

of perceived anomalies in that application. I am still awaiting the above advice and as it is of the utmost importance that this advice is received prior to my formal submission, I am requesting a further 2 weeks extension. If the advice comes before then I will of course advise you of same.

Yours faithfully

Barry D. Armitt

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(1)

Barry Armitt
'Old Farm'
357 Marvlan 5th Rd
Marvlan.
NSW 2579
19th Aug. 2011

The Minister
NSW Department of Planning
& Infrastructure
G.P.O. Box 39
Sydney NSW 2001. Fax. No. 92286466

Subject: Boral's Peppertree Quarry
Project Approval Modification 2
My extension of time for
submission to above.

Dear Minister,

As you are aware, I have been granted two (2) extensions of time with regards a submission re the above project

(2)

I am still awaiting both legal & professional advice & would like a further extension of time.

Boral did express a desire to purchase our property along with two(2) other family properties (both of which were integral to our existing farming business) in late 2004. We agreed to sell to them then on the basis that they needed the other two(2) properties as well as ours for their proposed operations.

We ~~for~~ allowed our business to cease on the above basis & have now been dealing with Boral on an 'on & off' basis since then.

At the time of Boral's initial submission back in 2006 I put a submission in to the Planning Dept. & this was unacceptably & dishonestly answered by Boral.

Some time later I wrote to the Planning Department with regard to the above & re some anomalies in the D.A. (materially incorrect parts of the DA) but to no avail.

(3)

As stated in my previous letters to you, there would appear to be further anomalies in their latest DA and of a more serious nature which goes to the heart of transparency & integrity in such applications.

I am still negotiating with Boral with regards to the sale of our property to them and as such am prepared to allow them to do the right thing by us with regard to the purchase of our property without us having to take this business further. That said, Boral do have an approx. 2Km common boundary with us, they have no buffer zone between us & their proposed operations and the bulk of our property will be significantly physically impacted upon & has already been financially impacted upon with regard to property value & business losses.

I do need more time to action my submission.

Yours faithfully

Barry A Armitt

(4)

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Barry Armitt
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NSW 2579

26th Sept. 2011

The Minister
NSW Department of Planning
& Infrastructure
GPO Box 39.
Sydney NSW 2001

Fax N° 9228 ~~5258~~ 7211
cc Fax. N° 92286466

Subject: Boral's Peppertree Quarry
Project Approval Modification 2
My right to objection.

Dear Minister,

'My situation is well known to your Department. I am ill

at the moment & have been for a long time. If the information which I am waiting on in order to formally lodge my objection, does not arrive prior to Boral's application being approved or otherwise, I want to reserve my right to an objection. Even with an objection (submission) being submitted, I am concerned that it will not be satisfactorily answered, as was the case in my previous submission. Boral have continued to provide materially incorrect information to the Public & The Planning Department, knowing it to be incorrect. Information which the Department acted on

& it would seem its officers failed to visit the site.

Yours faithfully

Barry. J. Armitt.

Comments on: Peppertree Quarry Project Approval Modification 2 document

Under Section 5 of the NSW Industrial Noise Policy (INP) in order to determine if more detailed noise modelling is required, there is a need to study the frequency of wind speeds up to 3 ms^{-1} blowing from the source to receptors. Specifically it states that: "Use a wind rose to determine whether wind is a feature based on the frequency of occurrence and wind speed. In doing this, take care to assess the source-to-receiver components of wind that are relevant."

In Table 5.3 there are different wind direction sectors defined for the various time periods and seasons. However, because there are a number of receptors (Receptors 1 to 6 and 16) around the Peppertree Quarry site it is unclear how the wind directions in Table 5.3 relate to these. If you take the 30 year site boundary as the source then the range of wind directions to be considered for each source-receptor pair should be:

Receptor	Wind directions (Source-Receptor)
1	WSW to W
2	NNE to ENE
3	NE to ENE
4	E to ESE
5	SE to SSE
6	SE to SSE
16	ENE to E

If one follows a similar technique to that used in Table 5.3 and looks at one 22.5° sector either side of the range above then this gives winds that would likely impact on the receptors as follows:

Source-receptor wind directions +/- one 22.5deg Sector

Receptor	Sectors
Rec1	SW - WNW
Rec2	N - E
Rec3	NNE - E
Rec4	ENE - SE
Rec5	ESE - S
Rec6	ESE - S
Rec16	NE - ESE

Frequencies of occurrence (%) with ubar< 3 m/s

Season	Time of Day	Receiver						
		Rec1	Rec2	Rec3	Rec4	Rec5	Rec6	Rec16
Summer	Day	15.55	48.74	44.39	43.80	11.26	11.26	45.90
Summer	Evening	10.15	62.34	57.34	52.96	15.37	15.37	59.72
Summer	Night	10.38	42.63	36.27	37.00	20.95	20.95	38.90
Autumn	Day	20.70	33.39	29.99	36.16	22.73	22.73	34.18
Autumn	Evening	22.27	39.06	34.13	37.37	21.49	21.49	38.06
Autumn	Night	24.31	19.12	15.28	18.97	23.71	23.71	16.97
Winter	Day	31.88	12.14	9.51	14.59	18.24	18.24	11.25
Winter	Evening	43.39	11.96	10.05	12.80	12.49	12.49	11.75
Winter	Night	46.50	4.43	2.97	4.52	13.81	13.81	3.50
Spring	Day	21.23	31.95	26.94	26.13	9.94	9.94	26.98
Spring	Evening	23.35	42.58	37.32	30.05	12.63	12.63	35.12
Spring	Night	21.21	29.72	22.49	19.79	11.67	11.67	20.90

Table 1

The numbers highlighted in red indicate the receptors which have the potential to be impacted by noise, using the NSW INP criteria. Therefore there needs to be an explanation as to the basis of the single wind direction sectors used for all receptors in Table 5.3.

The NSW Industrial Noise Policy (INP) methodology to determine the frequency of occurrence of temperature inversions was used to generate Table 5.4. This method to determine the stable night-time Pasquill stability categories seems to have several anomalies. A separate submission has been made to the NSW Dept. Environment and Heritage seeking clarification of how to implement this methodology (see Attachment A). In the event, this Modification 2 document has shown there is a need to consider the impact of temperature inversions on noise impacts from night-time plant operations.

Modelling of the noise impacts of plant operations is undertaken using a meteorological scenario described in Section 5.6.4 and defined in Table 5.8. It is unclear why particular wind directions (mainly from the NE and E sectors) have been chosen to model the night-time impacts given that apart from the Summer season, the prevailing night-time winds are from the WSW to NW sectors (see Table 5.3). In addition, if as is typical, temperature inversions exist with light winds from these sectors (no wind speed or direction considered in the modelling Scenario of Table 5.8), Table D1 in Appendix D of the NSW INP indicates there could be an increase in noise decibel levels up to 6-6.5 dB at distances out to 2500m. Under these conditions there could be an impact on Receptor 1 (Montgomery) which is about 2.7km away from the site boundary. Table 1 above indicates that in winter winds < 3 ms-1 have the potential to cause impact on Receptor 1. Although this is not necessarily indicative of inversion conditions, it is highly likely that the evening and night-time occurrences in Winter would have temperature inversions present.

It is claimed that the bunds will act like hills and prevent any noise from the site impacting on nearby receptors. However, the overburden heaps to both the east and west of the quarry are likely to be greater in height than the bunds and therefore the predicted noise levels in Tables 5.01, 5.11 and 5.12 should be re-assessed on the following assumption: that winds under inversions could impact on local receptors even though current predictions at Receptor 1 (for example) are below the minimum $LA_{eq,15min}$ of 30 dB. It is considered that temperature inversion conditions should be modelled with real wind speeds and directions to calculate the potential impacts of noise on all the receptors and Receptor 1 in particular.

Geoff Clark

Tallong Community Focus Group representative on the Peppertree Quarry Community Consultative Committee

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July 11, 2011

Attachment B: Email sent to the NSW Dept. Environment and Heritage July 5 , 2011

Attention: Noise Policy development area

Dear Sir/Madam,

I have some questions about the NSW Industrial Noise Policy and specifically the use of Table E6 in Appendix E of the policy.

Table E6 refers to the modification of daytime Pasquill stability categories as determined from the sigma-theta method (using Table E5) to night-time conditions. It is stated that Table E6 is adapted from Irwin (1980) and the USEPA (1987). While I can see that the modification of Pasquill categories A to D are directly taken from USEPA (1987) it is the modification of the stable categories (E to G) that concern me in this Email.

The USEPA (1987) [and the update USEPA (2000)] have the following corrections for these categories in night-time:

Initial estimate of P-G Category	10-meter wind speed (m/s)	Final estimate of P-G Category
E	u < 5	E
E	5 <=u	D
F	u < 3	F
F	3 <=u < 5	E
F	5<=u	D

Table E6 has the following simplification and addition:

E	3 □<=u < 5	E
F	2 □<=u < 3	F
G	u < 2	G

My questions are as follows:

1. For category E and u < 3 m/s or >= 5 m/s what is the Final estimate night-time P-G category?
2. For category F and u < 2 m/s or >= 3 m/s what is the Final estimate night-time P-G category?
3. For category G and u > 2 m/s what is the Final estimate night-time P-G category?

Logic dictates that in points 1 and 2 the categories for lighter winds would be the same or more stable than the Initial estimate P-G category. In the case of category G for stronger winds the Final estimate would be a less stable category based on similar wind speed criteria used for category F in USEPA (2000) e.g.

G	u < 2	G
G	2 <=u < 3	F
G	3 <=u < 5	E
G	5<=u	D

I also suggest that the USEPA (2000) criteria should be used for the night-time modifications categories E and F to remove the above questions.

I would like your comments on how the current method can work given the above anomalies?