



Out of Hours Work Protocol (Version 3.6)

April 2025 to July 2025

**Blakebrook Quarry
MP07_0020**

**Lot 53 and 54 DP 1254990
550 Nimbin Road, Blakebrook**

BALLINA
45 River Street
PO Box 20
BALLINA NSW 2478
02 6686 3280

GUNNEDAH
Germane House
285 Conadilly Street
GUNNEDAH NSW 2380
02 6742 9955



Document Control Sheet

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Job No.:	11012
Job Captain:	Scott Roberts
Author:	Cathryn Wilson
Client:	Downer Group
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1. Introduction

Ardill Payne and Partners were commissioned to prepare an Out of Hours Work Protocol (OHWP) for the Blakebrook Quarry on behalf of Downer Group. Blakebrook Quarry is owned by Lismore City Council and is located at 550 Nimbin Road, Lot 53 and 54 DP 1254990, Blakebrook NSW 2480.

1.1 Purpose and Scope

Lismore City Council are the landowner and hold the current NSW Environmental Protection Authority (EPA) licence (EPL 3384) over the Blakebrook Quarry site with Downer Group holding the current lease of the Asphalt Plant which is located within the Quarry on Lot 54 DP1254990. The current EPL 3384 enables the production of 100,000-500,000 tonnes annually extracted or processed, with Bitumen Pre-mix or Hot-mix Industries as an ancillary activity.

Council DA 90/341 provided the original consent for the Asphalt Plant with subsequent modifications, one which relocated the plant further to the southeast.

Asphalt operations were amalgamated into the State Significant Development Mod 3 Project Approval 07_0020 as of 20 July 2021. The Mod 3 Project Approval requires Council DA90/341 to be surrendered by 20 July 2022 (refer Schedule 2 Condition 5A). This has been formally actioned by Lismore City Council effective from 23 December 2022.

To undertake operations outside of hours in Table 1 (Schedule 3 Condition 1) of Project Approval 07_0020, an Out of Hours Work Protocol (OHWP) is required. The need to undertake out of hours work is due to several key operational challenges, including:

- **Urgency of Flood Recovery Works** – Certain flood-damaged roads and infrastructure require immediate repairs to ensure safe community access, often necessitating an increased number of night shifts within short timeframes.
- **Traffic Management Considerations** – Major Road projects, particularly on high-traffic routes, must often be completed at night to minimise disruptions, leading to fluctuating demand for night shifts.
- **Funding Allocation and Deadlines** – Government funding for flood recovery is typically subject to strict timelines, requiring increased asphalt production to ensure projects are completed within funding windows.
- **Unpredictable Weather Conditions** – Adverse weather, such as heavy rain, can cause delays to scheduled works, necessitating additional night shifts to meet project deadlines.
- **Coordination with Other Contractors** – Asphalt production must align with other roadwork activities, and scheduling constraints with contractors may require additional night shifts to accommodate project timelines.
- **Supply Chain and Material Availability** – Delays in material supply or transport disruptions can require rescheduling and additional shifts to recover lost time and maintain project progress.

Schedule 3 Condition 2A requires the OHWP to be developed and approved by Department of Planning, Housing and Infrastructure (DPHI).

The current capacity is for 150 truck movements per day from the Quarry (refer to Schedule 2

Condition 8). This maximum number of truck movements will continue to comply with the existing limits in the Project Approval under Schedule 2, condition 8 for all truck movements from the Quarry (150 per calendar day).

1.2 History of the Project Approvals

Approval Number	Approved use	Date
NSW EPA EPL 3384	Extractive Activity and Hot-mix operations as Ancillary activity	16 September 2020
DPIE Mod 3 Project Approval 07_0020	Amalgamation of asphalt operations to extractive industry operations	20 July 2021
DA 90/341	Bituminous hot mix plant	5 December 1990 Surrendered 23 December 2022

1.3 Schedule 3 of 07_0020 Specific Development Consent Conditions

Table 1. Specific Development Consent Conditions

Consent no.	Consent condition											
1. The Proponent must comply with the operating hours set out in Table 1.	<i>Table 1: Operating hours</i>											
	<table border="1"> <thead> <tr> <th>Activity</th> <th>Permissible Hours</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Quarrying operations, Asphalt plant operations and loading and dispatch of laden trucks</td> <td>7 am to 6 pm Monday to Friday</td> </tr> <tr> <td>7 am to 3 pm Saturday</td> </tr> <tr> <td>At no time on Sundays or public holidays</td> </tr> <tr> <td rowspan="2">Blasting</td> <td>10 am to 3 pm Monday to Friday (except public holidays)</td> </tr> <tr> <td>At no time on Sundays or public holidays</td> </tr> <tr> <td>Maintenance</td> <td>May be conducted at any time, provided that these activities are not audible at any privately-owned residence</td> </tr> </tbody> </table>	Activity	Permissible Hours	Quarrying operations, Asphalt plant operations and loading and dispatch of laden trucks	7 am to 6 pm Monday to Friday	7 am to 3 pm Saturday	At no time on Sundays or public holidays	Blasting	10 am to 3 pm Monday to Friday (except public holidays)	At no time on Sundays or public holidays	Maintenance	May be conducted at any time, provided that these activities are not audible at any privately-owned residence
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2A. With the prior written agreement of the Secretary, the Proponent may undertake limited campaign asphalt plant operations	With the prior written agreement of the Secretary, the Proponent may undertake limited campaign asphalt plant operations (within the limited imposed under condition 8 of Schedule 2) outside of the operating hours prescribed in Condition 1 of this schedule as requested by public authorities.											
	<p>In such circumstances, the applicant must prepare an Out of Hours Work Protocol. This must:</p> <ul style="list-style-type: none"> a) Be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works; and b) Be approved by the Secretary prior to the commencement of any out of hours Asphalt plant operations. 											

Consent no.	Consent condition						
3. The Proponent must ensure that the noise generated by the project does not exceed the daytime criteria in Table 2 at any residence on privately-owned land.	<p data-bbox="453 271 692 297"><i>Table 2: Noise criteria dB(A)</i></p> <table border="1" data-bbox="453 300 1425 450"> <thead> <tr> <th data-bbox="453 300 807 360"><i>Receiver^a</i></th> <th data-bbox="812 300 1425 360"><i>Day L_{Aeq} (15 minute)</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="453 367 807 405">Location 2 and Location 7</td> <td data-bbox="812 367 1425 405">36</td> </tr> <tr> <td data-bbox="453 412 807 450">All other locations</td> <td data-bbox="812 412 1425 450">35</td> </tr> </tbody> </table> <p data-bbox="453 452 855 479">^a Receiver locations are shown in Appendix 3</p> <p data-bbox="443 600 1452 696">Refer to Section 3.1 for proposed evening and night criteria (4pm to 7am Monday to Friday). No out of hours work is proposed for Sundays, Public Holidays or Saturdays 1pm to 4pm.</p>	<i>Receiver^a</i>	<i>Day L_{Aeq} (15 minute)</i>	Location 2 and Location 7	36	All other locations	35
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All other locations	35						

2. Scope of Engagement

This OHWP describes the management of noise associated with Downer Group out of hours asphalt operations, in accordance with DPHI Project Approval 07_0020.

The original OHWP was developed in consultation with the residents and the NSW Environment Protection Authority (EPA). The details of their feedback received during community consultation are presented in **Attachment 1**. EPA feedback is presented in **Attachment 3** and considerations have been incorporated into the OHWP where noted.

Further consultation with residents who may be affected by the noise generated by out of hours operations will be undertaken on an ongoing basis following approval of the OHWP by DPHI. The notification procedures proposed for out of hours asphalt operations are described in **Section 3**.

3. Activities

Operations at the Blakebrook Quarry are currently approved by DPHI under Mod 3 Project Approval 07_0020 which refers to standard operating hours as being 7.00 am to 6.00 pm Monday to Friday, 7.00 am to 3.00 pm Saturdays and no work on Sundays or public holidays.

Downer Group has been conducting asphalt operations during standard work hours however require the additional operating hours to service essential road maintenance and repair works. Out of hours operations were previously permitted under DA90/341, with 7 days advanced notification to neighbours and EPA required in each instance.

Per Schedule 3, Condition 2A of the recent Mod 3 approval, with the prior written agreement of the Secretary, the Proponent may undertake limited campaign asphalt plant operations (within the limits imposed under condition 8 of Schedule 2) outside of the operating hours prescribed in Condition 1 of this Schedule, as requested by public authorities.

In such circumstances, the applicant must prepare an Out of Hours Work Protocol. This protocol must:

- (a) be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works; and
- (b) be approved by the Secretary prior to the commencement of any out of hours Asphalt plant operations.

Proposed hours of operation covered by this OHWP (V3.6) are 4pm to 7am Monday to Sunday to support public authority work requests (which include but are not limited to TfNSW and Local Council).

This campaign is for a total of 40 out of hours shifts combined across April, May, June and July. An average of 10 campaign shifts to be executed each month within the scheduled campaign dates to be communicated to the EPA and the community through the notification process outlined in section 3.3.

An increase in Out of Hours Work Requests have been noted lately due to the availability of Funding for Transport for NSW & LGAs for Flood Recovery Road Works. As such, we anticipate a slight increase for the total Out of Hours Campaigns from Calendar Year 2024 into 2025. The majority of Out of Hours Work Requests are for the resurfacing, maintenance and rejuvenation of roadways that would be too unsafe and disruptive to operate on during standard working hours. To reduce any potential impacts upon neighbours however, all mitigation measures outlined in section 3.2 of this document will be followed during any out of hours shifts.

Following adoption of this OHWP, nightworks will be undertaken in accordance with the OHWP, Project Approval MP07_0020, EPL3384 and the Noise and Blast Management Plan. Accordingly relevant parties will be notified of OHWP works as outlined below:

1. EPA email notification and resident written notification 7 days prior to commencement of OHWP works; and
2. DPHI written notification prior to commencement of OHWP works.

3.1 Proposed Evening and Night Noise Criteria and Noise Monitoring

Per Schedule 3 Condition 3 of the consent conditions, proposed evening and night noise criteria were derived based on the Industrial Noise Policy (INP), upon which the project approval was originally issued.

The proposed Rating Background level (RBL) for evening and night is 30 dB(A). The proposed evening and night project-specific noise level criterion is 35 dB(A) LAeq (15 minute). Monitoring of proposed evening and night noise will be undertaken bi- annually at primary receivers in alignment with daytime monitoring requirements.

This is considered acceptable as asphalt nightworks are an existing approved operation under Project Approval 07_0020 and there were no community objections or negative feedback to proposed out of hours work as part of community consultation or at the recent Community Consultative Committee meeting. The EPA has also been consulted on this approach and do not have any identified concerns.

Bi-Annual Noise Monitoring Reports are made available on the project website. Noise monitoring reports are internally audited and reviewed as part of the Annual Environmental Monitoring Report and overall compliance audited every 3 years as part of the Independent Environmental Audit (IEA).

As the asphalt plant is an existing approved operation under the Noise Policy for Industry (NPfI), Section 6.1 of the NPfI applies as follows:

“Where noise emissions from the site exceed the project noise trigger levels, the regulatory authorities and the noise-source manager will determine achievable noise limits for the site, taking into account matters that must be considered in accordance with the relevant legislation or process, including negotiation with proponents and discussion with stakeholders as required.”

3.2 Noise Management

Management of noise impacts from asphalt operations will continue to be carried out in accordance with all project approvals, plans and licences.

No negative feedback or complaints were received during recent community consultation or Community Consultative Committee on the OHWP. The OHWP will be made available on the project website.

Downer Group will continue to implement best management practice to minimise the noise generated by the Asphalt Plant to achieve the levels required by Project Approval 07_0020 and EPL 3384. Noise management and control measures include:

- planning controls (e.g. predicted meteorological conditions and potential implications for noise levels are be made available to shift managers at the start of each shift, and site inductions for staff, contractors and visitors, to develop an awareness and understanding of potential noise issues); and
- construction and operational controls (regular communication and updates are provided to local residents on the status and nature of site operational activities and minimising noise generation wherever practical).

Potential sources of noise from operations are primarily truck movements and asphalt

production. Mitigation strategies are listed in **Table 2**. The site is in a rural area and surrounded by native vegetation (**Figure 1**). The site also operates under a Noise and Blast Management Plan.

Table 2. Potential noise sources and mitigation strategies.

Potential Noise Source	Mitigation Strategy
Truck movements	<ul style="list-style-type: none"> • Drivers to undertake a site induction • Limiting compression braking • Switching off truck radios • Adhering to imposed speed limit 40 km/h • Travelling to and from site directly and not parking or idling near residential receptors. • Regular servicing of vehicles • Limit reversing where possible to avoid triggering reversing alarms. Trucks to be fitted with low frequency reversing alarms (these can be retrofitted to existing trucks). Broadband alarms can be used instead of the standard Tonal alarms as they are generally less intrusive.
Asphalt Production	<ul style="list-style-type: none"> • Delivery of materials and equipment during regular work hours. • Limiting contact of loader buckets with metal surfaces • Servicing all machinery and equipment to manufacturer's specifications. • Undertaking as much work as possible during standard work hours. • Limit reversing where possible to avoid triggering reversing alarms. Plant and equipment to be provided with low frequency revering alarms. Broadband alarms can be used instead of the standard Tonal alarms as they are generally less intrusive.

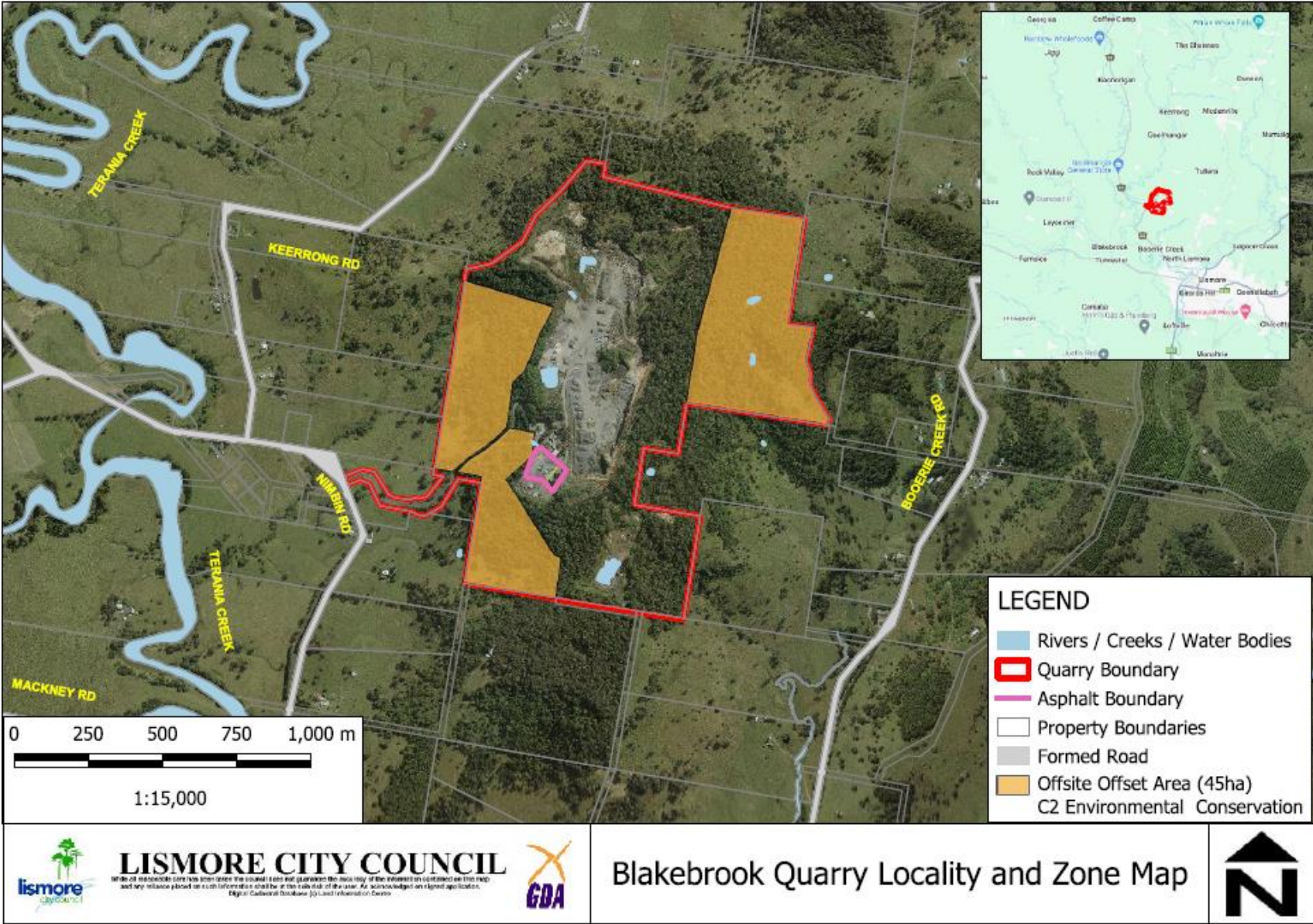


Figure 1. Site Map

3.3 Notification of Upcoming Out of Hours Operations

As described in this document, initial OHWP community consultation was undertaken with neighbours via letterbox drop. A list of affected properties and outcomes of community consultation is recorded in **Attachment 1**.

One phone call was received from one resident stating that they had no objection with the proposed OHWP and that we have not given him any reason to date to object. The latest version of the OHWP V3.6 will be developed in consultation with EPA and Residents.

Downer Group will notify the Lismore City Council, EPA and local residents of the timing and expected duration of any out of hours construction works at least 7 days prior to the commencement of any activities. This will occur prior to each instance of out of hours work. Refer to **Attachment 2** for letter to residents.

Notification of out of hours work will be provided in writing to the EPA via info@epa.nsw.gov.au at least 7 days prior to activities commencing. Residents will be notified in writing at least 7 days prior to activities commencing. The DPHI will also be notified of the expected OHWP shift dates before commencement. Council will notify the EPA and DPHI on Downer Group's behalf.

To allow for flexibility in consideration of adverse weather events delaying activities, the EPA and Resident notifications may identify a range of dates in which the shifts will occur (e.g. 5 shifts between 2 and 9 June 2025.) It is expected that the DPHI notification will provide more certainty as to when the shifts will occur, however shifts towards the end of the time range may change due to uncertainty in weather forecasts.

Lismore City Council will remain the initial contact for any complaints via the Contact Centre (02) 6625 0500. Complaints will be dealt with per the Environmental Management Strategy (refer Schedule 5 Condition 1 of Project Approval 07_0020). A complaints register is maintained on Council's website (per Schedule 5 Condition 14) and the Contact Centre operates 24 hours per day, seven days a week, to receive any queries from neighbouring residents or other stakeholders. Residents can also contact NSW EPA Environment Line on 131 555.

Where a complaint is received during out of hours work, works must cease immediately and mitigation measures reviewed and additional mitigation measures applied as required. If a second complaint is received, all works must cease immediately. DPHI must be notified via the planning portal and the EPA must be notified via info@epa.nsw.gov.au. No further out of hours works can be conducted until advised in writing by the Planning Secretary following consultation with the EPA.

Ongoing community consultation opportunities will be provided as part of the Community Consultative Committee process held annually (refer Schedule 5 Condition 7).

3.4 Control of Specific Out of Hours Construction Activities

Downer will generate and maintain an Out of Hours Work Register of all works falling into the category of 'Out of Hours Work' (i.e. outside hours in Schedule 3 Condition 1 of Project Approval 07_0020). These works will be forward planned and advised to all relevant parties as per Section 3.2 and recorded in the Out of Hours Work Register for tracking of any out of hours works undertaken.

4. Conclusion

Downer Group has been conducting operations during standard work hours however the operations require additional operating hours to service essential road maintenance and repairs. Project Approval 07_0020 Schedule 3 Condition 2A permits the operation to undertake limited campaign outside of operation hours prescribed in Condition 1 of that schedule.

Proposed hours of operation covered by this OHWP are 4pm to 7am Monday to Sunday for public authority work requests. Out of hours operations are anticipated to occur approximately 10 nights per month within the scheduled campaign dates to be communicated to the community and the EPA through the notification process outlined in section 3.3.

An increase in Out of Hours Work Requests have been noted lately due to the availability of Funding for Transport for NSW & LGAs for Flood Recovery Road Works. As such, we anticipate a slight increase for the total Out of Hours Campaigns from Calendar Year 2024 into 2025. The majority of Out of Hours Work Requests are for the resurfacing, maintenance and rejuvenation of roadways that would be too unsafe and disruptive to operate on during standard working hours. To reduce any potential impacts upon neighbours, all mitigation measures outlined in section 3.2 of this document will be followed during any out of hours shifts.

Following approval of this OHWP, limited campaign operations will be undertaken as required in accordance with the approved OHWP, Project Approval MP07_0020, EPL3384 and the Noise and Blast Management Plan. Accordingly relevant parties will be notified of OHWP works as outlined below:

1. EPA email notification and resident written notification 7 days prior to commencement of OHWP works; and
2. DPHI written notification prior to commencement of OHWP works.

The proposed evening and night project-specific noise level criterion is 35 dB(A) LAeq (15 minute). Potential sources of noise are from truck movements and asphalt production and mitigation strategies have been identified for each. Both planning and operational controls will be implemented. All limited campaign records will be recorded in the Out of Hours Work Register which is available to the Department on request.

Complaints will be managed according to the Environmental Management Strategy and via Council's 24-hour Contact Centre. Residents can also contact EPA Environment Line on 131 555.

Adherence to the Out of Hours Work Protocol will be audited annually as part of the Annual Environmental Monitoring Report and every 3 years as part of the Independent Environmental Audit (refer Schedule 5 Conditions 11 & 12). Noise complaints are also reported to the EPA as part of the Annual Return.

Downer Group and Lismore City Council aim to achieve a high standard of conduct to meet

expectations of all parties and have documented mitigation strategies in place to ensure minimal impact to residents.

5 Attachments

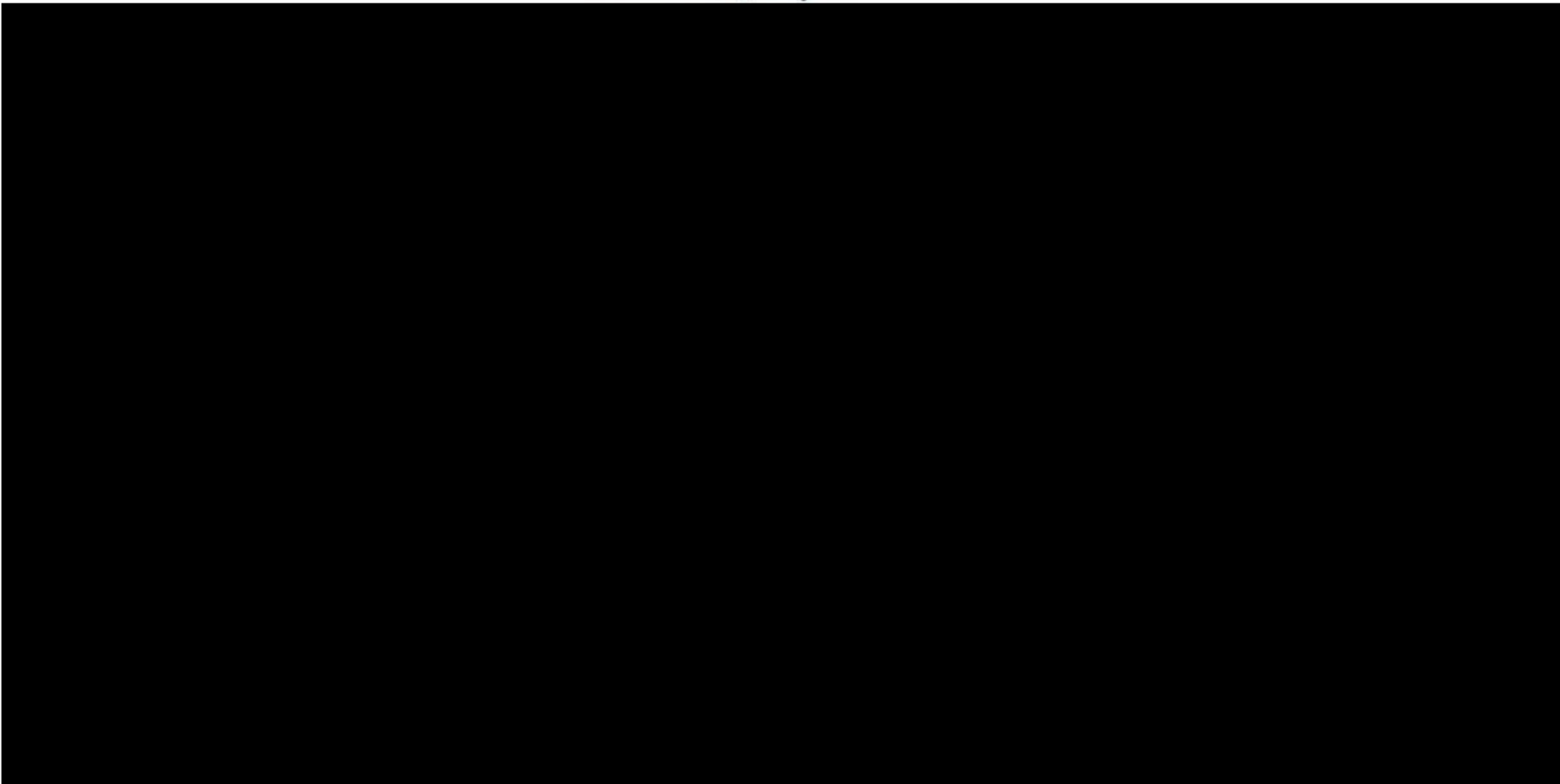
Attachment 1 - Resident consultation and feedback

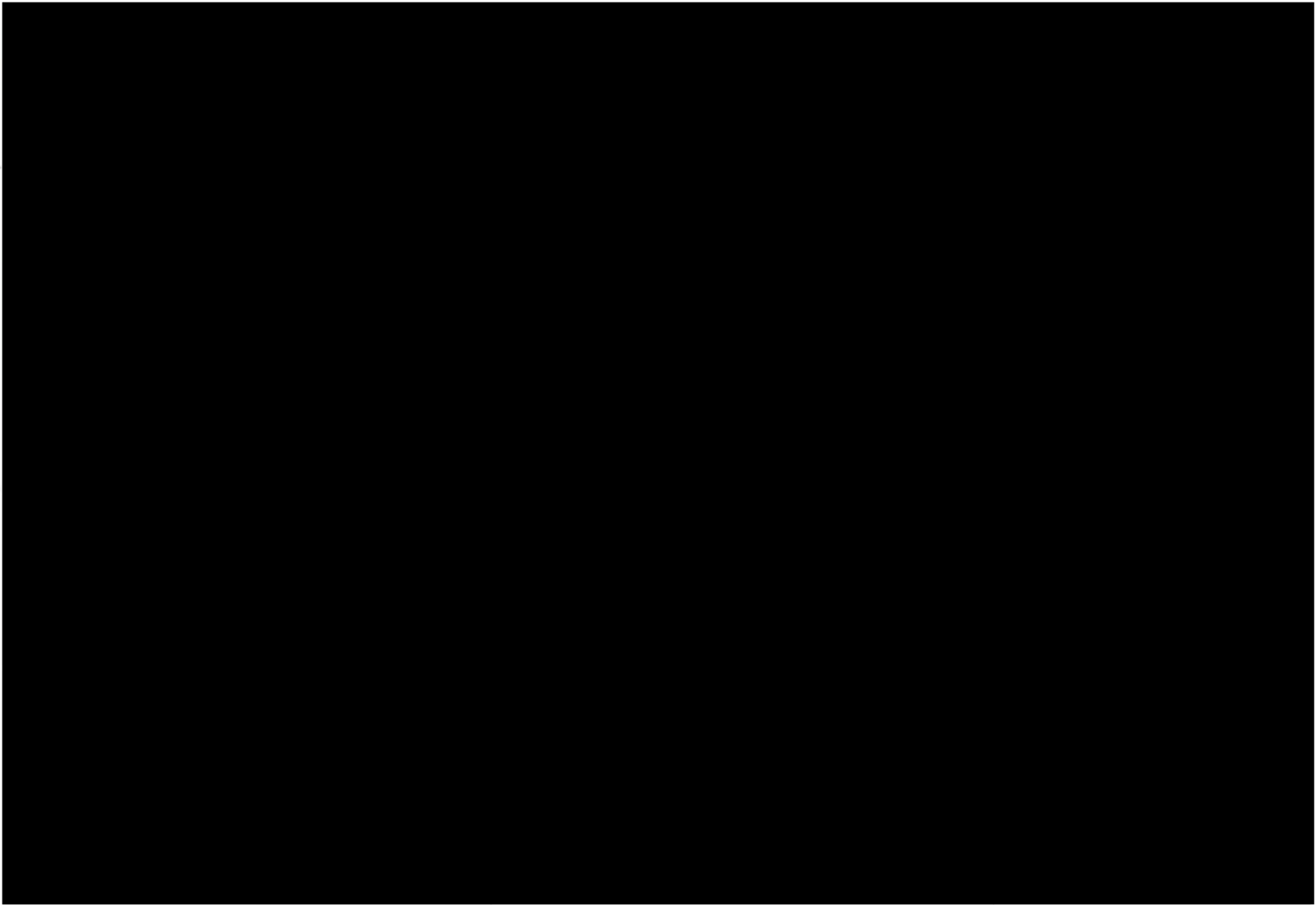
Attachment 2 - Resident Notification Letter

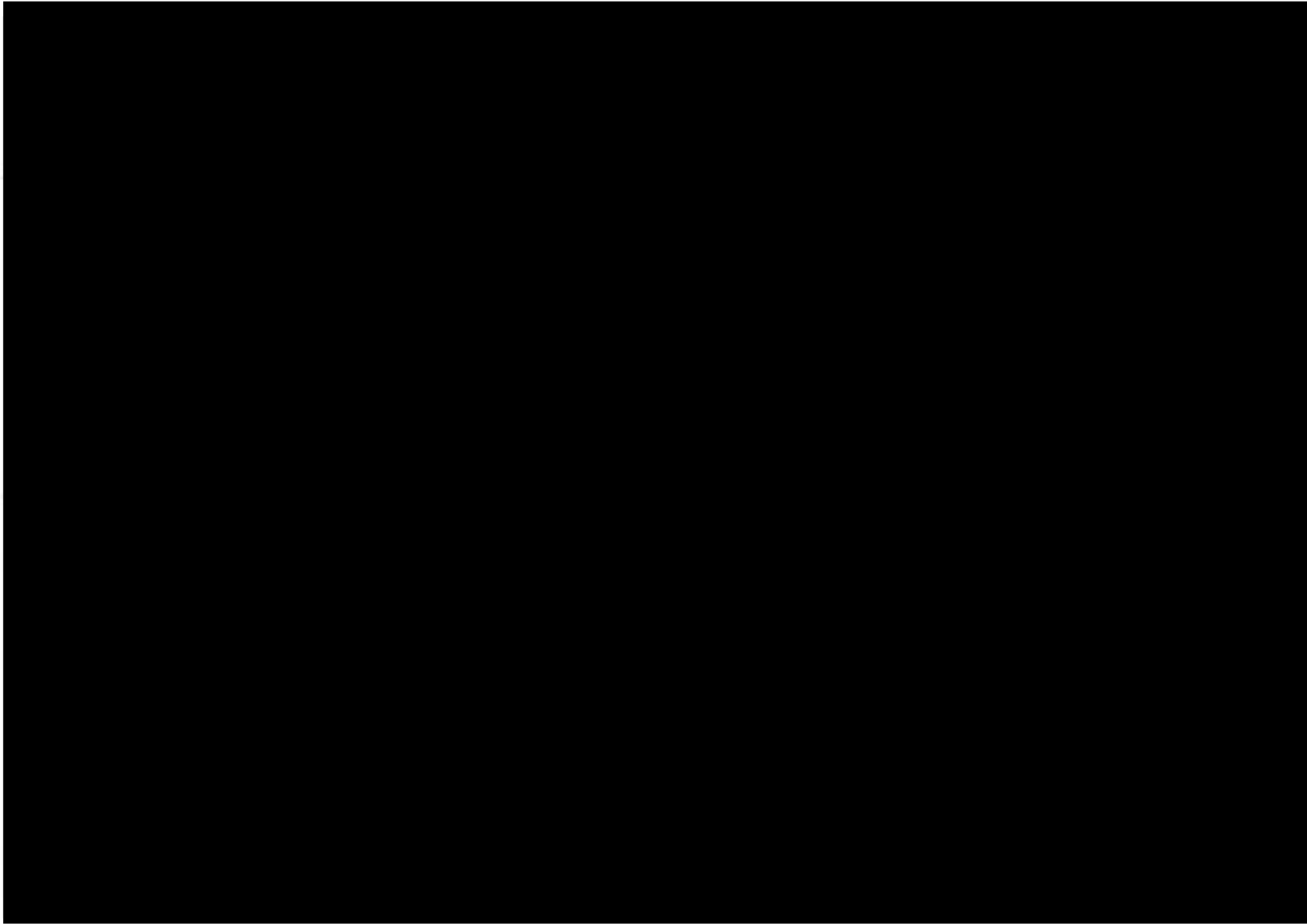
Attachment 3 - EPA consultation and feedback

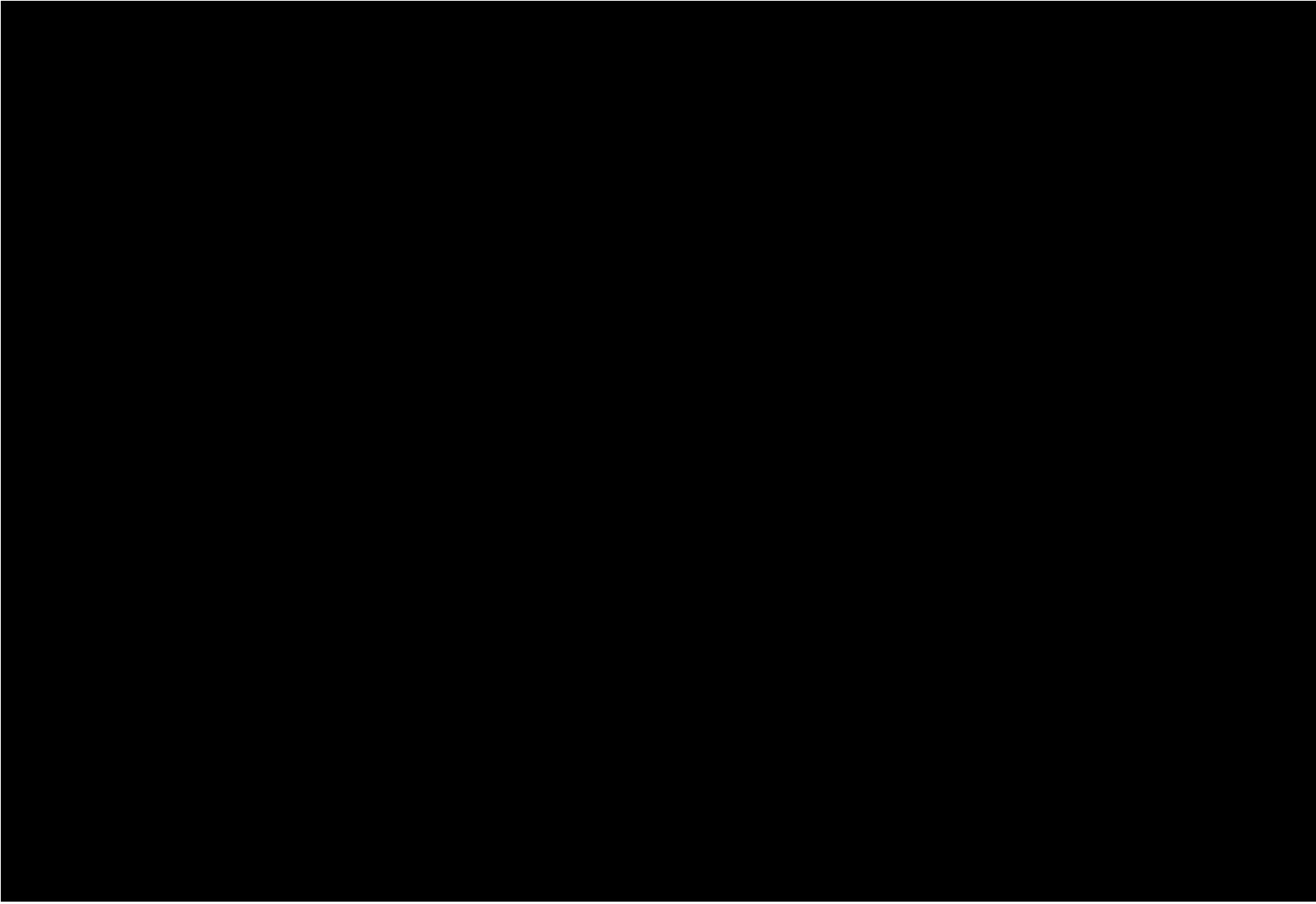
ATTACHMENT 1

Stakeholder Engagement
Blakebrook Quarry











HEAD OFFICE
206-258 SWANBANK RD
SWANBANK QLD 4306
PO BOX 4211
RACEVIEW QLD 4305
P: 07 3294 4555
F: 07 3294 4535
D06620200186
000047550100000024
www.rpq.com.au

01st November 2021

To the Householder

RPQ Group (in partnership with Lismore City Council and Blakebrook Quarry) would like to provide an opportunity for feedback on planned Out of Work Hours Operations at the Blakebrook Quarry.

RPQ Group proposes to undertake nightworks on approximately 5 occasions per month to provide asphalt for local roads projects and emergency works. Night works are required in these instances for projects that cannot be undertaken during the day. These operations will generally occur between 6pm and 7am. RPQ Group will be implementing a number of mitigation strategies to limit noise from truck movements and asphalt production operations.

You will receive notification 7 days prior to every instance of nightwork occurring. If you have any immediate feedback on night work operations at the Quarry, please contact Michael Foley via Phone or Email within 7 days of this letter. Should you have any feedback following that date, please contact Lismore City Council on (02) 6625 0500 and an RPQ representative will respond to discuss and answer any questions you may have.

Kind regards

Michael

Michael Foley
Asphalt Production Manager
TRICO ASPHALT Pty Ltd
RPQ Group



206 - 258 Swanbank Road, Swanbank, Qld 4306
PO Box 4211, Raceview QLD 4305
MB: 0438 157 392 | PH: 07 3294 4555 | FX: 07 3294 4535
Email: michael.foley@rpq.com.au
Web: www.rpq.com.au

OHWP consultation evidence



Out of Hours Work Protocol V3.6 - Blakebrook Quarry - Downer Asphalt Plant - Out of Hours Campaign Works (late March 2025 - December 2025)



You forwarded this message on 05/03/2025 11:43 AM.



Dear Resident

Community Feedback – Revised Out of Hours Work Protocol (Version 3.6) – Downer Asphalt Plant - Blakebrook Quarry

Lismore City Council is in the process of revising the Out of Hours Work Protocol (OHWP) for Downer's Asphalt Plant located at Blakebrook Quarry, with Version 3.6 proposed to cover out-of-hours work from late March to December 2025. As part of this revision, we are seeking community feedback on the key changes.

Proposed Key Changes in OHWP Version 3.6:

1. Extended Timeframe for Out of Hours Work

- The OHWP has been extended from March 2025 to December 2025 to ensure continuity for road maintenance and flood recovery projects.

2. Increase in Anticipated Out-of-Hours Work

- Previously, V3.5 scheduled approximately 5 night shifts per month, with a total of 20 shifts over four months.
- In V3.6, the number of night shifts is expected to increase to an average of 15 per month, with some flexibility depending on government funding and project demands.
- The increase is primarily due to continued road and flood recovery works following the 2022 floods.

3. Flexible Scheduling for Out-of-Hours Operations

- The previous schedule (V3.5) had tentative campaign dates.
- Under V3.6, scheduling will be more dynamic to respond to changing weather conditions, project deadlines, and funding requirements.
- Residents will still receive 7 days' notice before each out-of-hours shift.

4. Notification and Consultation Procedures

- The notification process remains unchanged, requiring:
 - EPA and residents to be notified at least 7 days in advance of out-of-hours work.
 - DPHI (Department of Planning, Housing and Infrastructure) to be informed before commencement.
- However, V3.6 now allows for a wider notification date range to account for unforeseen delays such as adverse weather conditions.

While Version 3.6 introduces changes to scheduling flexibility and an increase in night shifts, all existing noise management and reporting measures remain in place to minimise community impact.

Noise management continues to be a priority, with measures such as mandatory site inductions for truck drivers, the use of broadband reversing alarms instead of tonal alarms and limiting reversing movements to reduce unnecessary noise. Vehicles must adhere to a 40km/h speed limit and asphalt production equipment is regularly serviced to maintain quieter operations. Noise monitoring is conducted bi-annually, with results reviewed in the Annual Environmental Monitoring Report, and compliance is independently audited every three years.

To ensure transparency, an Out-of-Hours Work Register is maintained, tracking all night shifts and available for regulatory review. Community consultation remains a key focus, with Lismore City Council's 24-hour Contact Centre as the primary contact point for concerns, alongside the NSW EPA Environment Line (131 555).

These measures will continue alongside the updates in V3.6, ensuring that while night shifts may increase, they are managed responsibly with minimal disruption to residents.

A draft copy of OHWP Version 3.6 is available upon request. If you would like to review the document in detail, please contact council@lismore.nsw.gov.au, and we will provide a copy via email or arrange for a printed version to be made available at Council's offices.

We welcome your feedback on the proposed changes and encourage you to share any concerns or comments by close of business on **11 March 2025**. Please email your feedback to council@lismore.nsw.gov.au.

Further information and updates will be shared via letter to residents on completion of the consultation and subsequent revision to the Out of Hours Work Protocol.

Sincerely

Compliance Unit
Lismore City Council



Our ref: ED25/7025
Contact: Compliance Unit
council@lismore.nsw.gov.au

25 February 2025

TO THE HOUSEHOLDER

Dear Sir / Madam

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While Version 3.6 introduces changes to scheduling flexibility and an increase in night shifts, all existing noise management and reporting measures remain in place to minimise community impact.

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Further information and updates will be shared via letter to residents on completion of the consultation and subsequent revision to the Out of Hours Work Protocol.

Sincerely

Compliance Unit
Lismore City Council



Downer EDI Limited
ABN 97 003 872 848
Trinity Business Campus
39 Delhi Road
North Ryde NSW 2113
1800 DOWNER
www.downergroup.com

Date
Reference #

TO THE HOUSEHOLDER

RE: NOTIFICATION OF NIGHTSHIFT PRODUCTION OPERATIONS – ASPHALT PLANT, BLAKEBROOK QUARRY

Please be advised that in accordance with the Out of Hours Works Protocol OHWP V3.6 the approved out of hours work for the Blakebrook Quarry Asphalt Plant is scheduled to occur as follows:

- Proposed Nightshift Production Shifts – XX x Shifts in total to occur between **Date**. Variations to these dates are subject to weather conditions.
- Proposed Operating Time – 6pm Monday to 7am Monday

As part of the operation, we have addressed issues with both transportation noise and the limitation of vehicular movements from the quarry, this is to ensure minimal impact to the residents along the trucking route.

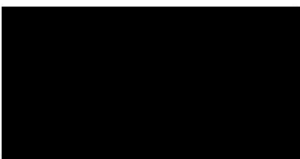
The maximum number of shifts permitted under the OHWP is 10 shifts per month. The maximum number of truck movements from the Quarry will continue to comply with the existing limits in the Blakebrook Quarry Project Approval under Schedule 2, condition 8 for all truck movements from the Quarry (150 per calendar day).

Our aim is to achieve a high standard of conduct and meet all expectations of the relevant parties involved. Should you wish to provide feedback, please contact Lismore City Council's Customer Contact Centre on 6625 0500.

Should you have any general questions regarding the scheduled works please contact myself.

- Mobile No: 0499 831 910
- Email: Lincoln.hill@downergroup.com

Yours faithfully,



Lincon Hill – Surfacing Manager

ATTACHMENT 3



Our ref: ED21/30889
Your ref: EPL3384
Contact: Stefanie Stanley

27 October 2021

NSW Environment Protection Authority
Attn: Stuart Murphy
Unit Head Regulatory Operations
Locked Bag 914
COFFS HARBOUR NSW 2480

Dear Stuart

RE: Blakebrook Quarry Asphalt Plant – Out of Hours Work Protocol

RPQ Group are lessees of the Asphalt Plant located within Blakebrook Quarry, 550 Nimbin Road Blakebrook NSW 2480. Blakebrook Quarry is owned by Lismore City Council and operates under EPL3384 and State Project Approval 07_0020.

Mod 3 to amalgamate asphalt operations with Quarry operations was approved by Department of Planning, Industry and Environment (DPIE) on 20th July 2021. Per Schedule 3 Condition 2A, an Out of Hours Work Protocol (OHWP) is required to operate the asphalt plant out of the hours specified in Condition 1 of that Schedule. Also required under this condition is consultation with the EPA on the OHWP.

Proposed out of work hours are 6pm to 7am Monday to Sunday. Out of hours work will occur on approximately 5 nights per month. The OHWP details the community consultation process, ongoing neighbour notification process and noise mitigation measures, including planning and operational controls. Out of hours work will only be undertaken when necessary, including for emergency work and as requested by Police or other public authorities including Transport for NSW (TfNSW).

Consultation is underway with nearby residents who may be affected, and any feedback received during consultation will be provided as an appendix to the OHWP. The protocol is attached for your reference.

RPQ Group and Lismore City Council are committed to ensuring all reasonable and feasible measures are undertaken to minimise the impacts from operations and to ensure compliance with relevant statutory conditions.

Please do not hesitate to contact Stefanie Stanley, Acting Manager, Commercial Services, Lismore City Council on (02) 6627 5628 or via email to stefanie.stanley@lismore.nsw.gov.au.

Yours faithfully



Stefanie Stanley
Acting Manager Commercial Services
Lismore City Council



DOC21/945505-1

Mr Michael Donnelly
Acting General Manager
Lismore City Council
PO Box 23A
GOONELLABAH, NSW 2480
Email: stefanie.stanley@lismore.nsw.gov.au

16 November 2021

Attention: Stefanie Stanley

**Blakebrook Quarry Asphalt Plant – Environment Protection Licence 3384
Out of Hours Work Protocol**

I refer to your email to the Environment Protection Authority (EPA) on 27 October 2021 in relation to Blakebrook Quarry Asphalt Plant Out of Hours Work Protocol. Schedule 3 Condition 2(a) of the State Project Approval 07_0020 Mod 3, require Lismore City Council to consult with the EPA on the Out-of-Hours Work Protocol (OOHWP).

The EPA's role is to set environmental management objectives rather than being directly involved in the development of strategies to achieve those objectives. It is ultimately the proponent's responsibility to implement sufficient actions and mitigations to meet their statutory obligations and designated environmental objectives. Lismore City Council are advised to ensure when undertaking operations outside of normal hours, that all reasonable and feasible measures are implemented to mitigate any noise impacts on sensitive receivers in accordance with the *Noise Policy for Industry (2017)*.

The following comments are provided for consideration in relation to the proposed Out-of-Hours Work Protocol:

- The noise criteria at Table 1 row 3 in the OHWP are for day operations being 36 dB(A) LAeq (15 minute) for locations 2 and 7 and 35 dB(A) LAeq(15 Minute) for all other locations. Will these noise limits also be applied for evening and night periods that are typically outside of normal operating hours? If not, which noise criteria will the proponent apply for night and evening periods?
- The OHWP should be revised to show which noise emission limit criteria are applicable for the more sensitive night and evening out of hours periods, not just the 'Day' period.
- Consent condition 3 in Schedule 3. Reference to written agreements with noise sensitive receivers needs to be included in OHWP. Those written agreements need to be kept on file by the proponent and be made available to an EPA authorised officer upon request.
- The EPA requests that details of feedback received during OHWP community consultation be submitted to the EPA within 10 days of those community submissions being finalised and collated. The EPA reserves the right to amend its advice based on any significant or critical concerns raised in those submissions.

Phone 131 555
Phone +61 2 9095 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

- Table 2 (page 7) as further specific mitigation the EPA recommends the use of low frequency reversing alarms on all vehicles and mobile plant that are intended to be used for out of hours operations.
- Documented forward planning of out of hours work is to be submitted in writing to the EPA, at info@epa.nsw.gov.au, at least seven (7) working days prior to any activities commencing.
- Details of complaints made in respect to out of hours work will need to be included with the annual return report required under Environment Protection Licence 3384.
- It is recommended that the OHWP be amended to include the EPA Environment Line contact number 131 555 in the event members of the community wish to make a report directly to the EPA in respect to any perceived offensive noise emissions or other environmental concerns in relation to the premises.

The EPA is currently processing a licence variation application for EPL 3384. As part of that licence variation the EPA proposes to add additional conditions to the licence to establish out of hours operational provisions. As is normal practise a draft of the licence variation will be provided to Council for review and comment prior to formally issuing the variation notice.

If you have any questions about this matter, please contact Johanne Hunt on 02 9860 1476 or via email at Johanne.hunt@epa.nsw.gov.au

Yours sincerely



Robert Donohoe
A/Unit Head
Regulatory Operations Regional

EPA Considerations	Section in OHWP where considerations addressed
Point 1	3.1 Proposed Evening and Night Noise Criteria and Noise Monitoring
Point 2	3.1 Proposed Evening and Night Noise Criteria and Noise Monitoring
Point 3	Noted
Point 4	Community feedback provided to EPA on 3 December 2021 (EPA ref 01031754; LCC ref CI21/50521) Section 3.3 - Notification of Upcoming Out of Hours Operations
Point 5	Section 3.2 (Table 2) – Noise Management
Point 6	Section 3.3 – Notification of Upcoming Out of Hours Operations Section 4 - Conclusion
Point 7	Noted
Point 8	Section 3.3 – Notification of Upcoming Out of Hours Operations Section 4 - Conclusion

EPA Consultation Evidence (2025)

[REDACTED]

Subject: RE: EPA comments on Proposed Out of Hours Work Protocol V3.6 - Blakebrook Quarry - Downer Asphalt Plant - Out of Hours Campaign Works (late March 2025 - December 2025)
Date: Friday, 21 March 2025 11:44:00 AM
Attachments: [image001.nnn](#)
[image011.png](#)
[image012.nnn](#)
[image013.png](#)
[image014.nnn](#)
[image015.png](#)
[image016.nnn](#)
[image017.png](#)
[image018.png](#)

No problem at all Kirsty.

Hamish McDonagh-Aiken | Compliance Coordinator – Shared Services | [Lismore City Council](#)



Lismore City Council acknowledges the people of the Bundjalung Nation, traditional custodians of the land on which we work.

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***** Please consider the environment before printing this e-mail *****

[REDACTED]

Subject: EPA comments on Proposed Out of Hours Work Protocol V3.6 - Blakebrook Quarry - Downer Asphalt Plant - Out of Hours Campaign Works (late March 2025 - December 2025)

CAUTION: This email was sent from outside our organisation. Be cautious, particularly with links and attachments unless you recognise the sender and know the content is safe.

Hi Hamish

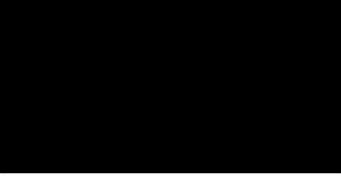
Happy with this approach. Also, can you please amend the document to read as follows in relation to noise complaints?

Where a complaint is received during out of hours work, works must cease immediately and mitigation measures reviewed and additional mitigation measures applied as required. If a second complaint is received, all works must cease immediately and the EPA notified via info@epa.nsw.gov.au No further out of hours works can be conducted until advised in writing by

the EPA.

Regards

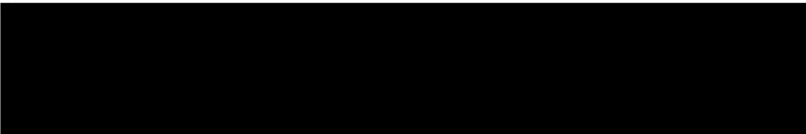
Kirsty Sutherland
Operations Officer
Regulatory Operations
NSW Environment Protection Authority



www.epa.nsw.gov.au [@NSW EPA](#) [EPA YouTube](#)

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents 131 555 or +61 2 9995 5555



Subject: RE: EPA comments on Proposed Out of Hours Work Protocol V3.6 - Blakebrook Quarry - Downer Asphalt Plant - Out of Hours Campaign Works (late March 2025 - December 2025)

Hi Kirsty,

Thanks again for your review. Please see response to your comments below. In summary, I have agreed with all of your comments and amended the OHWP (v3.6) as such.

I've attached the new version.

Considering that I'm agreeing with all EPA comments, I will submit the revised OHWP (along with evidence of EPA consultation) to Jarrod at DPHI this afternoon. TfNSW have scheduled works on the Pacific Highway for 1 April so I'm hoping to have this OHWP approved by next Tuesday to be able to proceed with the 7-day community / EPA notifications.

Best regards, Hamish

