

Ms Eleisha Went
Manager Operational Compliance
Lismore City Council
60 Brunswick Street
Lismore, NSW, 2480

9/04/2024

Subject: Out of Hours Work Protocol (v3.2) April 2024

Dear Ms Went

I refer to the Out of Hours Work Protocol (the protocol) submitted in accordance with condition 2A of Schedule 3 of the consent for Blakebrook Quarry (MP07_0020). This condition provides that limited campaign asphalt plant operations may be undertaken outside of the operating hours prescribed under condition 1 of Schedule 3 of the consent (however within the limits imposed under condition 8 of Schedule 3) as requested by public authorities and with prior written agreement of the Secretary.

In such circumstances an Out of Work Hours Work Protocol must be prepared in consultation with potentially affected residents and the NSW Environment Protection Authority (EPA) and be approved by the Secretary prior to any out of hours asphalt plant operations commencing.

I understand the protocol has been prepared to seek approval to operate the asphalt plant from 6 pm to 7 am on a maximum of three nights from Sunday 14 April to Sunday 28 April 2024 to deliver asphalt for Transport for NSW urgent repair works on the Bruxner Highway at Lindendale.

You have advised that, as this work is located on a major state highway with large traffic volumes, delivering this work during normal hours would likely cause unacceptable traffic impacts and safety risks to workers and that these impacts would be minimised by delivering the works at night when traffic volumes are lower.

I note that the protocol has been provided to potentially affected residents and the EPA for consultation, however, no response has been received. You are reminded that condition 2 of Schedule 5 of the consent requires evidence of consultation to include a description of the matters raised and how these matters have been addressed.


I accept that there is merit in allowing the proposed out of hours work for urgent road repair works, and that undertaking these works at night would minimise the potential traffic and safety impacts.

Accordingly, I approve your request to operate the asphalt plant from 6 pm to 7 am on a maximum of three nights from Sunday 14 April to Sunday 28 April 2024 in accordance with the Out of Hours Work Protocol (dated 5 April 2024), subject to the following conditions:

- The operation of the asphalt plant under the Out of Hours Work Protocol must only be undertaken on a maximum of three nights from Sunday 14 April to Sunday 28 April 2024.
- A new Out of Hours Work Protocol must be prepared, in accordance with condition 2A of Schedule 3, for any subsequent limited campaigns of asphalt plant operations outside of the operating hours prescribed in condition 1 of Schedule 3 of the consent and be approved by the Secretary prior to the commencement of any out of hours asphalt plant operations.
- Each Out of Hours Work Protocol must specify the parameters of the limited campaign, including the dates that the campaign will occur.
- Each Out of Hours Work Protocol must be prepared in consultation with the EPA and any residents who may be affected by the works and include evidence of this consultation in accordance with condition 2 of Schedule 5 of the consent. You are encouraged to commence consultation with sufficient time for adequate evidence of consultation to be included in each Out of Hours Work Protocol.

If you wish to discuss the matter further, please contact Jarrod Blane on 02 8275 1831 or at jarrod.blane@dpie.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "J Evans". The signature is written in a cursive, flowing style.

Jessie Evans
Director, Resource Assessments
Resource Assessments

As nominee of the Planning Secretary