



**Ardill Payne**  
& PARTNERS

ENGINEERS PLANNERS SURVEYORS ENVIRONMENTAL PROJECT MANAGEMENT

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# **Northern Rivers Quarry Blakebrook Quarry**

## **RPQ Group**

### **Out of Hours Work Protocol**

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

**February 2021**

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45 River Street  
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## Document Control Sheet

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<b>V3 9/2/22</b>	DPIE considerations included in report, additional consultation with noise consultant and EPA

## Table of Contents

1.	INTRODUCTION .....	4
1.1	Purpose and Scope .....	4
1.2	History of the Project Approvals.....	5
1.3	Schedule 3 of 07_0020 Specific Development Consent Conditions.....	5
2.	SCOPE OF ENGAGEMENT.....	6
3.	ACTIVITIES.....	7
3.1	Proposed Evening and Night Noise Criteria and Noise Monitoring .....	7
3.2	Noise Management .....	8
3.3	Notification of Upcoming Out of Hours Operations .....	11
3.4	Control of Specific Out of Hours Construction Activities .....	11
4.	CONCLUSION .....	12
5.	DISCLAIMER .....	13
6.	ATTACHMENTS .....	14

## 1. Introduction

Ardill Payne and Partners have been commissioned to prepare an Out of Hours Work Protocol (OHWP) for the Blakebrook Quarry on behalf of RPQ 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 with RPQ 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 south east.

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). 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.

Schedule 3 Condition 2A requires the OHWP be developed and to inform residents of the change in development consent.

Current capacity is for 120 truck movements in total (combined Quarry and Asphalt Plant) each calendar day and is permitted to increase to 150 truck movements per day once the Quarry entrance intersection is upgraded (refer Schedule 2 Condition 8).

## 1.2 History of the Project Approvals

Approval Number	Approved use	Date
DA 90/341	Bituminous hot mix plant	5 December 1990
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

## 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.	<p><i>Table 1: Operating hours</i></p> <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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	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											
2A. With the prior written agreement of the Secretary, the Proponent may undertake limited campaign asphalt plant operations	<p>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> <p>In such circumstances, the applicant must prepare an Out of Hours Work Protocol. This must:</p> <ol style="list-style-type: none"> <li>Be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works; and</li> <li>Be approved by the Secretary prior to the commencement of any out of hours Asphalt plant operations.</li> </ol>											

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="475 282 730 309"><i>Table 2: Noise criteria dB(A)</i></p> <table border="1" data-bbox="475 309 1501 459"> <thead> <tr> <th data-bbox="475 309 847 371"><b>Receiver<sup>a</sup></b></th> <th data-bbox="847 309 1501 371"><b>Day</b> <i>L<sub>Aeq</sub> (15 minute)</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="475 371 847 416">Location 2 and Location 7</td> <td data-bbox="847 371 1501 416">36</td> </tr> <tr> <td data-bbox="475 416 847 459">All other locations</td> <td data-bbox="847 416 1501 459">35</td> </tr> </tbody> </table> <p data-bbox="475 459 901 488"><sup>a</sup> <i>Receiver locations are shown in Appendix 3</i></p> <p data-bbox="464 539 1528 638">Refer to Section 3.1 for proposed evening and night criteria (6pm to 7am Monday to Friday). No out of hours work is proposed for Sundays, Public Holidays or Saturdays 3pm to 6pm.</p>	<b>Receiver<sup>a</sup></b>	<b>Day</b> <i>L<sub>Aeq</sub> (15 minute)</i>	Location 2 and Location 7	36	All other locations	35
<b>Receiver<sup>a</sup></b>	<b>Day</b> <i>L<sub>Aeq</sub> (15 minute)</i>						
Location 2 and Location 7	36						
All other locations	35						

## 2. Scope of Engagement

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

The OHWP has been developed in consultation with the residents and the NSW Environment Protection Authority (EPA). The details of feedback received during community consultation are presented in **Attachment 1**. EPA feedback is presented in **Attachment 5** 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 DPIE. 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 DPIE 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.

RPQ Group has been conducting asphalt operations during standard work hours however require the additional operating hours to cope with the current demand of the region. Out of hours operations are currently 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 are 6pm to 7am Monday to Sunday. Out of hours operations are anticipated to occur approximately 5 nights per month.

Following adoption of this OHWP and surrender of DA90/341, RPQ proposes to continue nightworks in accordance with this OHWP, Project Approval MP07\_0020, EPL3384 and the Noise and Blast Management Plan.

#### 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)  $L_{Aeq}(15 \text{ minute})$ . Monitoring of proposed evening and night noise will be undertaken annually at primary receivers in alignment with daytime monitoring requirements (next due in November

2022). This is considered acceptable as asphalt nightworks are an existing approved operation per DA90/341 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.

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 Industrial Noise Policy (INP), Section 10 of the INP applies as follows:

*“Where noise emissions from the site exceed the project-specific noise levels, the regulatory authorities and the noise-source manager need to negotiate achievable noise limits for the site. The project-specific noise levels should not be applied as mandatory noise limits. The project-specific noise levels supply the initial target levels and drive the process of assessing all feasible and reasonable control measures. Achievable noise limits result from applying all feasible and reasonable noise control measures. For sites with limited mitigation measures the achievable noise limits may sometimes be above the project-specific noise levels.”*

### 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 from the Community Consultative Committee meeting held 8 December 2021. The OHWP will be made available on the project website.

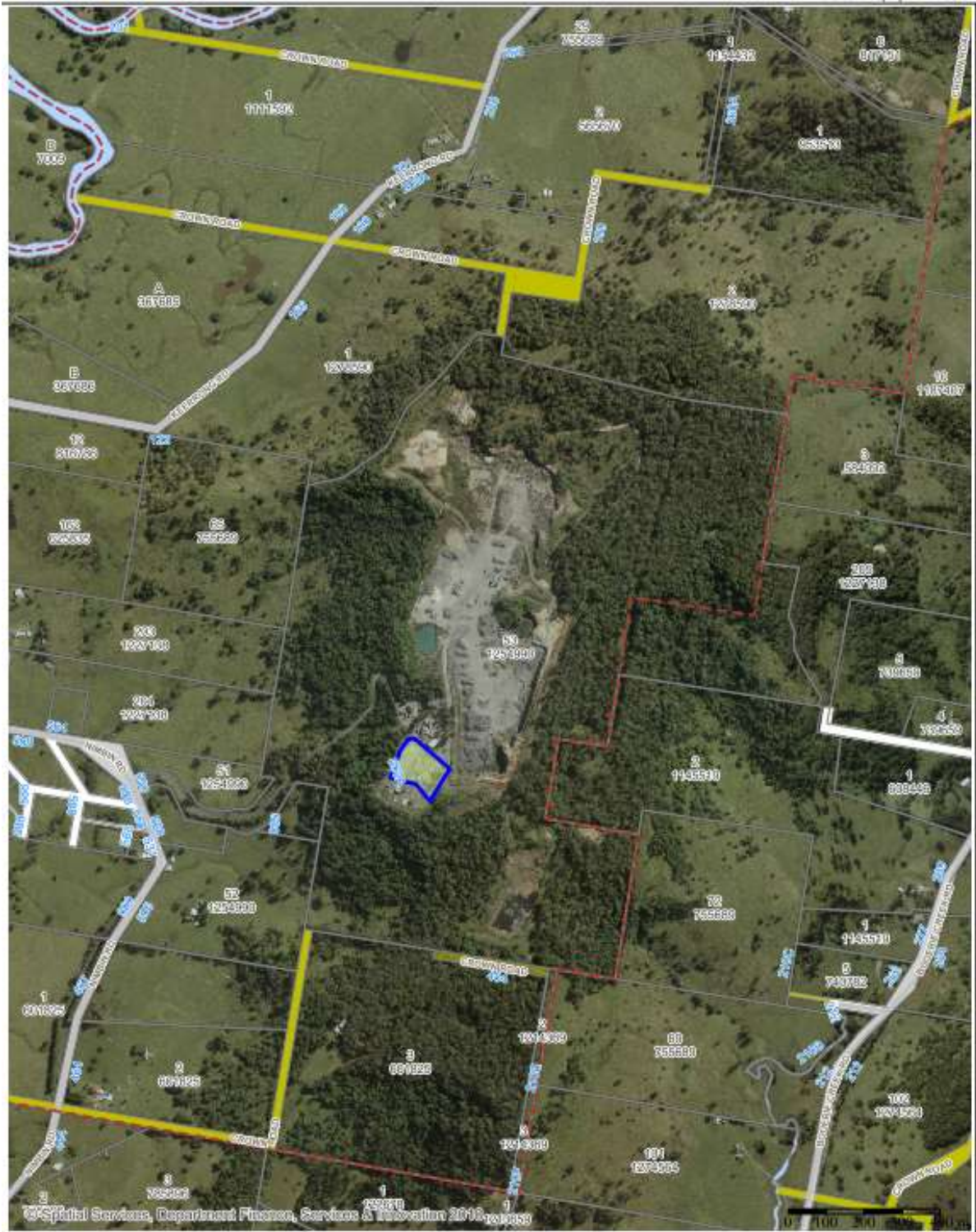
RPQ Group will continue to implement best management practice to minimise the noise generated by the Asphalt Plant to achieve the levels required by Project Approval 07\_0020 and EPL 3384. Noise management and control measures include:


- planning controls (e.g. predicted meteorological conditions and potential implications for noise levels are 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"> <li>• Drivers to undertake a site induction</li> <li>• Limiting compression braking</li> <li>• Switching off truck radios</li> <li>• Adhering to imposed speed limit 40 km/h</li> <li>• Traveling to and from site directly and not parking or idling near residential receptors.</li> <li>• Regular servicing of vehicles</li> <li>• 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.</li> </ul>
Asphalt Production	<ul style="list-style-type: none"> <li>• Delivery of materials and equipment during regular work hours.</li> <li>• Limiting contact of loader buckets with metal surfaces</li> <li>• Servicing all machinery and equipment to manufacturer’s specifications.</li> <li>• Undertaking as much work as possible during standard work hours.</li> <li>• 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.</li> </ul>



 <p><b>Lismore City Council</b> 43 Oliver Avenue Glenfield NSW 2480 Post PO Box 23A, Lismore NSW 2480 Phone: 02 66 250 82 87 Fax: 02 66 250 803 Email: council@lismore.nsw.gov.au Web: www.lismore.nsw.gov.au</p>	<p>© Lismore City Council. © LPI Department of Planning and Services, Pennington Avenue, Bathurst, 2795, www.lpi.nsw.gov.au. While every care is taken to ensure the accuracy of this product, Lismore City Council and the Local / State / Federal Government departments and Non-Government organisations obtain, supply, discuss, make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.</p>	<p>Created By: <b>Shelvin Savary</b> Project: <b>020203 / 162.000.00</b> Date: <b>01/03/2016 11:23 AM</b></p>	<p><b>Blakebrook Quarry Site Map and Asphalt Operations (in blue)</b></p>
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**Figure 1. Site Map**

### 3.3 Notification of Upcoming Out of Hours Operations

As described in this document, RPQ Group has undertaken initial community consultation with neighbours via letterbox drop. A list of affected properties and outcomes of community consultation is recorded in **Attachment 1**. Information provided to the community as part of this consultation is included in **Attachment 2**. 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.

RPQ 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 **Attachment 3** for letter to residents.

Notification of out of hours work will be provided in writing to the EPA via [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) at least 7 working days prior to activities commencing. Lismore City Council will notify the EPA on RPQ Group's behalf.

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.

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

RPQ 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

RPQ Group has been conducting operations during standard work hours however the operations require additional operating hours to cope with the current demand of the region. 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 6pm to 7am Monday to Sunday. Out of hours operations are anticipated to occur approximately 5 nights per month. The proposed evening and night project-specific noise level criterion is 35 dB(A)  $L_{Aeq} (15 \text{ minute})$ . Monitoring of proposed evening and night noise will be undertaken annually at primary receivers in alignment with daytime monitoring requirements (next due in November 2022).

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.

RPQ Group will undertake operations outside of standard work hours in accordance with this Out of Hours Work Protocol, including notification to neighbour's and EPA at least 7 days prior in each instance and also recorded in the Out of Hours Work Register.

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.

RPQ 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. Disclaimer

This report has been prepared by Ardill Payne & Partners (APP) at the request of RPQ Group for the purpose of preparing an out of hours protocol for the Blakebrook Quarry and is not to be used for any other purpose or by any other person or corporation.

This report has been prepared from the information provided to us and from other information obtained as a result of enquiries made by us. APP accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this document for a purpose other than that described above.

No part of this report may be reproduced, stored or transmitted in any form without the prior consent of APP.

APP declares that it does not have, nor expects to have, a beneficial interest in the subject project.

To avoid this advice being used inappropriately it is recommended that you consult with APP before conveying the information to another who may not fully understand the objectives of the report. This report is meant only for the subject site/project and should not be applied to any other.

## 6 Attachments

Attachment 1	List of effected properties and outcomes of consultation
Attachment 2	Community Information Sheet
Attachment 3	Out of Hours Work Notification Letter
Attachment 4	Consultation Letter to EPA
Attachment 5	Consultation Response from EPA

## ATTACHMENT 1

 Stakeholder Engagement  
 Blakebrook Quarry


## Notification to the Local Residents

Date: 1-11-2021  
 Conducted By: JOHN HIGGINS  
 Start Time: 2:30P  
 Finish Time: 3:30P

OCCUPANTS NAME	DELIVERED METHOD	ADDRESS	COMMENTS
	LETTER BOX DROP	339 Nimbin Road	✓
	"	359 Nimbin Road	✓
	"	420 Nimbin Road	✓
	"	422 Nimbin Road	✓
	"	444 Nimbin Road	✓
	"	464 Nimbin Road	✓
	"	467 Nimbin Road	✓
JEFF GREBER	"	484 Nimbin Road	✓ RECEIVED A PHONE CALL FROM MR JEFF GREBER STATING HE HAD NO PROBLEMS OR ISSUES WITH THE PROPOSED OHWP. (08/11/2021)
	"	506 Nimbin Road	✓

OCCUPANTS NAME	DELIVERED METHOD	ADDRESS	COMMENTS
	11	533 Nimbin Road	✓
	11	146 Booerie Creek Road	✓
	11	156 Booerie Creek Road	✓
	11	210 A, B & C Booerie Creek Road	✓
	11	212 Booerie Creek Road	✓
	11	263 Booerie Creek Road	✓
	11	277 Booerie Creek Road	✓
	11	289 Booerie Creek Road	✓
	11	309 Booerie Creek Road	✓
	11	329A Booerie Creek Road	✓
	11	330 Booerie Creek Road	✓

OCCUPANTS NAME	DELIVERED METHOD	ADDRESS	COMMENTS
	u	357 Booerie Creek Road	✓
	u	365 Booerie Creek Road	✓
	u	387 Booerie Creek Road	✓
	u	407 Booerie Creek Road	✓
	u	16 Keerong Road	✓
	u	28 Keerong Road	✓
	u	35 Keerong Road	✓
	u	38 Keerong Road	✓
	u	67 Keerong Road	✓

OCCUPANTS NAME	DELIVERED METHOD	ADDRESS	COMMENTS
	ll	74 Keerong Road	✓
	ll	122 Keerong Road	✓
	ll	135 Keerong Road	✓
	ll	166 Keerong Road	✓
	ll	186B Keerong Road	✓
	ll	190 Keerong Road	✓
	ll	208A Keerong Road	✓
	ll	238 Keerong Road	✓
	ll	14 Fathers Road	✓

**Attachment 1:** List of effected properties and outcomes of consultation

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## ATTACHMENT 2

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**HEAD OFFICE**  
206-258 SWANBANK RD  
SWANBANK Q 4306  
PO BOX 4211  
RACEVIEW Q 4305  
P: 07 3294 4555  
F: 07 3294 4559  
[rpq@rpq.com.au](mailto:rpq@rpq.com.au)  
[accounts@rpq.com.au](mailto:accounts@rpq.com.au)  
[www.rpq.com.au](http://www.rpq.com.au)

01<sup>st</sup> 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 4539  
Email: [michael.foley@rpq.com.au](mailto:michael.foley@rpq.com.au)  
Web: [www.rpq.com.au](http://www.rpq.com.au)

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**ATTACHMENT 3**

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**HEAD OFFICE**  
206-258 SWANBANK RD  
SWANBANK Q 4306  
PO BOX 4211  
RACEVIEW Q 4305  
P: 07 3294 4555  
F: 07 3294 4559  
[rbq@rps.com.au](mailto:rbq@rps.com.au)  
[accounts@rpq.com.au](mailto:accounts@rpq.com.au)  
[www.rpq.com.au](http://www.rpq.com.au)

Date: **xxxxxx**

REF MF: **PSxxxx**

**TO THE HOUSEHOLDER**

**RE: NIGHTSHIFT OPERATIONS – ASPHALT PLANT, LISMORE QUARRY**

Please find this letter as notification regarding an approval by Lismore City Council to allow RPQ to operate Nightshift Production from the Asphalt Plant that is situated in the Lismore Quarry, Blakebrook. The Production will be outlined as follows:

- Proposed Dates: **enter dates**, variation to this date are subject to weather conditions
- Proposed Operating Times – 6pm – 7am.

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.

Our aim is to achieve a high standard of conduct and meet all expectations of the relevant parties involved.

Please find my contact details below should any issues arrive throughout the nominated working period.

- Mobile No: 0438157392
- Email: [Michael.foley@rpq.com.au](mailto:Michael.foley@rpq.com.au)

Yours faithfully,



**Attachment 3:** Out of hours work notification letter

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**ATTACHMENT 4**

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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 20<sup>th</sup> 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](mailto:stefanie.stanley@lismore.nsw.gov.au).

Yours faithfully



Stefanie Stanley  
Acting Manager Commercial Services  
Lismore City Council

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**ATTACHMENT 5**

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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](mailto: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.

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- 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](mailto: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 formerly 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](mailto:Johanne.hunt@epa.nsw.gov.au)

Yours sincerely



Robert Donohoe  
 A/Unit Head  
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<b>EPA Considerations</b>	<b>Section in OHWP where considerations addressed</b>
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