

Licence Variation

Licence - 21127

ROADS AND MARITIME SERVICES

Trading as RMS

ABN 76 236 371 088

PO Box 477

WOLLONGONG EAST NSW 2520

Attention: Adriana Sanchez

Notice Number	1573352
File Number	EF18/8293
Date	12-Jul-2019

NOTICE OF VARIATION OF LICENCE NO. 21127

BACKGROUND

- A. ROADS AND MARITIME SERVICES Trading as RMS ("the licensee") is the holder of Environment Protection Licence No. 21127 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at Kings Highway Bridge over the Clyde River, NELLIGEN, NSW, 2536 ("the premises").
- B. On 04-Dec-2018 the Environment Protection Authority (EPA) received an application for the variation of the licence.
- C. On 11 January 2019, the EPA received an Email which requested to have the licence varied prior to the commencement of the main works, to incorporate the pending main works phase in the licence. In order for the main works contractor to effectively cost and plan for the revised contractual regulatory requirements.
- D. On 6 February 2019, the EPA sent a draft Licence Variation to RMS which incorporated the pending main works phase in the licence. On 20 February 2019 the EPA received comments from RMS regarding the draft Licence Variation.
- E. On 28 February 2019, the EPA sent a draft Licence Variation to RMS which incorporated the comments. On 1 March 2019 the EPA received further comments from RMS regarding the draft Licence Variation.
- F. On 10 July 2019, the EPA received a phone-call from RMS during which it was outlined that there were limited notification and agreement requirements for out of hours work on the licence.
- G. The EPA has reviewed previous draft Licence Variation comments provided by RMS and has added conditions outlining notification and agreement requirements for out of hours work and therefore believes it is appropriate to issue the Licence Variation.

Licence Variation



VARIATION OF LICENCE NO. 21127

1. By this notice the EPA varies licence No. 21127. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
 - *Condition A1.1* - the scale of the fee-based has been increased from >30,000 - 50,000 T to >100,000 - 500,000 T annual capacity to extract, process or store.
 - *Condition A1.2* – the scale of the land-based extractive activity has been increased to a maximum of 140,000 tonnes per annum being the amount equivalent to the calculated maximum cubic metres, as detailed by RMS during a phone call on 26 February 2019.
 - *Condition A2 Premises or plant to which this licence applies* – the location description of the premises has been varied to incorporate the updated premises map provided to the EPA on 22 February 2019.
 - *Condition P1 Location of monitoring/discharge points and areas* – The location descriptions for EPA monitoring point's 1-3 have been varied to provide more detail on the location of the monitoring/discharge points and reflect the description provided in RMS's 'Nelligen Bridge Water Quality Monitoring Locations'.
 - *Condition L2.5* – the permitted discharge rainfall event has been changed from a 88 millimetre 5 day rainfall event (95th percentile) to a 37.4 millimetre 5 day rainfall event (85th percentile).
 - *Condition L3* – Requirements for notification and agreement for out of hours works has been added to the licence.
 - *Condition U1.2* - the reference to the Water Quality Objectives Impact Assessment for the early works has been replaced by a reference to the Water Quality Objectives Impact Assessment for the construction phase of the project.

.....
Matthew Rizzuto
Unit Head
South East - Queanbeyan
(by Delegation)

Licence Variation



INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

Licence Variation Summary

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This Summary serves merely to highlight changes made to areas of this licence. Changes made to tables within the licence are indicated using underline (for additions) and Strikethrough (for deletions).

While changes to conditions are indicated under subheadings such as 'New condition', 'Old condition', 'Replaced by', and 'Removed condition'.

The attached licence document contains all the changes made to this licence by the attached variation notice.

1 Administrative Conditions

What the licence authorises and regulates

<u>Scheduled Activity</u>	<u>Fee Based Activity</u>	<u>Scale</u>
Land-based extractive activity	Land-based extractive activity	> 30000 - 50000 T annual capacity to extract, process or store
<u>Land-based extractive activity</u>	<u>Land-based extractive activity</u>	<u>> 100000 - 500000 T annual capacity to extract, process or store</u>

Old condition:

Notwithstanding A1.1, the scale of the land-based extractive activity authorised under this licence must not exceed 50,000 tonnes per annum, being the amount equivalent to the extraction limit approved by the development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

Replaced by:

Notwithstanding A1.1, the scale of the land-based extractive activity authorised under this licence must not exceed 140,000 tonnes per annum, being the amount equivalent to the extraction limit approved by the development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

2 Discharges to Air and Water and Applications to Land

Location of monitoring/discharge points and areas

<u>Point no</u>	<u>Type description</u>	<u>Location description</u>
4	Sediment Basin discharge point	Basin discharge point, labelled as 'Basin Spillway' in the document titled 'Concept ESCP Geotechnical Early-Works Sediment and Erosion Plan' (EPA internal reference DOC18/421063)

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<u>1</u>	<u>Sediment Basin discharge & monitoring</u>	<u>Spillway of the Sediment Basin that is adjacent to the Clyde River and Kings Highway identified as 'Sediment Basin monitoring/discharge point' in the document titled 'Nelligen Bridge Water Quality Monitoring Locations' (DOC19/28264-2).</u>
Point no	Type description	Location description
-2	Upstream water quality monitoring point	Location must be confirmed prior to commissioning the project.
<u>2</u>	<u>Upstream water quality monitoring</u>	<u>Monitoring point approx. 500m upstream of the Sediment Basin discharge point labelled as 'Upstream site' in the document titled 'Nelligen Bridge Water Quality Monitoring Locations' (DOC19/28264-2).</u>
Point no	Type description	Location description
-3	Downstream water quality monitoring point	Location must be confirmed prior to commissioning the project.
<u>3</u>	<u>Downstream water quality monitoring</u>	<u>Monitoring point approx. 150m downstream of the Sediment Basin discharge point labelled as 'Downstream site' in the document titled 'Nelligen Bridge Water Quality Monitoring Locations' (DOC19/28264-2).</u>

3 Limit Conditions

Concentration limits

Old condition:

Exceedance of a limit specified in Condition L2.4 of this licence for the discharge of pH or TSS from Point 1 is permitted if the discharge from Point 1 occurs solely as a result of rainfall at the premises exceeding a total of 88 millimetres over any consecutive five day period.

Replaced by:

Exceedance of a limit specified in Condition L2.4 of this licence for the discharge of pH or TSS from Point 1 is permitted if the discharge from Point 1 occurs solely as a result of rainfall at the premises exceeding a total of 37.4 millimetres over any consecutive five day period.

Hours of operation

New condition:

The licensee may undertake works outside of standard construction hours if agreement between the licensee and the potentially affected noise sensitive receivers has been reached. Any agreement(s) between the licensee and the noise sensitive receiver must be recorded in writing and a copy of the agreement(s) kept on the premises by the licensee for the duration of this licence.

New condition:

Notification of works approved outside of standard construction hours

(a) The licensee must notify potentially affected noise sensitive receivers of works approved outside of standard construction hours not less than 5 days and not more than 14 days before those works are to be undertaken.

(b) The notification must be:

(i) by letterbox drop; and

- (ii) be detailed on the project website
- (c) The notification required by paragraphs (a) and (b) of this condition must:
 - (i) clearly outline the reason the work is required to be undertaken outside the hours specified in condition L3.1;
 - (ii) include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks,
 - (iii) include details of relevant time restrictions that apply to the proposed works,
 - (iv) clearly outline, in plain English, the location, nature, scope and duration of the proposed works,
 - (v) detail the expected noise impact of the works on noise sensitive receivers;
 - (vi) clearly state how complaints may be made and additional information obtained; and
 - (vii) include the number of the telephone complaints line required by Condition M5.1, an after-hours contact phone number specific to the works undertaken outside the hours specified in Condition L3.1, and the project website address.

8 Pollution Studies and Reduction Programs

Validation of water quality impact assessment

Old condition:

The validation report must use the information collected during discharges from EPA Identification Point 1 to the Clyde River to validate the modelled water quality impacts on the Clyde River of the proposed construction sediment basin discharge limit of 50mg/L. The model is detailed in Section 3 of the document "NSW Water Quality Objectives: Assessment of Impacts of Proposed early works constructions sediment basins – Nelligen Bridge Proposal" (15 May 2018) (DOC18/377554).

Replaced by:

The validation report must use the information collected during discharges from EPA Identification Point 1 to the Clyde River to validate the modelled water quality impacts on the Clyde River of the proposed construction sediment basin discharge limit of 50mg/L. The model is detailed in Section 3 of the document "NSW Water Quality Objectives: Assessment of Impacts of Proposed Construction-Phase Sediment Basins – Nelligen Bridge Replacement Proposal" as applicable (26 October 2018) (DOC19/172937).



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<u>Licence Details</u>	
Number:	21127
Anniversary Date:	01-August

<u>Licensee</u>
ROADS AND MARITIME SERVICES
PO BOX 477
WOLLONGONG EAST NSW 2520

<u>Premises</u>
KINGS HIGHWAY BRIDGE OVER THE CLYDE RIVER AT NELLIGEN
KINGS HIGHWAY BRIDGE OVER THE CLYDE RIVER
NELLIGEN NSW 2536

<u>Scheduled Activity</u>
Extractive activities

<u>Fee Based Activity</u>	<u>Scale</u>
Land-based extractive activity	> 100000-500000 T annual capacity to extract, process or store

<u>Region</u>
South East - Queanbeyan
11 Farrer Place
QUEANBEYAN NSW 2620
Phone: (02) 6229 7002
Fax: (02) 6229 7006
PO Box 622
QUEANBEYAN NSW 2620

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Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

ROADS AND MARITIME SERVICES
PO BOX 477
WOLLONGONG EAST NSW 2520

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

- A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store

- A1.2 Notwithstanding A1.1, the scale of the land-based extractive activity authorised under this licence must not exceed 140,000 tonnes per annum, being the amount equivalent to the extraction limit approved by the development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
KINGS HIGHWAY BRIDGE OVER THE CLYDE RIVER AT NELLIGEN
KINGS HIGHWAY BRIDGE OVER THE CLYDE RIVER
NELLIGEN
NSW 2536
LOCATION OF PREMISES AS DETAILED IN THE DOCUMENT TITLED 'NELLIGEN EPL 21127 VARIATION APPLICATION - ATTACHMENT 1 PREMISES MAP'(EPA INTERNAL REF. DOC19/164052).

A3 Other activities

- A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Crushing, grinding or separating

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A4 Information supplied to the EPA

- A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.
- P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Sediment Basin discharge & monitoring	Sediment Basin discharge & monitoring	Spillway of the Sediment Basin that is adjacent to the Clyde River and Kings Highway identified as 'Sediment Basin monitoring/discharge point' in the document titled 'Nelligen Bridge Water Quality Monitoring Locations' (DOC19/28264-2).
2	Upstream water quality monitoring		Monitoring point approx. 500m upstream of the Sediment Basin discharge point labelled as 'Upstream site' in the document titled 'Nelligen Bridge Water Quality Monitoring Locations' (DOC19/28264-2).

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3	Downstream water quality monitoring	Monitoring point approx. 150m downstream of the Sediment Basin discharge point labelled as 'Downstream site' in the document titled 'Nelligen Bridge Water Quality Monitoring Locations' (DOC19/28264-2).
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3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.
- L2.4 Water and/or Land Concentration Limits

POINT 1

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				not visible
pH	pH				7.0 - 8.5
TSS	milligrams per litre				50

L2.5 Exceedance of a limit specified in Condition L2.4 of this licence for the discharge of pH or TSS from Point 1 is permitted if the discharge from Point 1 occurs solely as a result of rainfall at the premises exceeding a

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total of 37.4 millimetres over any consecutive five day period.

- L2.6 Prior to utilising the discharge point at EPA Identification Point 1, the licensee must have employed all other practical measures for the management or reuse of sediment basin water to restore the design capacity of sediment basins.

Notification of discharges to the EPA

- L2.7 24 hours prior to a discharge from EPA Identification Point 1 the licensee must notify the EPA's Manager, South East Region (PO Box 622 Queanbeyan NSW 2620 or queanbeyan@epa.nsw.gov.au)
- L2.8 For the purposes of condition L2.7, notification of an intended discharge from EPA Identification Point 1 must include the following information to demonstrate compliance with Condition L2.6:
1. Actions carried out in accordance with condition O4.1;
 2. A justification for discharge from EPA Identification Point 1, including the daily volume of water that has been utilised from the sediment basin for dust suppression, irrigation, and any other method of reuse during the preceding 7 days;
 3. The water level in the sediment basin and the volume of sediment basin water that is intended to be discharged to the Clyde River including the discharge duration, discharge flow rate, turbidity, electrical conductivity and level of pH;
 4. The weather conditions for the preceding 7 days including mean daily and maximum temperature, daily rainfall, mean and maximum relative humidity percentage;
 5. The upstream and downstream turbidity, electrical conductivity and the pH level in the Clyde River, and;
 6. Whether the proposed discharge conditions will be undertaken during an incoming or outgoing tide.

Final report on the discharge

- L2.9 Within 5 working days of ceasing a discharge from EPA identification point 1, the licensee must submit a report to the EPA that includes the following information:
1. Details of the discharge including the time, duration, flow rate and daily concentration of suspended solids, and pH level of the discharge;
 2. Daily upstream and downstream water quality in the Clyde River during the discharge including total suspended solids concentration, electrical conductivity, turbidity and pH level;
 3. The upstream, downstream and sediment basin concentration of total suspended solids prior to discharge, and;
 4. Information to identify the boundary of the discharge mixing zone.

Note: Note: The downstream boundary of the mixing zone is the point where water quality in the Clyde River returns to the ambient upstream water quality.

Correlation of Total Suspended Solids and Turbidity

- L2.10 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for

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water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS before its use.

- L2.11 The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.
- L2.12 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.
- L2.13 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.10 before using the revised statistical correlation.

L3 Hours of operation

- L3.1 Unless otherwise specified by any other condition of this licence, all construction must only be carried out during the operating hours in the table below:

Day	Time
Monday to Friday	7:00am to 6:00pm
Saturday	8:00am to 1:00pm
Sunday or Public Holiday	NIL

- L3.2 Exemptions to standard construction hours

The categories of works that may be undertaken outside the standard hours of operation permitted by the above condition are:

- a) construction work that causes LAeq(15 minute) noise levels that are no more than 5 dB above background levels at any residence; or
- b) the delivery of materials requested by police or other authorised authorities for safety reasons; or
- c) emergency work to avoid the loss of lives, property, and/or to prevent environmental harm; or
- d) other activities as agreed by the EPA.

- L3.3 The licensee may undertake works outside of standard construction hours if agreement between the licensee and the potentially affected noise sensitive receivers has been reached. Any agreement(s) between the licensee and the noise sensitive receiver must be recorded in writing and a copy of the agreement(s) kept on the premises by the licensee for the duration of this licence.
- L3.4 Notification of works approved outside of standard construction hours

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- (a) The licensee must notify potentially affected noise sensitive receivers of works approved outside of standard construction hours not less than 5 days and not more than 14 days before those works are to be undertaken.
- (b) The notification must be:
 - (i) by letterbox drop; and
 - (ii) be detailed on the project website
- (c) The notification required by paragraphs (a) and (b) of this condition must:
 - (i) clearly outline the reason the work is required to be undertaken outside the hours specified in condition L3.1;
 - (ii) include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks,
 - (iii) include details of relevant time restrictions that apply to the proposed works,
 - (iv) clearly outline, in plain English, the location, nature, scope and duration of the proposed works,
 - (v) detail the expected noise impact of the works on noise sensitive receivers;
 - (vi) clearly state how complaints may be made and additional information obtained; and
 - (vii) include the number of the telephone complaints line required by Condition M5.1, an after-hours contact phone number specific to the works undertaken outside the hours specified in Condition L3.1, and the project website address.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

O3 Dust

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O3.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

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O4 Processes and management

- O4.1 The licensee must commence operations to return sediment basins to design capacity as soon as practical after the cessation of a rainfall event.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Water and/ or Land Monitoring Requirements

POINT 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per metre	Special Frequency 1	In situ
Oil and Grease	Visible	Special Frequency 1	Inspection
pH	pH	Special Frequency 1	In situ
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample
Turbidity	nephelometric turbidity units	Special Frequency 1	In situ

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M2.3 For the purposes of the table in condition M2.2, 'Special frequency 1' means that sampling must be undertaken monthly and daily during a discharge from the sediment basin.

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 The preceding two conditions do not apply until 1 week after the date of the issue of this licence.

6 Reporting Conditions

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R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

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R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

8 Pollution Studies and Reduction Programs

U1 Validation of water quality impact assessment

- U1.1 Within 4 weeks of the first discharge from EPA identification point 1, the licensee must submit a written ambient water quality study validation report to the EPA's Manager, South East Region (PO Box 622 Queanbeyan NSW 2620 or queanbeyan@epa.nsw.gov.au).
- U1.2 The validation report must use the information collected during discharges from EPA Identification Point 1 to the Clyde River to validate the modelled water quality impacts on the Clyde River of the proposed construction sediment basin discharge limit of 50mg/L. The model is detailed in Section 3 of the document "NSW Water Quality Objectives: Assessment of Impacts of Proposed Construction-Phase Sediment Basins – Nelligen Bridge Replacement Proposal" as applicable (26 October 2018) (DOC19/172937).

Note: This pollution reduction program has been developed to validate the modelled water quality impacts on the Clyde River of the proposed construction sediment basin discharge limits. The EPA intends to use this information to refine discharge criteria in this licence.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .



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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Matthew Rizzuto

Environment Protection Authority

(By Delegation)

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End Notes