



Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

South-West District Office (Toowoomba)
PO Box 731 TOOWOOMBA QLD 4350
Phone: (07) 4639 4599 Fax: (07) 4639 4524
www.env.qld.gov.au ABN: 87221158786

Licence No. WT0059 **(without development approval)**

Section 93 Environmental Protection Act 1994

This licence to carry out an environmental relevant activity is issued in accordance with section 93 of the Environmental Protection Act 1994.

Under the provisions of the
Environmental Protection Act 1994 this licence is issued to:

Pixie Ice Cream Pty Ltd
173-181 McDougall Street
TOOWOOMBA Q 4350

in respect of carrying out the environmental relevant activity:

33 Milk processing - Separating, evaporating or processing milk (other than on a farm) or manufacturing evaporated or condensed milk, cheese, butter, ice cream or other dairy product in works having a design production capacity of 200 t or more per year.

at the following place(s):

Lot 987 Plan AG3226.

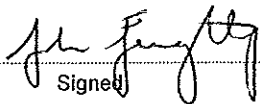
located at:

173-181 McDougall Street, Toowoomba Q 4350.

This licence is subject to the conditions set out in the attached schedules.

The anniversary date of this licence is **4 February**

This amended licence takes effect from **23 July 2003**.


Signed

23 July 2003

Date

Sarah Fenaughty
District Manager (South West)
Southern Region
Delegate of Administering Authority
Environmental Protection Act 1994

Note: This licence document is not proof of the current status of the licence. The current status of the licence may be ascertained by contacting the Environmental Protection Agency.



Schedule of conditions

The aforementioned description of the ERA for which this authority is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this authority. Where there is any conflict between the above description of the ERA for which this authority is issued and the conditions as specified in this authority as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This authority incorporates the following schedules of conditions relevant to various issues:

- Schedule A - General Conditions
- Schedule B - Air
- Schedule C - Water
- Schedule D - Stormwater Management
- Schedule F - Noise
- Schedule G - Waste Management
- Schedule H - Monitoring and Reporting
- Schedule I - Definitions

SCHEDULE A - GENERAL CONDITIONS

Release of Contaminants not otherwise provided for

- (A1) In carrying out the environmentally relevant activity, the holder of this environmental authority must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, may cause environmental harm, in a manner that could be prevented, shall be carried out in a proper manner by a competent person in accordance with the conditions of this authority.
- (A3) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

- (A4) Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

Alterations

- (A6) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this environmental authority.

Calibration

- (A7) All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.
- (A13) The licensee shall ensure that the operation and maintenance of the operation is carried out by or under the supervision of a person competent to operate and maintain the operation.

End of Conditions for Schedule A

SCHEDULE B - AIR

Release of Contaminants to the Atmosphere

- (B1) Contaminants resulting from the operation of the sources described in Table 1 of the air schedule must only be released to the atmosphere from those release points specified in Table 1 of the air schedule.
- (B2) Contaminants released from each release point specified in Table 1 of the air schedule must be directed vertically upwards without any impedance or hindrance.
- (B3) Contaminants must be released to the atmosphere from a release point at a height not less than the corresponding height stated for that release point in Table 1 of the air schedule.

SCHEDULE B -Table 1

SOURCE DESCRIPTION	RELEASE POINT NUMBER AND STACK DESCRIPTION	MINIMUM RELEASE HEIGHT (metres)	MINIMUM EFFLUENT VELOCITY (metres/second)
Gas fired boilers	Boiler stack	6.1	5.36

End of Conditions for Schedule B

SCHEDULE C - WATER

- (C1) Contaminants must not be directly or indirectly released from the licensed place to any waters or the bed and banks of any waters except as permitted under the water schedule or the stormwater management schedule, or to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.
- (NS1) Contaminants that may cause environmental harm must not be directly or indirectly released from any source on the licensed place to any waters at any location other than the contaminants and sources at the locations listed below:

Discharge of *potable water* (used in the cooling process) to the stormwater system.

End of Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

Stormwater Management Plan

- (D1) The holder of this environmental authority must:
- develop and implement a stormwater management plan which provides for the following functions:
 - avoidance or minimisation of contaminated stormwater; and
 - reuse, treatment and disposal of contaminated stormwater; and
 - within 3 months of issuing this environmental authority, have completed and implemented the stormwater management plan.
- (D2) A copy of the Stormwater Management Plan must be kept at the licensed place where practical.

End of Conditions for Schedule D

SCHEDULE F - NOISE

Emission of Noise

- (F3) In the event of a complaint about noise that the administering authority considers is reasonable, then the emission of noise from the activity must not result in levels greater than those specified in Table 1 of the Noise Schedule until the circumstances which gave rise to the complaint are resolved.



SCHEDULE F TABLE 1

Noise Level at a Noise Sensitive Place Measured as Adjusted Maximum Sound Pressure Level $L_{Amax adj, T}$	Period
Background noise plus 5dB(A)	7 am - 6 pm
Background noise level plus 5dB(A)	6 pm - 10 pm
Background noise level plus 3dB(A)	10 pm - 7 am
Noise Limits at a Commercial Place Measured as Adjusted Maximum Sound Pressure Level $L_{Amax adj, T}$	Period
Background noise plus 10dB(A)	7 am - 6 pm
Background noise level plus 10dB(A)	6 pm - 10 pm
Background noise level plus 8dB(A)	10 pm - 7 am

Note: The background level is 30 dB(A). If the background noise level recorded is higher than 30 dB(A) then the recorded noise level applies in the absence of the alleged noise source.

End of Conditions for Schedule F

SCHEDULE G - SOLID WASTE MANAGEMENT

General

- (G1) The holder of this environmental authority must not:
- allow waste to burn or be burned at or on the licensed place; nor
 - remove waste from the licensed place and burn such waste elsewhere.

Waste Management Plan (WMP)

- (G2) The holder of this environmental authority must:
- develop and implement a waste management plan which provides for the following functions:
 - prevention of waste; and
 - treatment of waste; and
 - disposal of waste; and
 - within 3 months of issuing this licence, have completed and implemented the waste management plan.
- (G3) A copy of the Waste Management Plan must be kept at the licensed place.

Off Site Movement

- (G4) Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following:
- the date, quantity and type of waste removed; and
 - name of the waste transporter and/or disposal operator that removed the waste; and
 - the intended treatment/disposal destination of the waste.

Notification of Improper Disposal Of Regulated Waste

- (G18) If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.

End of Conditions for Schedule G

SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

- (H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept with the following details:
- (i) time, date and nature of complaint;
 - (ii) type of communication (telephone, letter, personal etc.);
 - (iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
 - (iv) response and investigation undertaken as a result of the complaint;
 - (v) name of person responsible for investigating complaint; and
 - (vi) action taken as a result of the complaint investigation and signature of responsible person.
- (NS2) The holder of this environmental authority is responsible for monitoring the salinity of water (used in the cooling process) before discharging in to the storm water drainage system, once every two months.
- (H6) All determinations of the quality of contaminants released must be performed by a person or body possessing appropriate experience and qualifications to perform the required measurements.
- (H14) The holder of this environmental authority must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the Annual Return.
- (H16) A record must be maintained of at least the following events:
- (i) the time, date and duration of equipment malfunctions where the failure of the equipment resulted in the release of contaminants reasonably likely to cause environmental harm;
 - (ii) any uncontrolled release of contaminants reasonably likely to cause environmental harm and
 - (iii) any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.

Notification of Emergencies and Incidents

- (H18) Where the licensee has not given notification to the administering authority under *section 320 of the Environmental Protection Act*, as soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

(H19) Where the licensee has not given notification to the administering authority under *section 320 of the Environmental Protection Act*, the notification of emergencies or incidents as required by condition number H 16 must include but not be limited to the following:

- (i) The holder of the environmental authority;
- (ii) the location of the emergency or incident;
- (iii) the number of the environmental authority;
- (iv) the name and telephone number of the designated contact person;
- (iv) the time of the release;
- (v) the time the holder of the environmental authority became aware of the release;
- (vi) the suspected cause of the release;
- (vii) the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and
- (viii) actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

For the purposes of this environmental authority the following definitions apply:

(I15) "range" means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor lower than the lower release limit stated.

Noise Definitions.

(I16) " $L_{Amax\ adj,T}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.

(I17) "Background noise level" means either:

$L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response, or

$L_{A90,T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

(I18) " $MaxL_{pA,T}$ " means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.

(I19) "noise sensitive place" means -

- (a) a dwelling, mobile home or caravan park, residential marina or other residential premises;
or
- (b) a motel, hotel or hostel; or
- (c) a kindergarten, school, university or other educational institution; or
- (d) a medical centre or hospital; or
- (e) a protected area; or
- (f) a public park or gardens.

(I20) "commercial place" means a place used as an office or for business or commercial purposes.

End of Conditions for Schedule I

END OF LICENCE CONDITIONS



**Queensland
Government**

Enquiries Althena Davidson
Telephone (07) 4639 8322
Your reference WT0059
Our reference TWB956

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

22 July 2003

Wayne Reisinger
Pixie Ice Cream Pty Ltd
PO Box 6242
TOOWOOMBA Q 4350

Dear Mr Reisinger

Amendments by Agreement to Environmental Authority WT0059

As agreed to in your letter of 18th July 2003, attached is the amended licence for Pixie Ice Cream Pty Ltd. The proposed administrative changes by the Environmental Protection Agency (EPA) have also been made.

The anniversary date remains as 4 February.

Should you have any further questions please contact Althena Davidson on (07) 4639 8322.

Yours sincerely

Sarah Fenaughty
**District Manager (South West)
Southern Region**