



# **Report and recommendations of the Environmental Protection Authority**



## **Busselton Regional Aerodrome – Proposal under section 46 of the EP Act to replace condition 4-4 of Ministerial Statement 399**

**Shire of Busselton**

Report 1428

January 2012

**EPA R&R No: 1428**

MINISTER FOR ENVIRONMENT

**BUSSELTON REGIONAL AERODROME – PROPOSAL UNDER SECTION 46  
OF THE *ENVIRONMENTAL PROTECTION ACT 1986* TO REPLACE  
CONDITION 4-4 OF MINISTERIAL STATEMENT 399**

I refer to your letter of 17 January 2012 requesting the Environmental Protection Authority (EPA) to inquire into and report on the Shire of Busselton's proposed change to the environmental conditions for the Busselton Regional Aerodrome (Ministerial Statement 399).

The following is the EPA's Report and Recommendations (No.1428) pursuant to section 46(6) of the *Environmental Protection Act 1986*.

**Introduction**

The Shire of Busselton has approval to operate a regional aerodrome at Four Mile Hill (Ministerial Statement 399, October 1995). Potential noise impacts associated with the operation of the aerodrome are managed through Condition 4 of the Statement, as set out below.

- 4-1 The proponent shall ensure that noise emissions from the aerodrome, including emissions from aircraft using the aerodrome, are efficiently managed.
- 4-2 To achieve the objectives of Condition 4-1, at all times during the operation of the aerodrome, the proponent shall ensure that noise emissions from the aerodrome activities, including emissions from aircraft using the aerodrome, do not cause noise levels at any residential premises in occupation to exceed an average of 55 dB(A)  $L_{dn}$  or a maximum of 65 dB  $L_{A\ Slow}$ , unless a specific variation to the maximum noise level is agreed to by the Minister for Environment on advice of the Department of Environmental Protection, and following consultation with relevant agencies.

- 4-3 Where a variation has been granted by the Minister for Environment, as referred to in Condition 4-2, the variation may only apply for operation between 0700 hours and 2200 hours, and the proponent shall ensure that the maximum noise level does not exceed 80 dB  $L_{A\text{ Slow}}$  and that the number of flights is limited.

On 16 October 2007, the Minister for Environment granted a variation under Condition 4-3 above. This variation is as follows:

1. The variation applies between the hours of 0700 and 2200 hours on any day.
2. The number of flights is limited to two per day.
3. The noise level of a flight conducted under this variation shall not exceed 80dB when measured as a  $L_{A\text{ Slow}}$  value within 15 metres of a building that is directly associated with a noise-sensitive use on a noise-sensitive premises, in accordance with Part 3 of the *Environmental Protection (Noise) Regulations 1997*.

The Shire of Busselton has written to you to request that a single flight outside the parameters established in Condition 4 and the variation of 16 October 2007 be allowed. A single flight is required to support the Leeuwin Concert on 12 February 2012. The requested flight movement is for a Fokker 100 operated by Skywest Airlines to depart from the Busselton Regional Airport scheduled for 2315 hours on 12 February 2012.

The Shire of Busselton advertised the proposed Leeuwin Concert flight in the media and asked for public comment. One submission was received objecting to the flight. The proponent also consulted the Busselton Regional Aerodrome Advisory Committee. No submissions were received from the Advisory Committee.

Two similar flights to support the 2010 and 2011 Leeuwin concerts were accommodated through the addition of conditions to Ministerial Statement 399.



**Discussion**

The EPA is aware that the Shire of Busselton is finalising a new noise management plan to replace the existing Ministerial Conditions. The noise management plan is intended to provide a more flexible regime to manage operations at the airport while better addressing noise impacts on the community. The EPA has stated previously that it is important that the noise management regime for the aerodrome is considered in a strategic and transparent manner, through the operation of such a noise management plan. The EPA will be providing a subsequent report on the noise management plan.

**EPA Recommendation**

The EPA submits the following recommendations to the Minister for Environment.

1. That the Minister note that the EPA has concluded that the environmental impact of the proposed flight is not significant.
2. That the Minister agree that Condition 4-4 of Ministerial Statement 399 be replaced to provide for the proposed flight, and that the condition be worded as follows:
  - 4-4 Notwithstanding Condition 4-2 and Condition 4-3, the following flight is allowed:
    - a Fokker 100 aircraft departing the Busselton Regional Aerodrome between 2200 hours on 12 February 2012 and 0100 hours on 13 February 2012.
3. That the Minister issue a statement that incorporates the recommended Condition 4-4 into Statement 399.



**Dr Paul Vogel**  
CHAIRMAN

24 January 2012

Encl.

No. xxx

RECOMMENDED ENVIRONMENTAL CONDITIONS

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

PROPOSAL NAME

**Proposal:** Refer to Ministerial Statement 399  
**Proponent:** Shire of Busselton  
**Proponent Address:** Southern Drive, BUSSELTON WA 6280  
**Assessment Number:** xxx,  
**Previous Assessment Numbers:** 775, 1827, 1867, 1913  
**Report of the Environmental Protection Authority:** 1428  
**Previous Reports of the Environmental Protection Authority:** 785, 1348,  
1385, and 1418  
**Previous Statement Numbers:** 399, 825, 856, and 878

The implementation of the proposal to which the above report of the Environmental Protection Authority relates is subject to the conditions and procedures contained in Ministerial Statement No. 399 (amended by Statements 825, 856, and 878), as amended by the following:

**1. Condition 4.4 replaced**

Condition 4-4 of Ministerial Statement 399 is deleted and replaced with:

- "4-4 Notwithstanding Condition 4-2 and Condition 4-3, the following flight is allowed:
- a Fokker 100 aircraft departing the Busselton Regional Aerodrome between 2200 hours on 12 February 2012 and 0100 hours on 13 February 2012."

**HON BILL MARMION MLA  
MINISTER FOR ENVIRONMENT; WATER**