

Hon Bill Marmion MLA
MINISTER FOR ENVIRONMENT

BUSSELTON REGIONAL AERODROME – PROPOSAL UNDER S46 OF THE ENVIRONMENTAL PROTECTION ACT 1986 TO ADD A CONDITION TO MINISTERIAL STATEMENT 399 TO ALLOW A FOKKER 100 OPERATED BY SKYWEST AIRLINES TO DEPART FROM BUSSELTON REGIONAL AERODROME BETWEEN 2200 HOURS ON 20 FEBRUARY 2011 AND 0100 HOURS ON 21 FEBRUARY 2011.

I refer to your request on 7 February 2011 for the Environmental Protection Authority (EPA) to inquire into and report to you under section 46(1) of the *Environmental Protection Act 1986* on the Shire of Busselton's proposed change to the environmental conditions issued in Ministerial Statement 399 applying to the Busselton Regional Aerodrome.

The following is the EPA's Report and Recommendations (No. 1385) pursuant to section 46(6) of the *Environmental Protection Act 1986*.

Introduction

The proponent, 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 the 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 $L_{A\ Slow}$ 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 $L_{A\ SLOW}$ 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 proponent has written to you to request that a single flight outside the hours set out in Condition 4-2 and the variation of 16 October 2007 be allowed. The flight would return people attending the 2011 Leeuwin Concert to Perth, and depart the Busselton Regional Aerodrome between 2200 hours on 20 February 2011 and 0100 hours on 21 February 2011. This flight would be a Fokker 100 aircraft operated by SkyWest Airlines, and is scheduled to depart at 2350 hours on 20 February 2011. Maximum noise level would not exceed 80 dB $L_{A\ Slow}$.

The proponent has committed to provide the following community advice regarding the proposed flight: advertise the scheduled flight in the media and ask for public comment; liaise directly with the Busselton Regional Aerodrome Advisory Committee; and liaise directly with property owners in the immediate vicinity of the Busselton Regional Aerodrome.

Discussion

Advice from the Department of Environment and Conservation Noise Regulation Branch is that while this level of noise at the time proposed has the potential to disturb nearby residences, as a one off event, the noise impacts associated with the proposed flight are not long lasting or significant, provided the community has been adequately notified.

The EPA is aware that the Shire of Busselton has prepared a new noise management plan to replace the existing Ministerial Conditions and that this has recently been submitted to the Minister for Environment for consideration. The Plan is intended to provide a more flexible regime to manage operations at the airport while better addressing noise impacts on the community. 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, rather than through ad hoc variations to accommodate short term needs. It is expected that the new noise management plan will be in operation by the end of this year and that this variation will be the last variation necessary.

EPA Recommendation

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

1. That the Minister notes that the EPA has concluded that the environmental impacts of a single flight between 2200 hours on 20 February 2011 and 0100 hours on 21 February 2011 are not significant.
2. That the Minister agree that an additional Condition providing for a single flight between 2200 hours on 21 February 2011 and 0100 hours on 21 February 2011 be added to Condition 4 in Ministerial Statement 399, and that the Condition be worded as follows:

4-4 Notwithstanding Conditions 4-2 and 4-3, a single flight departure is allowed between 2200 hours on 20 February 2011 and 0100 hours on 21 February 2011. The maximum noise level associated with this flight shall not exceed 80 dB $L_{A \text{ Slow}}$ when measured 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.

3. That the Minister issues a statement that incorporates the recommended Condition 4-5 into Ministerial Statement 399.

A handwritten signature in blue ink, appearing to read 'P. Vogel', with a long horizontal line extending to the right.

Dr Paul Vogel
CHAIRMAN

11 February 2011