



VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Australian Super Hornet Flying Operations, RAAF Base, Amberley, Qld
(2008/4410)

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

Person to whom the approval is granted Department of Defence

Proposed action Proposed flying operations of a new military aircraft, the Australian Super Hornet, at and around RAAF Base Amberley in South East Queensland.

Variation

Variation of conditions of approval The variation is:
Delete condition 3 and condition 4 attached to the approval dated 23 March 2010 and substitute the conditions specified below.

Date of effect This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position Charmayne Murray
Assistant Secretary (acting)
Environment Assessment Branch

Signature

Date of decision


30 January 2012

Conditions attached to the approval

3. The person taking the action must submit for approval by the Minister an Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy that includes:
 - a. A process for the establishment of an appropriately qualified independent mechanism (e.g. panel, person, committee), similar in role and function to the Aircraft Noise Ombudsman to be established in accordance with the White Paper on National Policy, 'Flight Path to the Future', released by the Australian Government on 16 December 2009 to:
 - i. Consider complaints regarding noise generated by the Australian Super Hornet flying operations not resolved through the process outlined in paragraph 2;
 - ii. Assess complaints for compliance with the Australian Super Hornet Noise Management Plan at paragraph 1;
 - iii. Conduct an independent review of noise complaint handling undertaken in accordance with paragraph 2; and
 - iv. Make recommendations and identify measures to the person taking the action to resolve complaints;
 - b. A process for the person taking the action to consider the recommendations made, including the measures identified, by the independent mechanism and to communicate to affected persons any decisions or actions to be taken;
 - c. A requirement for the person taking the action to publish an annual report noting the recommendations made and the measures identified by the appropriately qualified independent mechanism, specifying the action taken by the person in response and, to the extent that recommendations and measures have not been implemented, reporting on the reasons why;
 - d. A process for resolving appeals against decisions made by the person taking the action in relation to decision or actions with respect to complaints;
 - e. A timeframe for the implementation of the strategy that includes the following:
 - i. Identification of the period of time over which noise data to be used by the independent process will be collected;
 - ii. When the independent body will be established;
 - iii. The period of time during which the mechanism will assess and process complaints must begin immediately after approval of this strategy is granted by the Minister.
 - f. A consultation process to provide a draft of the Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy for public comment and incorporate comments prior to submission to the Minister.

The Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy must be submitted to the Minister for approval by 1 June 2012. The approved strategy must be implemented.

4. The person taking the action must provide for approval by the Minister an Air Quality Monitoring Plan that includes:

- a. Monitoring air quality near a sensitive receiver in close proximity to or on RAAF Base Amberley;
- b. A process for validation of the accuracy of Super Hornet air quality impacts modelled in the Public Environment Report of the action;
- c. Should the measured air quality values exceed relevant air quality objectives, a commitment to working with the relevant State authorities to determine sources of pollutants and potential mitigation measures;
- d. An undertaking to post the results of rain tank water quality testing conducted in accordance with the Public Environment Report on an appropriate website for public information; and
- e. In the event that rainwater contamination is found to occur as a result of the proposal, identification and implementation of appropriate measures to mitigate the contamination.

The Air Quality Monitoring Plan must be submitted for approval by 1 June 2012. The approved plan must be implemented.