VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Australian Super Hornet Flying Operations, RAAF Base, Amberley, QLD (EPBC 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).

**Approved action**

- **Person to whom the approval is granted**: Department of Defence
- **Approved 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 conditions 1 to 10 attached to the approval and substitute conditions 1-9 and definitions “Approved” and “Department” specified below.

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

**Person authorised to make decision**

- **Name and position**: Shane Gaddes
  Assistant Secretary
  Compliance & Enforcement Branch

- **Signature**: [Signature]

- **Date of decision**: 23 April 2014
Condition attached to the approval

1. The person taking the action must implement the approved Australian Super Hornet Noise Management Plan.

   The approved Australian Super Hornet Noise Management Plan must be revised to address any issues identified in the:
   
   a. Noise Monitoring Program, as outlined in the approved Noise Monitoring and Complaints Handling Strategy (condition 2); and
   
   b. Period 1 Independent Audit of Compliance with the Conditions of Approval (condition 5).

   The revised Australian Super Hornet Noise Management Plan must be submitted to the Minister for approval by 31 December 2015. The approved revised Australian Super Hornet Noise Management Plan must be implemented in place of the Australian Super Hornet Noise Management Plan previously approved.

2. The person taking the action must implement the approved Noise Monitoring and Complaints Handling Strategy.

3. The person taking the action must implement the approved Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy.

4. The person taking the action must implement the approved Air Quality Monitoring Plan.

5. The person taking the action must ensure that an Independent Audit of Compliance with the Conditions of Approval, including implementation of the requirements of approved plans, is conducted for each of the following periods.

   a. Period 1: from the date of the approval to 31 December 2014;
   
   b. Period 2: from 1 January 2015 to 31 December 2018.

   Each auditor's report must be submitted to the Minister within 6 months of the end of the period to which the report applies. Each auditor's report must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister.

   The independent auditor must be approved prior to the commencement of each audit.

6. The person taking the action must publish on their web site all plans and strategies within 3 months of each plan or strategy being approved.

7. If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities (s18 & s18A) to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans, then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.

8. If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans as specified in the conditions, the person taking the action must submit for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan/s in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the
revised management plan, that management plan must be implemented in place of the management plan originally approved.

9. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.

Definitions:

Approved – Means a document approved in writing by the Minister

