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F.R.L.I.



1998B00366



# Airports (Environment Protection) Amendment Regulations 1998 (No. 3)

Statutory Rules 1998 No. 3

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations under the *Airports Act 1996*.

Dated 17 DEC 1998 1998.

**WILLIAM DEANE**  
Governor-General

By His Excellency's Command,

JOHN ANDERSON  
Minister for Transport and Regional Services



# Airports (Environment Protection) Amendment Regulations 1998 (No. 3)<sup>1</sup>

Statutory Rules 1998 No. 3<sup>2</sup>

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made under the

*Airports Act 1996*

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**Regulation 1**

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**1 Name of regulations**

These regulations are the *Airports (Environment Protection) Amendment Regulations 1998 (No. 1)*.

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**2 Commencement**

These regulations commence on gazettal.

**3 Amendment of Airports (Environment Protection) Regulations**

Schedule 1 amends the Airports (Environment Protection) Regulations.

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2 *Airports (Environment Protection) Amendment Regulations 1998 (No. 1)*

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# Schedule 1      Amendment of Airports (Environment Protection) Regulations

(regulation 3)

## [1]      Regulation 1.01

*substitute*

### 1.01 Name of regulations

These regulations are the *Airports (Environment Protection) Regulations 1997*.

## [2]      Regulation 1.05

*insert*

*rescue and fire fighting service* means a rescue and fire fighting service in accordance with Annex 14 to the Convention on International Civil Aviation done at Chicago on 7 December 1944.

## [3]      Subparagraph 1.08 (b) (iii)

*substitute*

(iii) the American Society for Testing and Materials.

## [4]      Regulation 4.02

*omit*

An operator

*insert*

(1) An operator

**[5] Paragraph 4.02 (a)**

*omit*

Part 2 in

*insert*

Part 1 of

**[6] Paragraph 4.02 (a)**

*omit*

salt water

*insert*

marine water

**[7] Regulation 4.02**

*insert*

- (2) However, the provider of a rescue and fire fighting service for an airport need not comply with the limit mentioned in item 1 of table 1 in clause 1.02 of Schedule 1 for the emission of dark smoke if the provider is complying with an agreement with the Secretary of the Department that:
- (a) provides for education of the public, the airport-lessee company and airport tenants about fire training activities; and
  - (b) provides for telling the airport-lessee company and the airport environment officer before a fire training event; and
  - (c) provides for limiting fire training activity in unsuitable weather conditions; and
  - (d) provides for telling the airport environment officer of any environmental incident caused by fire training activities; and

- (e) promotes the extent of night fire training events;  
and
- (f) is in force for a period, stated in the agreement, of not more than 3 years.

**[8] After subregulation 5.08 (2)**

*insert*

- (3) The applicant for the authorisation must pay the reasonable costs of the advertisement, including the cost of preparing the advertisement.

**[9] Subregulation 6.02 (1)**

*substitute*

- (1) An airport-lessee company must monitor, in accordance with its environment strategy:
  - (a) the levels of pollution, if any, present in air, water or soil at the airport; and
  - (b) the level of noise generated at the airport.

**[10] Regulation 6.03**

*omit*

The airport-lessee company for an airport must give the Secretary a report each year

*insert*

- (1) The airport-lessee company for an airport must give the Secretary a report for each financial year, or another reporting period that the Secretary determines,

**[11] Regulation 6.03***insert*

- (2) The airport-lessee company must give its report for a reporting period to the Secretary not later than 120 days after the end of the reporting period.

**[12] Subregulation 6.04 (1)***after*

for the airport

*insert*

, within 14 days,

**[13] Subregulation 6.04 (2)***after*

for the airport

*insert*

, within 14 days,

**[14] After subregulation 6.08 (1)***insert*

- (1A) However, for subregulation (1), an airport environment officer need not carry out a test if:
- (a) a test of the same kind has been carried out by another person; and
  - (b) that test was in accordance with regulation 1.08; and

- (c) there is a written record of the result of that test; and
- (d) the airport environment officer believes it is reasonable to rely on the result of that test.

**[15] Subregulation 6.09 (1)**

*omit*

subregulation 6.07 (2) or (3)

*insert*

subregulation 6.07 (1)

**[16] Paragraphs 6.19 (1) (a), (b) and (c)**

*substitute*

- (a) the operator of the undertaking has been given an order under regulation 6.18 requiring it to carry out remedial work, but the work has not been carried out to the satisfaction of the airport environment officer:
  - (i) within the period stated for the purpose in the notice; or
  - (ii) if no period is stated — within a reasonable period; or
- (b) the airport environment officer believes, on reasonable grounds, that because of circumstances of urgency, or in the interests of public health or safety, it is necessary to enter the area and carry out the work.

**[17] Paragraph 9.01 (1) (e)**

*omit*



**[18] Paragraph 9.01 (1) (k)**

*omit*

way; or

*insert*

way.

**[19] Paragraph 9.01 (1) (l)**

*omit*

**[20] Schedule 1, clause 1.02**

*omit*

paragraph 2.02 (1)

*insert*

subparagraph (a) (i) of the definition of *pollutant* in subregulation 2.01 (2)

**[21] Schedule 1, clause 1.02, table 1, item 1, column 3**

*omit*

(including Civil Aviation Safety Authority fire control or rescue training)

**[22] Schedule 1, clause 1.02, table 1, item 4, column 5***omit*

Clean Air Regulations (NSW) 1962 (Schedule 2 Appendix A)

*insert*

*Manual of Air Quality Testing*, published by the NSW Environment Protection Authority, as in force on 1 August 1997

**[23] Schedule 1, clause 1.02, table 1, item 10, column 5***omit*

Appendix A of Clean Air Regulations (NSW) 1962,

*insert*

the *Manual of Air Quality Testing*, published by the NSW Environment Protection Authority, as in force on 1 August 1997,

**[24] Schedule 2, clause 1.03, table, after item 21***insert*

	<i>Total petroleum hydrocarbon</i>	
21A	Fuel (C <sub>6</sub> -C <sub>9</sub> fractions)	150.0
21B	Mineral oil (>C <sub>9</sub> fractions)	600.0

**[25] Schedule 3, clause 1.01, table 1, after item 22***insert*

23	Total petroleum hydrocarbon — fuel (C <sub>6</sub> –C <sub>9</sub> fractions)	800
24	Total petroleum hydrocarbon — mineral oil (>C <sub>9</sub> fractions)	5,000
25	Benzene	1
26	Ethylbenzene	50
27	Toluene	130
28	Xylene	25

**[26] Schedule 3, clause 1.02, table 2, column 2, before  
item 17***omit***Monoaromatic hydrocarbons***insert***Aromatic hydrocarbons****[27] Schedule 3, clause 1.02, table 2, item 17, column 3***substitute*

0.5

**[28] Schedule 3, clause 1.02, table 2, item 18, column 3***substitute*

3

**[29] Schedule 3, clause 1.02, table 2, after item 18***insert*

18A	Ethylbenzene	5
18B	Xylene	5
	<b>Total petroleum hydrocarbon</b>	
18C	Fuel (C <sub>6</sub> -C <sub>9</sub> fractions)	100
18D	Mineral oil (>C <sub>9</sub> fractions)	1,000

**Notes**

1. These regulations amend Statutory Rules 1997 No. 13, as amended by 1997 Nos. 112 and 201; 1998 No. 96 and 209.
2. Made by the Governor-General on *1* 1998, and notified in the *Commonwealth of Australia Gazette* on *1* 1998. Administered by the Minister for Transport and Regional Services.

17 December  
22 December