

WA Police Academy, Joondalup

Western Australia Police Service

Noise regulation 17 application

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

**Environmental Protection Authority
Perth, Western Australia
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SUMMARY AND RECOMMENDATIONS:

The Western Australia Police Service has applied to the Minister for the Environment under regulation 17 of the *Environmental Protection (Noise) Regulations 1997* to allow the emission of noise from the WA Police Academy, Joondalup to exceed the prescribed standard for noise emissions as specified in noise regulation 7.

The new WA Police Academy is located at Lakeside Drive and Kendrew Crescent, Joondalup. The Academy is planned to relocate from its current Maylands facility early in 2002, with the official opening on 15 February 2002.

The Academy will consist of a range of facilities typically found in an educational institution, such as classrooms, lecture theatres and administration spaces. A number of police-specific training facilities are also incorporated including a firing range (acoustically treated); moot court; skills training defence room; a scenario village; parade ground; chapel; and residential accommodation.

Three main areas of the facility have been identified to be associated with high noise levels, the Rifle Range, The Scenario Village and the Parade Ground. It is predicted that environmental noise emissions from the Rifle Range will be effectively controlled through the acoustically designed construction of the Rifle Range building. As an educational institution, noise from typical activities of the Parade Ground, and some of the activities of The Scenario Village, is considered as *exempt noise*, and regulation of the noise emission is covered under noise regulation 16. However, not all noise emissions associated with the activities of The Scenario Village are considered as exempt noise under the *regulations*, and the noise emissions are expected to exceed the prescribed standard at nearby noise sensitive premises.

In consideration of the nature of the likely noise emissions and commitments by the Western Australia Police Service to effectively manage the emissions, the EPA considers that the noise emissions are best managed through a Ministerial Exemption Order under section 6 of the Act, in preference to a noise regulation 17 approval.

RECOMMENDATIONS:

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

1. That the Minister notes that this report is in response to an application by the Western Australia Police Service under regulation 17 of the *Environmental Protection (Noise) Regulations 1997* to allow the emission of noise from the WA Police Academy, Joondalup, to exceed the prescribed standards for noise emissions.
2. That the Minister notes that the EPA considers that the noise emissions from The Scenario Village at the Academy are likely to exceed the prescribed standards but are capable of being managed so as to minimise the impact on stakeholders to an acceptable level, providing there is satisfactory implementation of the recommended Conditions set out in Appendix 3.
3. That the Minister notes that the EPA consider that the appropriate mechanism for management of the noise emissions from the WA Police Academy is an Exemption Order under section 6 of the *Environmental Protection Act of 1986* in preference to a an approval under noise regulation 17 to vary the assigned noise levels.
4. That the Ministers does not grant an approval under noise regulation 17, but grants an Exemption Order under section 6 of the *Environmental Protection Act 1986*, in accordance with the preliminary drafting instructions set out in Appendix 3.

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1.0 INTRODUCTION

This report provides the advice and recommendations of the Environmental Protection Authority (EPA) to the Minister for the Environment on the application by the Western Australia Police Service under regulation 17 of the *Environmental Protection (Noise) Regulations 1997*, to allow the emission of noise from the WA Police Academy, Joondalup, (“the Academy”) to exceed the prescribed standard for noise emissions as specified under regulation 7.

Noise regulation 17 provides that:

“where a person is of the opinion that he or she cannot reasonably or practicably comply with a standard prescribed under these regulations, or that a proposal of that person will not be reasonably or practicably capable of complying with that standard, that person may apply to the Minister for approval to allow the emission of noise to exceed or vary from that standard.”

This report forms the advice required under sub-regulation (3) (b) (ii) of regulation 17, from the EPA to the Minister for the Environment.

In compiling this report, the EPA has considered the information provided by the Western Australia Police Service, information from affected stakeholders and advice from the Department of Environmental Protection (DEP).

Details of the Academy are presented in section 2 of this report. Section 3 discusses the Noise Emissions from the facility. The Noise Management Strategy and Conditions to which the facility should be subject, if the Minister accepts the EPA’s recommendations, are set out in section 4. Section 5 presents the EPA’s Conclusions and Section 6, the EPA’s Recommendations.

Appendix 1 provides a listing of the reference material used in the preparation of this report. Appendix 2 provides a key points summary of the meeting between the Western Australia Police Service and the stakeholders. Appendix 3 comprises the preliminary drafting instructions for a proposed Section 6 Exemption Order.

2.0 THE FACILITY

The Academy is located on Lakeside Drive, Joondalup, between the West Coast College of TAFE and Edith Cowan University.

The Academy will consist of a range of facilities typically found in an educational institution, such as classrooms, lecture theatres and administration spaces. A number of police-specific training facilities are also incorporated including a firing range (acoustically treated); moot court (fake court); skills training defence room; scenario village; parade ground; chapel; and residential accommodation. The Academy will be predominantly an open educational campus.

In addition to Western Australia Police Academy Recruits and Serving Officers, the Academy will host a number of students from training courses conducted on behalf of other agencies and organisations.

The WA Police Academy has been co-located with the West Coast College of TAFE and Edith Cowan University in the Joondalup Educational Precinct. The Western Australia Police Service

has advised the DEP that it is envisaged that these institutions will cooperate to provide an integrated educational facility. A tripartite strategic alliance agreement underpins the relationship.

The WA Police Academy is planned to relocate from its current Maylands facility early in 2002, with the official opening at Joondalup on 15 February 2002.

3.0 NOISE EMISSIONS FROM THE FACILITY

The report, WA Police Academy, *Review of Environmental Noise Emission* prepared by an acoustic consultant (Gabriel's Environmental Design, 1999) on behalf of the Western Australia Police Service, identified three main areas of the facility associated with high noise levels: The Rifle Range, The Scenario Village and The Parade Ground. It is predicted that environmental noise emissions from the Rifle Range will be effectively controlled through the acoustically designed construction of the Rifle Range building. As an educational institution, noise from typical activities of the Parade Ground, and some of the activities of The Scenario Village, is considered as *exempt noise*, and regulation of the noise is covered under noise regulation 16.

However, not all noise emissions associated with the activities of The Scenario Village are considered exempt noise under the *regulations*, and the noise emissions are expected to exceed the prescribed standard at nearby noise sensitive premises.

3.1 Description of The Scenario Village

The Scenario Village consists of two crime houses, bank, service station, flat, roads, traffic lights, public toilets, park, fast food outlet, retail store, a police station and a control room to coordinate the activities of trainees. The facility is designed to simulate situations that student police officers and existing officers can expect to encounter in their role as police officers. The facilities of The Scenario Village will also be utilised by other organisations.

The Scenario Village has been fenced to restrict public entry, but still allows for public viewing, in keeping with the "open educational campus" status of the overall facility.

3.2 Location of The Scenario Village

The Scenario Village is located on the south east side of the Academy site (*as shown on Figure 1*). The report by Gabriels Environmental Design (1999), identified the areas most affected by the noise from The Scenario Village as the Edith Cowan University student accommodation (located at approximately 70m from The Scenario Village) and the new residential development located across Lakeside Drive (at approximately 70m from The Scenario Village). Construction of houses has commenced in this residential area, however, at the time of this report no houses were ready for occupancy.

3.3 Noise Emissions from The Scenario Village

The report by Gabriels Environmental Design (1999), considers the noise emissions from typical activities of the existing WA Police Academy in Maylands. The report identifies significant noise sources associated with currently planned activities by the Academy as shouting, loud radios (simulating noisy parties), barking dogs and the discharge of firearms (including simmunition and the firing of blank ammunition). The report does not consider the likely emissions from other possible (non-Police) users of the facility.

The report predicts noise levels at the nearest residences and the student accommodation based on noise measurements performed at the existing Academy. The report predicts noise levels at these locations that will be significantly above the assigned levels, as specified in the *regulations*, particularly during the evening and night time periods. Details of the assigned noise levels for the nearby premises are given in Table 1.

Type of premises receiving noise	Time of day	Assigned level (dB)		
		L _{A 10}	L _{A 1}	L _{A max}
Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday	45	55	65
	0900 to 1900 hours Sunday and public holidays	40	50	65
	1900 to 2200 hours all days	40	50	55
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35	45	55
Noise sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	60	75	80

TABLE 1: Assigned Noise Levels For Noise Sensitive Premises in the Vicinity of The WA Police Academy

Table 2 details the predicted noise levels due to typical activities at The Scenario Village, as predicted in the report by Gabriels Environmental Design (1999).

The EPA notes that as an educational institution, the noise from voices and dogs is included under the *exempt noise* as listed in Schedule 2 of the *regulations*, and as such the assigned noise levels do not apply, except in the circumstances as specified in noise regulation 16 part (5)(c). However, the noise from radios, simmunition and shotgun blanks is from “mechanical equipment” and is therefore not *exempt noise*.

The table does not show levels adjusted for the presence of tonality or impulsive characteristics. It is predicted that the noise from shot guns and simmunition would contain impulsive characteristics at the receiving premises, as specified in the *regulations*, and would therefore require an adjustment of +10dB(A) to the predicted noise levels, as shown in Table 2.

<i>Activity</i>	<i>Predicted Noise Level (without adjustments) at Residences and Student Accommodation</i>	<i>Assigned Noise Level Day</i>	<i>Assigned Noise Level Evening</i>
Shouting (1)	L _{A 10} 51dB(A)	45dB(A)	40dB(A)
Loud Radio	L _{A 10} 52dB(A)	45dB(A)	40dB(A)
Dogs (1)	L _{A 1} 73dB(A)	55dB(A)	50dB(A)
Simmunition	L _{A max} 70dB(A)	65dB(A)	55 dB(A)
Shot Gun Blanks	L _{A max} 88dB(A)	65 dB(A)	55 dB(A)

Note (1): Assigned noise levels only apply under certain circumstances, as per regulation 16, part (5)(c).

TABLE 2: Predicted Noise Levels at Residences at the South East End of Lakeside Drive, and ECU Student Housing Overlooking The Scenario Village (from Report, WA Police Academy, Environmental Noise Emission, Gabriels Environmental Design, 1999).

The report by Gabriels Environmental Design (1999) predicts that the noise levels further north on Lakeside Drive and protected by the Tactical Training Building will be approximately 5 to 6dB(A) lower than the levels shown in Table 2. The noise levels at the main body of student accommodation will be approximately 3 to 4dB(A) lower than shown in Table 2. The report did not identify the boundary of the area where noise emissions were expected to exceed the assigned levels as specified in the *regulations*.

From the information available in the report by Gabriels Environmental Design (1999), the EPA considers that the most significant noise issues for the residences and student accommodation are associated with the use of firearms (simmunition, shot guns and other firearms). The predicted level of exceedance in the L_{A max} level for the use of firearms is in the range 25dB(A) to 43dB(A) during the evening period, with the adjustment of +10dB(A) for impulsive noise included.

While some of the activities within The Scenario Village will occur within the buildings, it is expected that a significant portion of the activities associated with high noise emissions will occur outdoors within the confines of the village. The levels predicted in Table 2 are for activities conducted outdoors.

The report by Gabriels Environmental Design (1999), detailed the predicted frequency of the high noise training activities at the time the report was prepared. The current advice from the Western Australia Police Service is that The Scenario Village is a new training facility and they

are not able to give a reliable indication of the expected frequency of high noise activities. The current situation is that simmunition has not been utilised in training for some time, and the discharge of any firearm would be rare at the Academy outside the confines of the Rifle Range. However, the Police consider it is necessary to retain the option of use of firearms in training activities.

Given the above information, and the likelihood that the facility will be used by other agencies, the EPA considers that there is insufficient information to make a detailed assessment of the extent to which noise emissions from the activities of The Scenario Village may exceed the prescribed standard. However, the EPA considers that exceedances are likely to occur at times. The EPA considers that the impact of the noise emissions will need to be managed effectively by the Western Australia Police Service to minimise the impact on the affected stakeholders.

3.4 Noise Control Options

The Western Australia Police Service has undertaken to prepare a noise management plan for all potentially high noise activities, within the area of The Scenario Village. The Police are proposing that a noise management plan for an activity will include an assessment of the noise that will be generated during the activity, what alternatives have been considered to reduce the noise, justification for conducting the activity outdoors, the timing of the activity, the duration of the activity, and the learning outcomes from the activity.

The Academy has considered options for noise control of general sources associated with Police training activities within The Scenario Village. These include:

- Shouting: Limiting the duration of the event.
- Loud Radios: Radios to be located inside a building where possible.
Radios to have no significant bass response.
- Dogs: The dogs will be located in cages that are to be well screened from the residential area and student accommodation where possible.
- Simmunition: This is currently not in use at the Maylands Academy.

The Police have reported efforts to reduce the noise level from firearms fired with blanks. However, no test data is available to support this case.

The EPA considers that, even with these noise control options included, the noise emissions are at times likely to be in exceedance of the prescribed standard for noise emissions specified in noise regulation 7.

3.5 Assessment of Noise Emissions

From the information available in this case, the EPA makes the following comments in relation to the likely impacts of the noise emissions:

1. There is limited information available upon which to base an assessment of the extent to which noise emissions may exceed the prescribed standard as a result of training activities run by the Western Australia Police Service at The Scenario Village. However, it is clear that exceedances will occur at times.
2. There is a likelihood that the activities of other (non-Police) users of the facility will also cause exceedances of the prescribed standard at times.
3. The nature of the training activities envisaged is such that there is scope to minimise noise emissions through the implementation of practical noise controls and careful management of the activities. However, such measures are not likely to achieve compliance at all times.
4. The obvious presence of police officers in the neighbourhood is likely to be welcomed by the community, and may lead to a greater acceptance of the facility than its noise emissions alone may indicate.
5. Police training is an integral part of the provision of an effective Police service to the wider community, and may be considered an essential activity which should not necessarily be constrained to comply with the noise regulations.

The EPA therefore considers that the noise impacts of the Academy are manageable to an extent that residual impacts should be acceptable to the community. This will require a general noise management approach by the Police, rather than adherence to a prescriptive set of conditions.

4.0 NOISE MANAGEMENT

4.1 Noise Management Strategy

The EPA recommends that the noise emissions from The Scenario Village at the WA Police Academy are managed using a Ministerial Exemption Order, under Section 6 of the *Environmental Protection Act 1986*, in preference to an Approval Notice under noise regulation 17. This advice is provided with consideration of the following factors, in addition to those in section 3.5 above:

- The stakeholder consultation with affected residents that is a normal requirement for a regulation 17 assessment, would be of limited value if conducted at the present time due to the lack of residential premises that are currently occupied.
- The Police are unable to give a reliable indication of the expected frequency of high noise activities at the time of preparation of this advice.
- Noise control at the Police Academy needs to be undertaken by an overall noise management approach rather than specifying a set of prescriptive conditions.

The EPA considers that a Ministerial Exemption Order should be subject to a number of Conditions that are in keeping with requiring an overall noise management approach, rather than a set of prescriptive conditions. In relation to non-police activities at The Scenario Village, the EPA considers that noise emissions should be managed through a requirement that a noise

management plan is provided by the other users to the Academy prior to the activity commencing, and that the Western Australia Police Service retain responsibility for the noise emissions at all times. The EPA notes that some noises from The Scenario Village including noise of dogs and voices are included as *exempt noises* listed in Schedule 2 of the *regulations* and could be regulated under noise regulation 16. However, the EPA considers that it would be preferable for the proposed Ministerial Exemption Order to cover all noise emissions from The Scenario Village.

4.2 Stakeholder Consultation

The major noise-sensitive stakeholders affected by noise emissions from the activities of The Scenario Village, identified in the report by Gabriels Environmental Design (1999), were the Edith Cowan University student accommodation and the residential area to the north east of the village (approximately twenty lots). The residential area has been released for development and houses are currently under construction, with some houses nearing completion. (*Refer to Figure 2 showing the location of the residential lots and the student housing.*)

Other stakeholders include the neighbouring West Coast College of TAFE, and the City of Joondalup, who have delegated powers to deal with noise issues under the regulations.

Preliminary consultation with the affected stakeholders was conducted on 17 December 2001 (record of meeting is contained in Appendix 2). In this meeting the Police provided an overview of the facility and the proposed noise management plan was outlined. The City of Joondalup represented the future occupiers of residential premises. The key outcomes from this meeting were:

- The stakeholders did not raise any major concerns with the proposed noise management strategy of a Ministerial Exemption under section 6 of the Act or the proposed draft conditions of the exemption order.
- Stakeholders agreed with the requirement that the noise management strategy should be reviewed after a period of twelve months. The requirement for subsequent reviews should be addressed at this point.
- Concern was expressed that the Academy should remain responsible for the noise management when the site is utilised by other organisations.

The City of Joondalup expressed concern that they should not be required to become involved in complaints where they would have no jurisdiction in achieving any outcome for a complainant. The EPA considers that this issue can be resolved administratively between the City of Joondalup, the Police and the DEP.

The comments of stakeholders have been taken into consideration as far as reasonably practicable in development of the following Conditions.

4.3 Recommended Conditions

The EPA recommends that the Exemption Order be subject to a set of Conditions, the purpose of these Conditions being to put in place a comprehensive Noise Management Plan to address noise emissions from The Scenario Village. These Conditions would be as follows:

1. The Western Australia Police Service shall be required to implement all reasonable and practicable measures to reduce noise emissions which would exceed the prescribed standard for the emission of noise from premises;
2. The Western Australia Police Service shall be required to engage in community consultation with occupiers of premises (or their representative) that are subject to noise emissions resulting from the activities of The Scenario Village which are in excess of the prescribed standard.

3. The Western Australia Police Service shall implement a noise complaint response program. This shall include, but not be limited to, a telephone service attended by an operator at all times, where practicable, when training is in progress at The Scenario Village. This shall be implemented prior to commencement of activities that will result in noise emissions in excess of the prescribed standard.
4. The Western Australia Police Service shall implement a noise monitoring program to provide a representative assessment of noise levels at noise-sensitive premises resulting from activities at The Scenario Village where those noise levels are likely to be in excess of the prescribed standard. The monitoring shall be undertaken by a competent person.
5. The Western Australia Police Service shall be responsible for the noise emissions from The Scenario Village at all times. In the case of training activities run by agencies other than the Western Australia Police Service, a noise management plan shall be submitted to the Western Australia Police Service prior to the commencement of the activity, or if this is not practicable in exceptional circumstances, notification shall be provided to the Director within 30 days after commencement of the activity.
6. The Western Australia Police Service shall prepare an annual noise management report to be submitted to the Director within one month of the end of each Year of the approval, or by such other date as may be approved by the Director. This report shall include a report on the overall Noise Management Plan of the facility, and the details to substantiate that conditions (1), (2), (3), (4) and (5) have been implemented.
7. The Minister shall retain the right to review the Order and the conditions of the Order at all times. The Minister should conduct a review the operation and effectiveness of the Order after a period of twelve months from commencement of the Order.

4.4 Explanation of Conditions

The conditions as specified will require the implementation of an overall Noise Management Plan to address the noise emissions from The Scenario Village. The non-prescriptive style will allow for flexibility in the details of the Noise Management Plan, allowing it to be modified to respond to Community and Police requirements. The Police accept that this does not diminish the requirement to ensure effective noise management.

As a guide to the measures needed to satisfy compliance with the Conditions, the EPA envisages that the Noise Management Plan should include, but should not be limited to, the following:

Condition 1 – Requirement to implement all reasonable and practical measures to reduce noise:

- a) The identification of sources/equipment resulting in high noise levels.
- b) The investigation of methods of reducing noise from equipment, and the use of alternative lower noise equipment. This should be performed on an ongoing basis.
- c) Where reasonable and practical, modifying programs and activities to reduce noise, where the noise associated with the program or activity results in noise emissions that exceed the prescribed standard.
- d) The preparation of a noise management plan for each type of activity prior to commencing the activity, to ensure that the above points are considered.
- e) The education of trainers and program developers on the requirement to minimise noise emissions from activities, where it is reasonable and practicable.

Condition 2 - Requirement to engage in community consultation:

- a) The formation of a community liaison group coordinated by the Western Australia Police Service consisting of occupiers of residential premises, Edith Cowan University, West Coast College of TAFE and the City of Joondalup.
- b) The creation of an awareness in the community of the broad training activities conducted at The Scenario Village, including non-Police activities.
- c) Notifying the community of special training events likely to result in high noise levels from The Scenario Village, except where there are operational implications of notifying the public. (Special training events is here considered to mean training activities outside normal training activities, occurring outside typical training hours, and/or involving use of high noise equipment in a manner that is not typical of the normal training activities).

Condition 3 - Complaint Response Program:

- a) The implementation of a complaint response program, prior to commencement of activities that will result in noise emissions in excess of the prescribed standard.
- b) The provision of a telephone link in the control room of The Scenario Village that community members can telephone for current information from an operator; and to register a complaint, to be attended at times when the noise emissions from The Scenario Village are likely to exceed the prescribed standard.
- c) A procedure for responding to complaints received by the Western Australia Police Service. The procedure should set down ways of responding to complaints and identify possible measures to reduce the noise impact for future training activities.

Condition 4 - Noise Monitoring Program:

- a) The implementation of a noise monitoring program to assess typical noise levels at premises affected by noise emissions from activities at The Scenario Village. Measurements should be performed for the range of high noise activities of The Scenario Village.
- b) An assessment to determine the extent of the residential premises that experience noise levels above the prescribed standard.
- c) The implementation of a noise monitoring program to assess the typical ambient noise levels when the activities of The Scenario Village are not impacting on the surrounding community.

Condition 5 - Requirement for the Western Australia Police Service to be responsible for the noise emissions from The Scenario Village at all times.

- a) The Police should accept responsibility for the noise emissions when other organisations are utilising the facilities of the Academy.
- b) The Police should work with other organisations to ensure that all reasonable and practical measures to reduce noise emissions are implemented.
- c) In the case of other organisations using the facility, and where noise emissions may be in excess of the prescribed standard, the Police are required to ensure that an effective noise management plan is in place prior to the commencement of the activity. A noise management plan submitted under this condition is to include, but is not limited to -
 - details of, and duration of, activities at The Scenario Village likely to result in noise emissions that would fail to comply with the prescribed standard;
 - predictions of noise emissions of activities at The Scenario Village;
 - details of measures to be implemented to control noise emissions;
 - procedures to be adopted for monitoring noise emissions; and
 - complaint response procedures to be adopted.

Condition 6 - Noise Management Progress Report:

Preparation of a report on an annual basis detailing the overall noise management plan and an assessment of its effectiveness. The report should include a response on Conditions (1), (2), (3) (4) and (5), and include:

- a) Summary details of training events held over the year, including the frequency, duration and time of day of the high noise activities.
- b) Investigations of noise reduction measures, details of implementation of noise reduction measures and an assessment of the effectiveness of any measures introduced.
- c) Noise management measures for key high noise activities.
- d) Summary of community consultation performed throughout the year and feedback from the community on concerns and problems associated with the Noise Management Program.
- e) Summary of noise complaints received (number and details) and details of responses to complaints.
- f) Details of the noise monitoring from the activities of The Scenario Village. This should include a range of noise levels associated with activities from The Scenario Village (as measured at the affected noise-sensitive premises), and details of the activities monitored.
- g) Details of proposed modifications to the Noise Management Plan, with particular reference to Community Consultation and the Complaint Response Program. Modifications should be discussed and justified in terms of the effectiveness of the current program and feedback from the community consultation groups.
- h) Copies of noise management plans submitted by non-Police agencies using the facility, and comments on their effectiveness.
- i) Assessment of any proposed changes to the training program activities (or use of the facility from other organisations or agencies) that might result in a change in the noise impact on the community, in terms of increased noise levels, increased frequency of high noise levels, or the time of day of the events. (If there is to be a significant change in personnel of the Academy, then training requirements of new personnel should be addressed.)

Note that it is not envisaged that the details of the activities listed above will be included in the Order, but are to be used as a guide to compliance with the general Conditions of the Order.

5.0 CONCLUSIONS

In relation to the application by the Western Australia Police Service under regulation 17 of the *Environmental Protection (Noise) Regulations 1997* to allow the emission of noise from the WA Police Academy, Joondalup to exceed the prescribed standard for noise emissions under regulation 7, the EPA concludes that –

1. Noise emissions from the Firing Range and the Parade Ground should be manageable under the regulations, without the need for a regulation 17 approval.
2. Notwithstanding the limited information available, noise emissions from The Scenario Village are likely to exceed the prescribed standard for noise emissions, even with the implementation of reasonable and practicable controls over the training activities.
3. There is a likelihood that the activities of other (non-Police) users of The Scenario Village will also cause exceedances of the prescribed standard at times.
4. The obvious presence of police officers in the neighbourhood is likely to be welcomed by the community, and may lead to a greater acceptance of the facility than its noise emissions alone may indicate.

5. Police training is an integral part of the provision of an effective Police service to the wider community, and may be considered an essential activity which should not necessarily be constrained to comply with the noise regulations.
6. The noise impacts of the Academy are manageable to an extent that residual impacts should be acceptable to the community. This will require a general noise management approach by the Police, rather than adherence to a prescriptive set of conditions.

In view of the above, and in consideration of the commitments given by the Western Australia Police Service to effective management of noise emissions from the Academy through an overall Noise Management Plan involving -

- implementing all reasonable and practical noise controls;
- engaging in community consultation;
- implementing a complaint response program;
- implementing a noise monitoring program;
- accepting overall responsibility of all noise emissions from the site; and
- preparing an annual noise management progress report detailing the overall noise management plan and its effectiveness,

it is the EPA's opinion that exemption from the prescribed standard for noise emissions should be granted in this case, subject to Conditions which reflect the above commitments.

Turning to the specific application under Noise Regulation 17, the EPA considers that noise emissions can be more effectively managed under an Exemption Order granted under section 6 of the Act rather than under a noise regulation 17 approval.

This advice is provided with consideration of the following factors:

- The stakeholder consultation with affected residents that is a normal requirement for a regulation 17 assessment, would be of limited value if conducted at the present time due to the lack of residential premises that are currently occupied.
- The Police are unable to give a reliable indication of the expected frequency of high noise activities at the time of preparation of this advice.
- Noise control at the Police Academy needs to be undertaken by an overall noise management approach rather than specifying a set of prescriptive conditions.

The EPA's advice is that the noise management strategy and the conditions should be reviewed after a twelve month period of operation; and the requirement for on going review assessed.

6.0 RECOMMENDATIONS:

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

1. That the Minister notes that this report is in response to an application by the Western Australia Police Service under regulation 17 of the *Environmental Protection (Noise) Regulations 1997* to allow the emission of noise from the WA Police Academy, Joondalup, to exceed the prescribed standards for noise emissions.
2. That the Minister notes that the EPA considers that the noise emissions from The Scenario Village at the Academy are likely to exceed the prescribed standards but are capable of being managed so as to minimise the impact on stakeholders to an acceptable level, providing there is satisfactory implementation of the recommended Conditions set out in Appendix 3.
3. That the Minister notes that the EPA consider that the appropriate mechanism for management of the noise emissions from the WA Police Academy is an Exemption Order under section 6 of the *Environmental Protection Act of 1986* in preference to a an approval under noise regulation 17 to vary the assigned noise levels.
4. That the Ministers does not grant an approval under noise regulation 17, but grants an Exemption Order under section 6 of the *Environmental Protection Act 1986*, in accordance with the preliminary drafting instructions set out in Appendix 3.

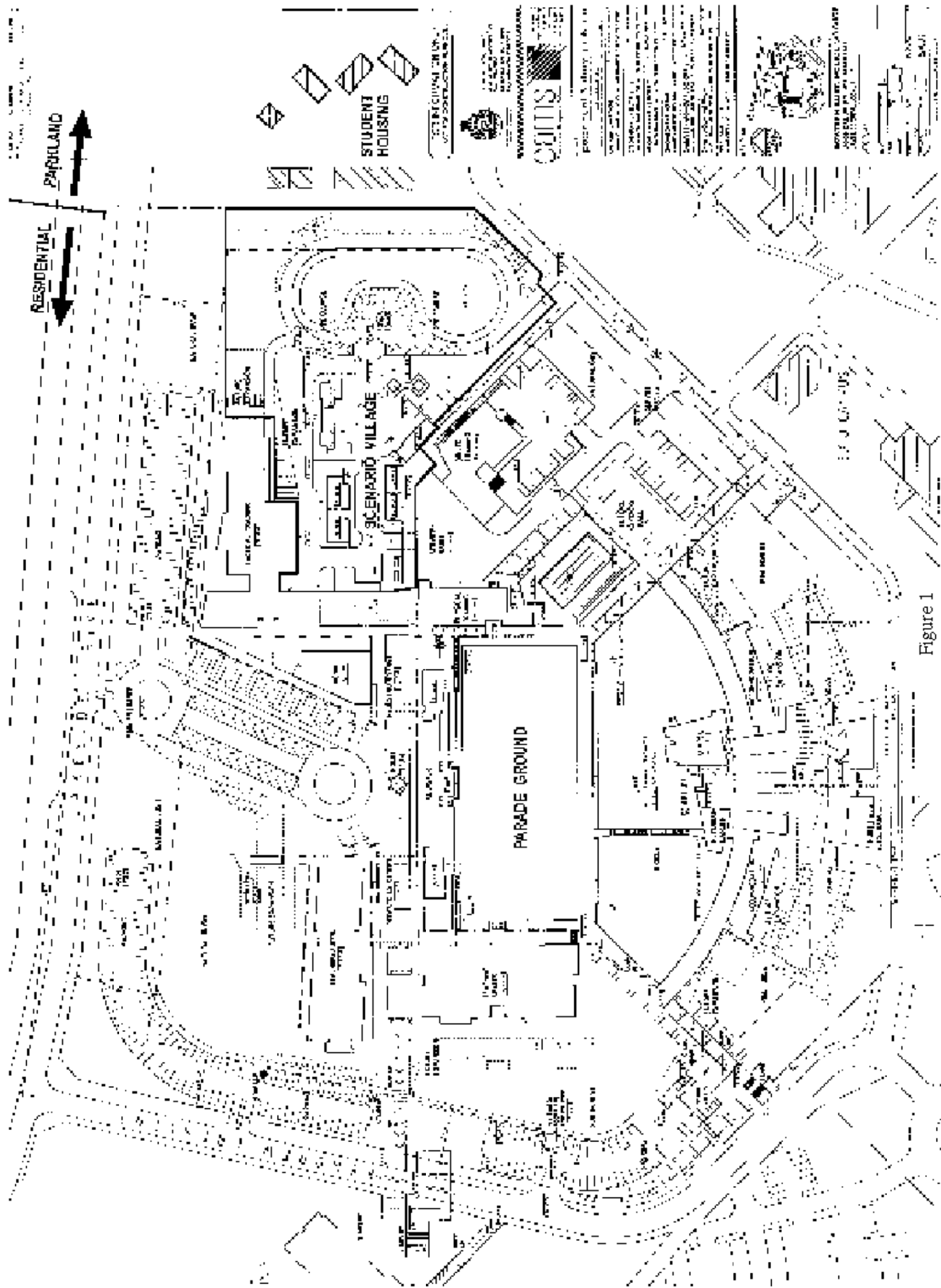


Figure 1

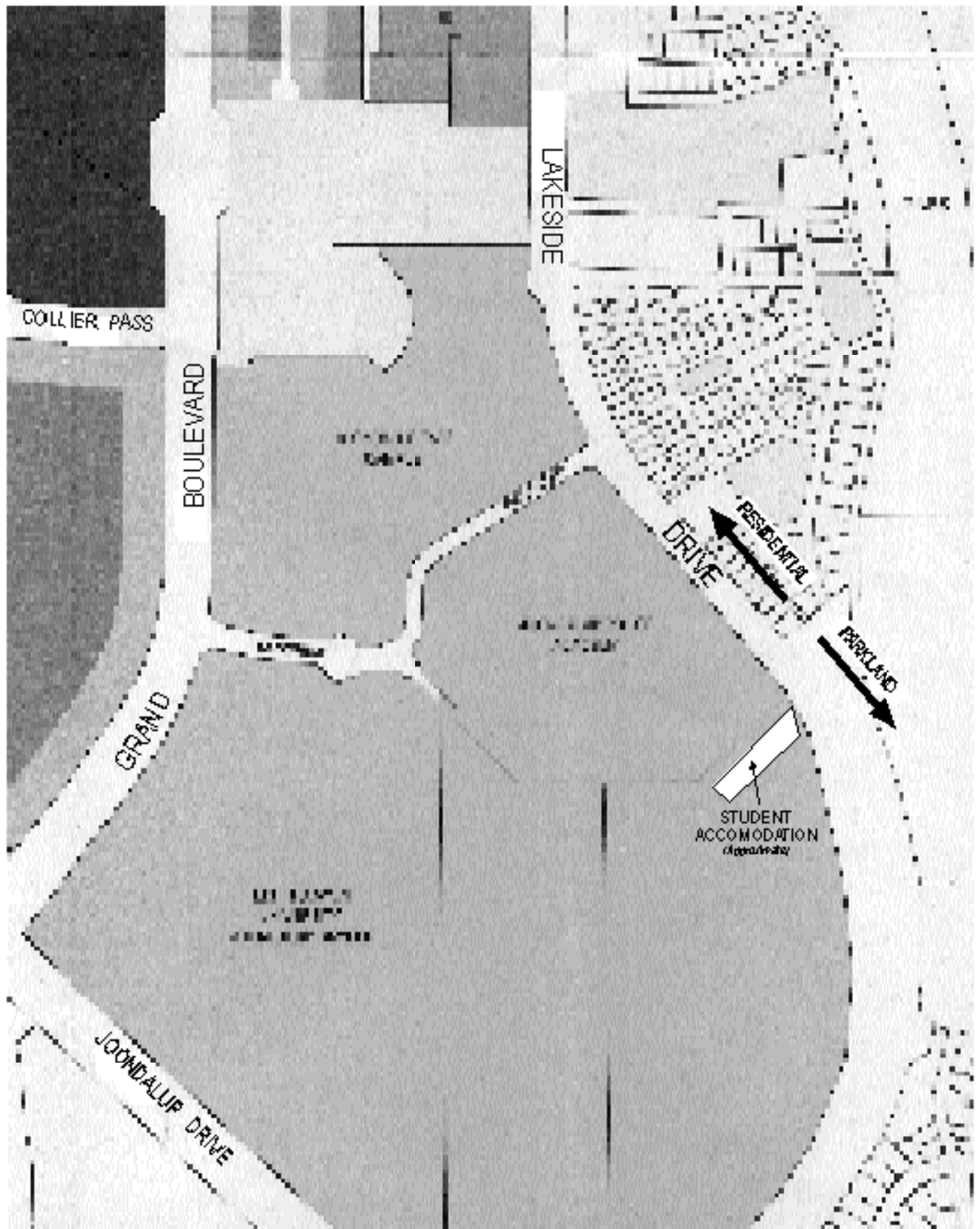


Figure 2

Source: This figure has been taken from part of a map produced by the City of Jockaling Urban Design and Policy Series.

APPENDIX 1

Referenced Document

APPENDIX 1

References:

Gabriels Environmental Design, *WA Police Academy, Review of Environmental Noise Emission*, 3 September 1999,

Western Australia Police Service, *Fax of 29 November 2001 providing general information on the new WA Police Academy at Joondalup.*

Record of Meeting, Key Points, 17 December 2001.

APPENDIX 2

Key Points from Meeting with Stakeholders (17 December 2001)

Record of Meeting

Project: Joondalup Police Academy, Noise Management Strategy

Present: Chris Dawson (Police), Alf Fordham (Police), Michael Webster (Police), John Haynes (ECU), Steve Longley (TAFE), Alison Edmunds (Joondalup Council); Peter Popoff-Asotoff (DEP), Sonya Derry (DEP)

Date: 17 December 2001

Location: Edith Cowan University, Joondalup

Key Points:

- WA Police Service have applied for an application under noise regulation 17 to vary the assigned noise levels. The key area of concern for high noise emissions from the Academy is the activities of the area known as Scenario Village. Other areas associated with high noise activities include the rifle range (acoustically treated) and the parade ground. The DEP are recommending that a Ministerial Exemption order is granted in place of an approval under noise regulation 17 (*S. Derry*).
- Overview of activities of Joondalup Police Academy, with a particular focus on the activities of the area known as Scenario Village. (*Chris Dawson & Alf Fordham*).
Points included:
 - Police have an excellent relationship with the neighbours at the existing Maylands Academy.
 - Facility is primarily intended for WA Police training. Police will hire or allow other organization to use the facilities.
 - Facilities intended for training of police recruits and existing officers. The facility is designed to simulate situations that student police officers can expect to encounter in their role as police officers.
 - The facility is not designed for training in the use of explosives for high risk entry. Other premises are used for these types of training.
 - Examples of training activities include: (a) noise party with a small stereo to train the police officer in the legality of dealing with a noisy party; (b) domestic violence situations to train police officers how to deal with this situation; (c) containing evidence at a crime scene etc
 - Academy is not currently using simmunition in training activities. Very limited use of firearms outside of the firing range in police training. Firing a gun is a last resort for police officers. Training them to look for alternatives to resolve the situation.
 - Typical noises from Scenario village include raised voices, barking dogs (6 occasions for the next year) and music etc.
 - Proposing that civil disorder training is performed away from the Academy site although some disorder training will be required on site.
 - Police Academy hours of operation 7am to 11pm, Monday to Friday. The Academy may on occasion operate on the weekend.

- Police expressed their commitment to effective noise management of the facility.
- Outline of the noise management strategy as a Ministerial Exemption Order under section 6 of the EPA act, and the proposed conditions of the order (as per attached sheet). (*S. Derry*)
 - DEP proposing that the conditions of the exemption order are in keeping with requiring an overall noise management approach, rather than detailed prescriptive conditions.
 - Intention is that the order will be written so that the Police do not inadvertently breach conditions.
 - An advantage of a less prescriptive order is that it is more flexible for the stakeholders and the Police.
 - Propose that the noise management strategy and conditions are reviewed after twelve months of the approval.
- Advised by *Mike Webster* that Landcorp made it clear when selling the affected residential land, that the Police Academy was opposite. In addition, Police (*Chris Dawson & Alf Fordham*) advised that they had a street sign advising the residents that they were relocating into the area. The sign was on the corner of Kendrew Crescent and Lakeside Drive.
- Request from ECU that high noise police training is not planned at the end of semesters when students are studying and preparing for exams. (*John Hayes*) The Police agreed to consider this request in their training requirements providing ECU provided the details of the timing. (*Chris Dawson & Alf Fordham*)
- Police requested on going support for noise monitoring by Joondalup Council and the DEP. The Council advised that it was not sufficiently resourced and did not consider it within their scope of responsibility (*Alison Edmunds*). The DEP (*S Derry and Peter Popoff-Asotoff*) commented that the DEP was not sufficiently resourced, nor did we see it was appropriate for the DEP to become directly involved in the noise management of the site. The DEP needed to be impartial and seen to be impartial by the residents. The DEP suggested that the Police would need to seek the services of an acoustic consultant for assistance.
- Discussion on the issue of Police hiring or loaning the facility out to other organisations. This raised concerns in terms of noise management of the facility, unless the Police retained the responsibility for the noise management.

OUTCOMES:

- The stakeholders did not raise any major concerns with the proposed noise management strategy of a Ministerial Exemption under section 6 of the EPA act or the proposed draft conditions of the exemption order.
- Stakeholders agreed with the requirement that the noise management strategy should be reviewed after a period of twelve months. The requirement for subsequent reviews should be addressed at this point.
- Concern that the WA Police Academy remains responsible for the noise management when the site is hired to other organisations.

APPENDIX 3

Exemption Order Drafting Instructions – Preliminary Draft

PRELIMINARY DRAFTING INSTRUCTIONS FOR EXEMPTION ORDER

In Relation to Noise Emissions from the WA Police Academy, Joondalup.

AUTHORITY:

The Order would be made by the Minister for the Environment under section 6 of the *Environmental Protection Act 1986*.

CITATION:

The Order may be cited as the *Environmental Protection (WA Police Academy) Exemption Order 2002*.

INTERPRETATION:

The following terms may need definition:

“**The WA Police Academy**” means the premises of that name in the City of Joondalup, and within the campus of the Edith Cowan University, as indicated on the site plan;

“**commencement**” means the day on which the Order comes into operation;

“**competent person**” means a person who is –

- a corporate member of the Australian Acoustical Society (A.B.N. 28 000 712 658);
- an authorised person or Inspector appointed under the Act; or
- approved by the Director for the purposes of this Order.

“**Director**” means the Director of the Environmental Regulation Division, Department of Environmental Protection;

“**regulations**” means the *Environmental Protection (Noise) Regulations 1997*;

“**The Scenario Village**” means the area of **The WA Police Academy** as indicated on the site plan;

“**noise-sensitive premises**” has the same meaning as in the regulations; and

“**prescribed standard**” has the same meaning as in subregulation 4 (1).

BACKGROUND:

The WA Police Academy is located on Lakeside Drive, Joondalup. The activities of an area of the WA Police Academy site, known as The Scenario Village, will result in noise emissions that exceed the assigned levels under the *regulations*.

The Order is made in recognition of the background circumstances that:

- The WA Police Academy site has been collocated within the Joondalup Educational precinct with West Coast College of TAFE and Edith Cowan University.
- The concept of The Scenario Village within the WA Police Academy is new to police training in Western Australia. As a result, the Western Australia Police Service are largely unsure of how the facility will operate and are unable to give a reliable indication of the expected frequency of high noise activities.
- Effective Police training is essential for the community and the Police should be given a reasonable time period to develop training activities and reduce the noise emissions.
- At the time of the Order, the majority of residential premises adjacent to the WA Police Academy that are expected to be affected by noise emissions from the Academy, were not ready for occupancy. Community consultation will be of greater value in the medium term with the occupiers of affected residences.
- The Western Australia Police Service has given an undertaking to give consideration to the concerns of stakeholders and to effectively manage noise emissions from the Academy in accordance with the Conditions in the Schedule to the Order.

PROPOSAL TO REVIEW:

The Minister proposes to review the operation and effectiveness of the Order after a period of twelve months from the commencement of the Order. The Minister would retain the right to review the Order at any time.

APPLICATION OF ORDER:

The order should apply to the WA Police Academy –

- only while the Western Australia Police Service are the occupiers of the WA Police Academy;
- only in respect of activities conducted under the control of the Western Australia Police Service (whether or not those activities are run by the Police or by others by arrangement with, and therefore under control of, the Police); and
- only from the area of the WA Police Academy known as “The Scenario Village”.

DECLARATION OF EXEMPTION AND REQUIREMENT TO COMPLY:

- (1) Part V of the Act and the *Environmental Protection (Noise) Regulations 1997* would be declared not to apply to the noise emitted from the activities occurring within the area of the WA Police Academy known as The Scenario Village.
- (2) The declaration under subclause (1) would be subject to the Conditions which would be set on an attached “Conditions of Exemption”.
- (3) The Western Australia Police Service, as the occupier of the WA Police Academy, is the agency required to comply with the Conditions specified in the Schedule.

CONDITIONS OF EXEMPTION:

The Order should be subject to the following Conditions which may be specified in a Schedule to the Order –

1. The Western Australia Police Service shall be required to implement all reasonable and practicable measures to reduce noise emissions which would exceed the prescribed standard for the emission of noise from premises;
2. The Western Australia Police Service shall be required to engage in community consultation with occupiers of premises (or their representative) that are subject to noise emissions resulting from the activities of The Scenario Village which are in excess of the prescribed standard.
3. The Western Australia Police Service shall implement a noise complaint response program. This shall include, but not be limited to, a telephone service attended by an operator at all times, where practicable, when training is in progress at The Scenario Village. This shall be implemented prior to commencement of activities that will result in noise emissions in excess of the prescribed standard.
4. The Western Australia Police Service shall implement a noise monitoring program to provide a representative assessment of noise levels at noise-sensitive premises resulting from activities at The Scenario Village where those noise levels are likely to be in excess of the prescribed standard. The monitoring shall be undertaken by a competent person.
5. The Western Australia Police Service shall be responsible for the noise emissions from The Scenario Village at all times. In the case of training activities run by agencies other than the Western Australia Police Service, a noise management plan shall be submitted to the Western Australia Police Service prior to the commencement of the activity, or if this is not practicable in exceptional circumstances, notification shall be provided to the Director within 30 days after commencement of the activity.
6. The Western Australia Police Service shall prepare an annual noise management report to be submitted to the Director within one month of the end of each Year of the approval, or by such other date as may be approved by the Director. This report shall include a report on the overall Noise Management Plan of the facility, and the details to substantiate that conditions (1), (2), (3), (4) and (5) have been implemented. The report shall include, but not be limited to –
 - summary details of training events held over the year, including the frequency, duration and time of day of the high noise activities;
 - details of noise reduction measures investigated and/or introduced;
 - details of noise management measures for high noise activities;
 - summary of community consultation activities;
 - summary of noise complaints received and responses to complaints;
 - details of the noise monitoring from the activities of The Scenario Village;
 - details of proposed modifications to the overall Noise Management Plan;
 - copies of noise management plans submitted by non-Police agencies using the facility; and
 - assessment of any proposed changes to the training program activities (or use of the facility from other organisations or agencies) that might result in a change in the noise impact on the community, in terms of increased noise levels, increased frequency of high noise levels, or the time of day of the events.