

**Aircraft Noise Competent Authority (ANCA)**  
**Fingal County Council**



An tÚdarás Inniúil um  
Thorann Aerárthaí  
Aircraft Noise  
Competent Authority

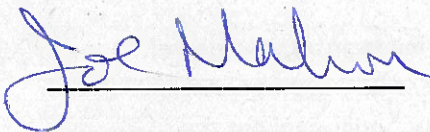
## RECORD OF CHIEF EXECUTIVE'S ORDER

**Issue of notice to applicant of proposed noise mitigation measures and operating restrictions pursuant to Section 34C(8) of the Planning and Development Act 2000.**

1. On 18<sup>th</sup> December 2020, the airport authority for Dublin Airport (daa) made an application ref. F20A/0668 (the Application) pursuant to Section 34C of the Planning and Development Act 2000 (the Act of 2000) for planning permission for the taking of a "Relevant Action" only involving the amendment of the operating restriction set out in condition no. 3(d) and the replacement of the operating restriction in condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19), as well as proposing new noise mitigation measures.
2. The Planning Authority gave a copy of the Application to ANCA on 23<sup>rd</sup> December 2020 in accordance with the provisions of Section 34C(2) of the Act of 2000.
3. By Chief Executive Order ref. ANCA\002\2021 dated 10<sup>th</sup> February 2021, ANCA determined that a noise problem would arise at Dublin Airport from the taking of the Relevant Action as proposed in the Application and commenced the process of aircraft noise regulation as required by Section 34C of the Act of 2000. The process of aircraft noise regulation in this context requires ANCA to define a Noise Abatement Objective (NAO), apply the Balanced Approach, and, subject to Section 34C(5) of the Act of 2000, make a Regulatory Decision. The Regulatory Decision either sets out the noise mitigation measures or operating restrictions (if any) that ANCA proposes to direct the planning authority to include in the planning authority's decision, if any, to grant permission pursuant to F20A/0668 or confirms that no such conditions are required to be included in the planning authority's decision.
4. Section 9(2) of the Aircraft Noise (Dublin Airport) Act 2019 (the Act of 2019) requires Fingal County Council, in its capacity as Aircraft Noise Competent Authority, to "*ensure that the Balanced Approach is adopted where a noise problem at the airport has been identified and, to that end, shall further ensure that, as appropriate: (a) the noise abatement objective is, as appropriate, defined, restated or amended, taking into account, as appropriate, Article 8 of, and Annex V to, the Environmental Noise Directive*". That obligation reflects the obligation under Article 5(2) of Regulation EU 598/2014.
5. Having applied the Balanced Approach to the noise problem defined in Chief Executive Order ref. ANCA\002\2021, ANCA is required to inform the applicant of the noise mitigation measures and operating restrictions proposed to be required in a decision of the planning authority (if any) by the to grant the relevant application and its reasons for so proposing.

**RECOMMENDATION**

Having regard to the foregoing and the requirements of Section 34C(8) of the Act of 2000, I recommend that ANCA issues notice to the applicant, in the format attached as Appendix A (including the noise abatement objective and noise abatement objective report), on the noise mitigation measures and operating restrictions proposed to be required in a decision by the planning authority relating to the planning application F20A/0668 and the reasons for so proposing. The notice shall advise that the applicant may, within the period of not less than 4 weeks as specified in the notice, make submissions or observations on the noise mitigation measures or operating restrictions, or combination thereof, and on such reasons, including counterproposals, by notice in writing given to ANCA and copied to the planning authority.

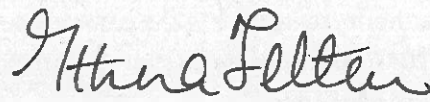


Joe Mahon  
Senior Engineer

**ORDER:**

For the reasons set out in the above recommendation of the Senior Engineer, I hereby order the issue of notice to the applicant, in the format attached as Appendix A (including the noise abatement objective and noise abatement objective report), on the noise mitigation measures and operating restrictions proposed to be required in a decision by the planning authority relating to the planning application F20A/0668 and the reasons for so proposing. The notice shall advise that the applicant may, within the period of not less than 4 weeks as specified in the notice, make submissions or observations on the noise mitigation measures or operating restrictions, or combination thereof, and on such reasons, including counterproposals, by notice in writing given to ANCA and copied to the planning authority.

Signed



Ethna Felten  
Director of Service

Date

17.09.2021

thereunto empowered by order of the Chief Executive, Fingal County Council C.E. No 7926 delegating to me all powers, functions and duties in relation to the Council of the County of Fingal in respect of this matter.



## APPENDIX A