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File 6.10.3/14

10 October 2014

Development Assessment Services  
Department of Lands, Planning and the Environment  
GPO Box 1680  
Darwin NT 0801

**Re: Subdivision application to create 5 Lots, Lot 5182 Town of Darwin  
213 Dick Ward Drive, Ludmilla.**

Your Reference: PA 2014/0745

Dear DAS

Thank you for your email of 26 September 2014 and reference to on-line exhibition material.

In July 2012 DIA provided feedback to Planit Consulting on the Master Planning for Lot 5182.

On 31 January 2014 DIA commented on a similar subdivision application (PA 2013/ 09) for Lot 5182.

It is understood that subdivision approval was refused.

The Master Lot Subdivision Plan for this current application appears identical.

All previous comments by DIA with regard aircraft noise, aircraft safety, bird and animal hazard, extraneous lighting and public safety are appended below and are still relevant

Yours sincerely

A handwritten signature in blue ink that reads "Rob Calaby".

**Robert Calaby**  
Aerodrome Safety and Standards Manager





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File 6.10.3/14

31 January 2014

Development Assessment Services  
Department of Lands, Planning and the Environment  
GPO Box 1680  
Darwin NT 0801

**Re: Subdivision Application to create 5 Lots, Lot 5182 Town of Darwin  
213 Dick Ward Drive, Ludmilla.**

Your Reference: PA 2013/0919

Dear DAS

Thank you for your email of 17 January 2014 and reference to on-line exhibition mate

In July 2012 DIA provided feedback to Planit Consulting on the Master Planning for Lc 5182 and a copy is attached.

Those comments are all still relevant and the following additional comments are made

With respect to aircraft noise the subdivision plans show that Lots 2 and 3 will fall with the 50 – 99 events zone of the Joint Civil Military N70 chart (published in the 2010 DI Master Plan).

The N70 chart is a more meaningful way of showing noise events and refers to the number of noise events (50 to 99 in a typical day in this case) greater than 70 dB (A) is described as a noise event likely to disturb conversation inside a house with open windows.

Lot 4 and part of Lot 5 fall within the 100 – 199 events zone.

It is noted that Lot 5 remains zoned 'Restricted Development'.

The 'Conceptual Future Road Corridor' shown along the rear of Lots 1 – 3 is about 20 metres south and parallel to the extended centreline of Runway 29. Traffic on the road could be subjected to sudden and unexpected loud aircraft noise.



*Part Lot 5182, Dick Ward Drive, Town of Darwin.*

*1. The purpose of this zone is to provide for a commercial and industrial development which:*

- (a) minimises the negative impacts of being exposed to aircraft noise;*
- (b) preserves the amenity of adjoining residential areas; and*
- (c) preserves the safety and maintains the curfew free operation of the Darwin International Airport.*

*9. Building and lot designs are to demonstrate that they can be constructed to comply with:*

- (a) AS2021-2000 'Acoustics – Aircraft noise intrusion – Building siting and construction'; and*
- (b) Any applicable height provisions set out in the Defence (Areas Control) Regulations 1989.*

As noted on the attached height provisions with regard the *Airports (Protection of Airspace) Regulations 1996* also apply as do extraneous lighting, bird hazard and public safety.

Yours sincerely



**Robert Calaby**

Aerodrome Safety and Standards Manager

cc: District Aerodrome Inspector CASA – Luke Pilichiewicz  
RAAF Base Darwin – WGCDR Wesley Perrett CO 13SQN/ ABXO RAAF DAR  
SQNLDR Karen Titmuss Flight Commander 452SQN DAR FLT  
Assistant Secretary Strategic Planning and Estate Development,  
Department of Defence BP22-A005 Canberra ACT  
CEO Darwin International Airport – Ian Kew.





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File 6.10.3/13

20 July 2012

Planit Consulting by email [AdamS@planitconsulting.com.au](mailto:AdamS@planitconsulting.com.au)

Attention: Adam Smith

**Re: Master Planning Lot 5182 Town of Darwin (213 Dick Ward Drive, Ludmilla)**

Dear Adam

Michael Holmes of the Department of Lands and Planning provided links to online master plan material prepared by Planit Consulting and invited Darwin International Airport (DIA) to provide feedback.

Thank you for the opportunity to provide comment.

In June 2010 DIA objected to the proposed rezoning of land on Lot 5182 from RD (Restricted Development) to SU (Specific Use) as it was a major departure from the safety net of the restricted zone designed to protect airport operations from incompatible land use.

The original objection was on the basis of aircraft noise, aircraft safety, bird and animal hazard, extraneous lighting and airspace protection.

The original 4 June 2010 objection letter from the CEO NT Airports to Strategic Lands Planning is attached and all matters are still pertinent.

In June 2011, the Minister for Lands and Planning approved the rezoning albeit with some changes, including the removal of a proposed housing precinct.

All of the original objection criteria still apply.

The area will be subject to aircraft noise with most of Site A in the 50 to 99 N70 zone as shown on the Joint Civil-Military N70 chart in the DIA Master Plan 2010.

The N70 chart is a more meaningful way of showing noise events and refers to the number of noise events (50 to 99 in a typical day in this case) greater than 70 dB (A) and is described as a noise event likely to disturb conversation inside a house with open windows.





The master plan shows a notional access road along that eastern boundary. Traffic on that road could be subjected to sudden and unexpected loud aircraft noise.

The construction of that road with intersection on Bagot Road may have a negative effect on existing traffic flows, with intersections at Fitzer Drive and Totem Roads in close proximity.

Although aircraft crashes are rare, most occur in the take-off or landing phase of flight. With the subject land being within 1000 metres of the western end of Runway 11/29 there is an increased likelihood of an aircraft crash and consequent risk to public safety.

The Australian Government published in December 2009 a National Aviation Policy White Paper. In that paper there is a section on 'Safeguarding Airports' and refers to the Australian Government working with State and Territory Governments on a range of issues including a 'detailed examination of the implications of public safety zones in the vicinity of airports'.

Public safety zones to protect land surrounding airports are included in State Planning Policy in Queensland and exist in the US and UK.

While there is no current policy on public safety zones in the Northern Territory this could become a future planning issue.

Yours sincerely



**Robert Calaby**  
Aerodrome Safety and Standards Manager

cc: Strategic Lands Planning, Dept Lands & Planning – Mr Michael Holmes  
District Aerodrome Inspectors CASA – Mr Vas Saris, Mr Luke Pilichiewicz  
RAAF Base Darwin – SQNLDR Greg Elliot CO 13SQN/ ABXO RAAF DAR  
SQNLDR Darryl Porter Flight Commander 452SQN DAR FLT  
Assistant Secretary Strategic Planning and Estate Development,  
Department of Defence RP22-A005 Canberra ACT

**Our ref:** EN2011/0254~0230 **Your ref:** PA2014/0745

Mr Peter McQueen Chairman Development Consent Authority GPO Box  
1680

DARWIN NT 0801 Dear Mr McQueen,

**RE: PA2014/0745 – Lot 5182 Town of Darwin, Subdivision to create 6 lots**

The Northern Territory Environment Protection Authority (NT EPA) has reviewed planning application PA2014/0745 and provides the following advice.

*Contaminated land*

The planning application highlights that soils onsite are contaminated (e.g. with potential asbestos, car batteries, paints, hydrocarbons, acids). Due to the potential risks to human health the NT EPA recommends that the proponent demonstrate that the site is suitable for its proposed use. As such the NT EPA recommends the following condition be included in the development permit.

**Condition Precedent:** A qualified person, under section 68 of *Waste Management and Pollution Control Act*, must provide a Statement of Environmental Audit that the site is suitable for its intended use(s), and the statement will be complied with on completion of the permitted development. This statement will form part of this permit and must be provided to the Northern Territory Environment Protection Authority.

*Fill material*

The planning application highlights that fill will be imported for use onsite. As such the NT EPA recommends that the following conditions be included in the development permit.

**Condition:** The proponent must ensure that only clean fill (virgin excavated natural material) or inert fill is accepted and that the inert fill has been adequately assessed as being suitable for its intended use(s).

**Condition:** A qualified person, under section 68 of Waste Management and Pollution Control Act must provide a statement that any stockpile existing on the site is suitable for its intended use(s), and removed from the site if declared not suitable.

Level 2, Darwin Plaza 42 Smith Street, The Mall Darwin NT 0800 **Postal address:** GPO Box 3675 Darwin NT 0801 **Tel:** 08 8924 4218 **Fax:** 08 8924 4053 **Web:** [www.ntepa.nt.gov.au](http://www.ntepa.nt.gov.au)

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### *Dust*

The proposed stockpiles have to the potential to be sources of dust, particularly during the dry season. Should the development be approved, the NT EPA recommends that the develop permit include a condition which requires the proponent to manage dust to ensure it does not leave the site.

Yours sincerely,

Wendy Welsh Northern Territory Environment Protection Authority 10  
November 2014