

Patjarr

Layout Plan 2

Background Report

March 2013

Date endorsed by WAPC



Amendments

Amendment 1 - October 2016

Amendment 2 - January 2018

Amendment 3 - November 2020

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CONTACTS & CONSULTATION

Community Contacts

Corporation	Karilywarra Aboriginal Corporation
Chairperson	Robert Jennings
Community Manager	Mike Harper
Telephone	8956 7900
Fax	8956 7609
Email	patjarrcommunity@bigpond.com
Postal Address	Patjarr Community, PMB 141, Via Alice Springs NT 0872

PRESCRIBED BODY CORPORATE

Nominated Prescribed Body Corporate:	Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) ⁱ .
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COMMUNITY COUNCIL

Name	Elected Chairman	Members	Meetings
Karilywarra Aboriginal Corporation	Yes	4	As often as necessary

EXECUTIVE SUMMARY

Preamble

Patjarr Community is one of the most remote communities in the region. Access is via a formed road about 107 kilometres north of Warburton. A good quality landing strip provides access by air. The community has been surviving on the basis of its artists and art centre, however access to services makes it difficult to make the community sustainable. The few children in the community (varying from 3-12 children) require the school and teacher to operate.

The aging artists find it increasingly difficult to gain easy access to services for the aged.

Development at Patjarr

This Community Layout Plan includes the following development and works.

Within the next year

1. Relocation of the main entry road to provide a safer environment for community members was completed in 2008. Currently the store/shop services clash with the meeting area and basketball court. Access to fuel is also currently in conflict with shop users.
2. A reverse osmosis water treatment plant was completed in 2008.

1. BACKGROUND

Location

The community area is located about 170 kilometres north of Warburton as the crow flies, about the same distance west of Wannan.

The quality of the access road is variable (speed down to 60k/h) in places, the rest is reasonable.

Climate

Patjarr has a climate that is classified as sub-tropical by BoM. Characterised by summer rainfall and dry winters. Summers are hot, and winter mild to cool.

The following outline the recorded annual mean temperature extremes and rainfall.

Mean daily temperature ranges;

22 - 37 in summer

6 - 20 in winter

Average annual rainfall; 168mm

History

In the mid 1960's the Pintubi people from the Patjarr region were moved from their Gibson Desert Homelands by the State Government and Federal Weapons Research Establishment and relocated in surrounding communities. With other desert people, they were relocated to protect them from death or injury from the "blue streak" rocket debris, which fell over a vast area of Central Australia during the rocket research programmes of the 1960's and 70's.

After the programmes had been closed down in the late 1970s, the Desert people began to return to their homelands and to their traditional way of life.

The community was established in 1992 as an outstation for Warburton, and was incorporated in 1995.

Governance

The land is owned by the Aboriginal Lands Trust. The Shire of Ngaanyatjarraku and the Community Council determine project approval, and obtain support from Ngaanyatjarra Council as the traditional owners of the land.

Planning is determined in accordance with an adopted Community Layout Plan.

Community Layout Plan No.1 (Draft)

A Community Layout Plan (No.1) was prepared in January 2002 by Connell Wagner. Patjarr CLP No.1 was not endorsed.

2. EXISTING SITUATION

Land Tenure

The principle land holdings at Patjarr are the following Crown Land:

Crown Reserve (lot 14) 29452 leased to Community
20,600ha (approx)
ALT owned

The land tenure map clearly shows the land ownership situation at Patjarr.

Native Title

Native Title was determined in 2005 covering the majority of the Shire area and a portion of the Laverton Shire.

Justice Black determined that the Ngaanyatjarra people held NT Rights and interests to the exclusion of all others

Details on www.nntt.gov.au

NT claim encompassed several cultural groups under the umbrella of Ngaanyatjarra which included the Pintubi people who were traditionally from this area.

Access & Dedicated Roads

The road system in the locality of the community is formed gravel roads located on Crown land but not along dedicated roads. The roads are all-weather roads but can be problematic in wet weather conditions. The Shire manages and maintains these roads.

Population

The average core population has been an average of about 70, however due to the recent deaths in the region (related to the Patjarr people) some residents have relocated to Warburton, Wannan and other places. The CDAⁱⁱ has advised that there were only 8 permanent residents (presumably adults) and six students. At the time of the meeting there was a total of 30 residents due to an influx of people for the 'sorry' camp.

The 1996 Census counted 54 people (24 male and 30 female).

It was mentioned that the population may well increase if the proposed DEC regional office is established at the community. This proposal is currently under consideration by DEC.

Housing

There are 14 occupied houses in the community – and four unoccupied.

A new artist's house (LA 29) has recently been completed.

Stormwater Drainage

There is no discernable drainage in the community even though there is potential for flooding via a water way that runs from the north east to the south west through the centre of the community.

Road Layout

All community roads are informal gravel construction with formal drainage.

Community and Social Services

The existing school has one teacher and between 3 and 12 students.

The existing clinic is only staffed by a nurse for one day a week, with a monthly doctor's visit by the RFDS.

There is no police station. Warburton or Laverton station provides the service where required.

Electricity Supply

The two existing diesel power generators are adequate for the existing population; however this may be reviewed if the DEC office is established near the community.

Parsons Brinckerhoff has recently completed a detailed assessment of community services; however further details of these services will not be available until June or July 2009.

Wastewater

There is no deep sewerage in the community.

Water Supply

Water supplies for potable and domestic use are presently drawn from bore 1 and bore 2 located about 950 m west and about 800 m northwest of the Community, respectively. Both bores are fitted with solar panels and diesel genset backups. Buffer zones are considered adequate. The community now has a reverse osmosis system to ensure better quality of water by the removal of nitratesⁱⁱⁱ.

These bores supply an average of about 10KL/day to the community.

A portion of the water from the bores is treated with a central RO unit to remove nitrates and a separate 3rd pipe supplies treated potable water to school, store, office, clinic and houses.

Parsons Brinckerhoff has recently completed a detailed assessment of community services; however further details of these services will not be available until June or July 2009.

Rubbish Disposal

The existing Patjarr rubbish tip is located nearly one kilometre south of the community. The tip is community operated with assistance from the Shire for upgrades.

Also located south of the community (only about 750 metres away) is a wrecking yard mainly for old motor vehicles.

Parsons Brinckerhoff has recently completed a detailed assessment of community services; however further details of these services will not be available until June or July 2009.

Air Strip

The Patjarr Air Strip is located 1.5 kilometres east of the community.

It is a dry weather day/night unsealed gravel sheeted landing strip built to RFDS standard.

There is a single northerly runway nearly 1.8 kilometres long.

Parsons Brinckerhoff has recently completed a detailed assessment of community services; however further details of these services will not be available until June or July 2009.

Mechanical Workshop

There are two workshops in the community, one is CDEP run.

Near to the workshops is the power station and a fuel supply. The fuel supply provides Opal fuel in underground tanks and diesel in a small raised tank.

Culturally Sensitive Areas

No-go areas are shown on the CLP. These areas are well respected in the community and must be marked on the CLP. The main area is located north east of the community, near the airstrip.

Visitor Camping

A camping/visitors area has been designated resulting from community discussions. The cemetery is located about 2.3 kilometres south of the community.

3. REGIONAL TOWN PLANNING

Region Plans

There are no Regional Plans for this Region.

State Planning Policies

State Planning Policies are prepared and adopted by the WAPC under statutory procedures set out in section 26 of the *Planning and Development Act 2005*.

The WAPC and local governments must have 'due regard' to the provisions of statements of planning policy when preparing or amending town planning schemes and when making decisions on planning matters. The State Administrative Tribunal is also required to take account of statements of planning policy when determining appeals.

The following SPPs were given due regard in the preparation of CLP No.2:

- SPP 3 - Urban Growth and Management
 - SPP 3.2 - Planning for Aboriginal Communities
 - SPP 2.7 - Public Drinking Water Source
-

Land Use Buffers for Aboriginal Communities

In 2007 consultants Arup prepared the '*Land Use Buffers for Aboriginal Communities*' report on behalf of the Department for Planning & Infrastructure (DPI). The report defines minimum separation distance buffers specifically suited to the range, scale and type of infrastructure typical of remote Aboriginal communities. All buffers specified in this CLP are based on that report.

4. LOCAL TOWN PLANNING

Shire of Ngaanyatjarraku

The Shire has no Scheme.

Shire of Ngaanyatjarraku Interim Development Order No.1

A draft IDO was prepared for the Shire in 2006 following agreement that the Shire would need a Local Planning Scheme in order to properly control development - notwithstanding the land tenure status throughout the Shire.

5. COMMUNITY ASPIRATIONS

Providing sufficient standard of living for the current population of Patjarr and future residents is dependent on maintaining and improving the existing facilities and making sure that there is the right mix of housing and other uses.

There is an understanding that development of Patjarr is difficult due to the remoteness of the location from mainstream services.

The ideas for improvements to the facilities noted by the Patjarr Aboriginal Corporation when developing the Community Layout Plan are listed below.

Not all of these aspirations can be incorporated into a CLP, but have been noted as a record of a more general community improvement plan.

- 1.** That better services are provided to the community to encourage better use of the current infrastructure.
- 2.** That the DEC regional office be set up near the community.
- 3.** The construction of a reverse osmosis water treatment plant to produce better quality water supplies (now complete).

6. DEVELOPMENT PROJECTS & REQUIRED IMPROVEMENTS

Design Summary

The future plans for Patjarr are based on visits to the community and advice from relevant government agencies, including the Remote Area Essential Services Program (RAESP) managers Parson Brinkerhoff, surveyors Sinclair Knight Merz, Shire of Ngaanyatjarraku and the 2002 Connell Wagner CLP report.

The general design principles of the plan are:

1. Maintain adequate separation between incompatible.
2. Define a road network that is suitable for all uses, including water, electricity, and other services.
3. Plan for future growth by developing new residential lots.
4. Allocate land for a range of land uses that may be needed in the future.

The Patjarr Community Layout Plan No.2 shows all proposed improvements to the community. The plan is in section 9 of this report.

The following provides a brief explanation of the design principles and required improvements that are shown on the plan.

Land Tenure

No change Crown Reserve (lot 14) 29452 leased to Community
20,600ha (approx) - ALT owned

Access and Dedicated Roads

No access roads or community roads are dedicated.

Road Layout

Road alignments mostly follow used roads. New roads will need construction some time in the future.

Changes in the CLP include;

- the new entry road between the oval and power station
 - Identification of a visitor camping area.
 - Identification of a reverse osmosis water supply plant.
-

Power, Rubbish Disposal, Airstrip, Drinking Water and Clinic

Parsons Brinckerhoff has recently completed a detailed assessment of community services; however further details of these services will not be available until July 2009.

Waste Water

The majority of the community dwellings have been upgraded to septic tank and leach drain systems.

Culturally Sensitive Areas

The area in the north east of the community is the main no-go area. (see CLP).

7. CONSULTATION SUMMARY

Preparation of this Community Layout Plan is the result of consultation with the community representatives and a range of agencies, authorities, non-government organisations. This has included referral letters to the following agencies.

Organisation	Date
Community consultation includes the following;	
Visit 1	6 July 2006
Met with Christine (CDA) and Arthur Robertson (Chairman). Toured community and identified creekline 'no-go' area, arts centre etc. Funeral at Wannan meant that many community members were away. Planning principles explained etc.	
VISIT 2	24 August 2006
Met with Christine and RJ (Robert Jennings – new Chairman). Covered same ground as previous visit – no real planning issues except main entry road dissecting store from kids play area, access to power station refuelling, fuel bowsers, access to shop store. Redesign to reroute access road to south of store etc. Suggestion verbally supported.	
VISIT 3	
Met with;	
<ul style="list-style-type: none"> • Mike Harper – CDA • Robert James (RJ) - Chairman • Arthur Robinson (former chair) • Janet Jennings 	1 May 2008
Note: RJ indicated that the community Council was made up of people at the community as whatever time.	
New CDA is Sam and Denise Alafonso (6 weeks)	
Numerous telephone calls, messages and emails were made to achieve the endorsed CLP.	
Karilywarrra Aboriginal Corporation	Various, see report
Department of Indigenous Affairs	Letter dated 7 Feb 2006
<i>Advice of Act, list of sites</i>	<i>Response 24 Feb 2006</i>
Aboriginal Lands Trust	Letter dated 7 Feb 2006
Local Government	Various, see report
Main Roads WA	Letter dated 7 Feb 2006
<i>Upgrades, permits vs road reserve, mining vs roads</i>	<i>Response May 2006</i>
Department for Housing & Works	Letter dated 7 Feb 2006
Department of Education, Training & Employment	Letter dated 7 Feb 2006
Agriculture and Food Dept	Letter dated 7 Feb 2006
WA Water Corporation	Letter dated 7 Feb 2006
Conservation and Land Management	Letter dated 7 Feb 2006
<i>CALM estate received from Kalgoorlie office</i>	<i>Response March 2006</i>
Environmental Protection Authority	Letter dated 7 Feb 2006
<i>Refers to Guidance No 33 and web site</i>	<i>Response March 2006</i>
Parsons Brinkerhoff	
<i>Data on Global Groundwater</i>	April 2006
Department for Planning & Infrastructure/WAPC	Letter dated 7 Feb 2006
FESA	Letter dated 7 Feb 2006
GEDC	Letter dated 7 Feb 2006
WA Tourism Commission	Letter dated 7 Feb 2006
<i>Supports Eco tourism, Highway access, checklist</i>	<i>Response April 2006</i>
Waters and Rivers Commission	Letter dated 7 Feb 2006
Department of Industry and Resources	Letter dated 7 Feb 2006
Education Dept WA	Letter dated 7 Feb 2006
<i>Enrolment stats – no new schools in the region</i>	<i>Response March 2006</i>
City of Canning (Paul Todd EHO for Shire of NG)	March-May 2009

8. ENDORSEMENTS

ADOPTION

PATJARR

The Community Council hereby adopts the Community Layout Plan dated May 2008 (including the provisions), for the purpose of ensuring the proper and orderly planning of the community area, at the meeting of the Council held on the

..... 10TH day of OCTOBER 2008

Robert Jennings
.....
Chairperson (sign and print name)

..... 10 | 10 | 08
.....
Date

ANNETTE JONES
.....
Secretary (sign and print name)

..... 10 | 10 | 08
.....
Date

ENDORSEMENT

NGAANYATJARRAKU

The Shire Council hereby endorses the Community Layout Plan for the Community as a guide for development within the community area to ensure the proper and orderly planning of the community area, at the

..... meeting of the Council held on the
..... day of 200.....

.....
President (sign and print name)

.....
Date

.....
Chief Executive Officer (sign and print name)

.....
Date

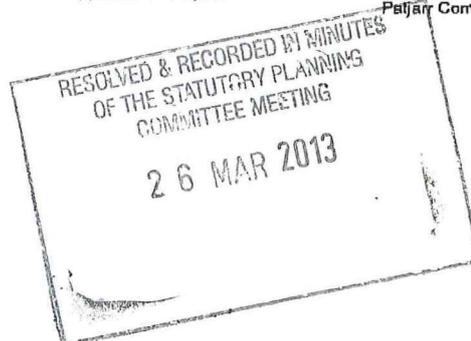
APPROVAL

WA PLANNING COMMISSION

The Western Australian Planning Commission hereby endorses the Community Layout Plan as a guide for development within the community living area.

Rosa Rigali
.....
Chairman
Western Australian Planning Commission Administration Team Leader
Perth, Peel Planning - Department of Planning

..... 2/4/13
.....
Date



10. AMENDMENTS

Patjarr Layout Plan No. 2
Amendment No. 1

Proponent : Department of Planning.
Date : 25 October 2016

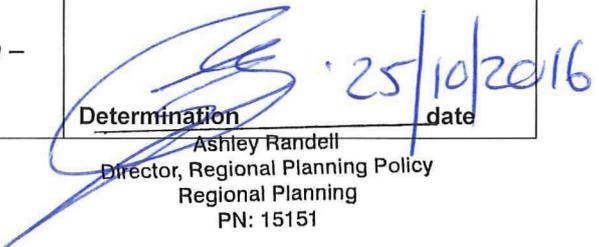
Reason for the Amendment

Subdivide SL-lot 12 into two to match the location of existing houses.

Land Identification		Amendment description
1.	SL-lot 12	Subdivide SL-lot 12 into 2; SL-lot 12 and SL-lot 112.

Endorsement:

In accordance with Planning Bulletin 108/2013 this amendment is minor in nature. As such, the endorsement of the Western Australian Planning Commission is solely required.

Determined on behalf of the Western Australian Planning Commission in accordance with the <i>Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission.</i>	 Determination _____ date 25/10/2016
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Ashley Randell
Director, Regional Planning Policy
Regional Planning
PN: 15151

Other Information:

This Layout Plan does not constitute development approval.

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, incorporated community council, native title representative body, Department of Environmental Regulation, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water.

Proponent : Department of Planning, Lands and Heritage
Date : 17 January 2018

Reason for the Amendment

The Department of Planning Lands and Heritage (DPLH) has prepared Amendment 2 to Layout Plan 2 (LP2) in response to the identification of existing development and physical features that do not match the current SL-lot framework. The amendment also includes a spatial upgrade based on new aerial imagery, and an extension of the Recommended Settlement Zone.

Land Identification		Amendment description
1	Recommended Settlement Zone (RSZ)	Update the Patjarr RSZ to the north-west, so that it is in alignment with the ALT sub-lease to Ngaanyatjarra Land Council Aboriginal Corporation
2	SL-lot 45 (cemetery)	Create a new SL road, "Second Street" to connect SL-lot 45 with Patjarr Road, based on existing track as shown in 2016 air photo
3	SL-lot 51 (bore 2)	Spatially upgrade SL-lot 51 to align with "Second Street"
4	Bore 1 located on open space west of Patjarr	Create SL-lot 60, land use classification "Public Utility", based on existing fenced bore, as identified from 2016 air photo
5	SL-lot 60	Create a new SL road, "Third Street" to connect SL-lot 60 with Second Street, based on existing track as shown in 2016 air photo

Endorsement:

In accordance with Planning Bulletin 108/2013 this amendment is minor in nature. As such, the endorsement of the Western Australian Planning Commission is solely required.

Determined on behalf of the Western Australian Planning Commission in accordance with the <i>Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission.</i>	 Ashley Randell Director, Regional Planning Policy Regional Planning PN: 15151 date
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Other Information:

This Layout Plan does not constitute development approval.

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, incorporated community council, native title representative body, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water and Environmental Regulation.

Patjarr Layout Plan No. 2

Amendment No. 3

Proponent : Department of Planning, Lands and Heritage

Date : October 2020

Reason for the Amendment

In August 2020 the Minister for Lands approved the creation of a new locality matching the extent of the 'Recommended Settlement Zone' on Layout Plan No.2 called 'Patjarr'.

In August and September 2020, the Minister for Lands approved private road names based on Layout Plan No.2, on the request of the Shire of Ngaanyatjaraku.

Land Identification		Amendment description
1.	All	Rename SL-roads to match the private road names approved by the Minister for Lands. (Attachment 1)

Endorsement:

In accordance with State Planning Policy 3.2 Aboriginal Settlements Guideline (June 2020) this amendment is minor in nature. As such, the endorsement of the Western Australian Planning Commission is solely required.

Determined on behalf of the Western Australian Planning Commission in accordance with the *Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission.*


Determination Ashley Randall
Director, Regional Planning Policy
Regional Planning
PN: 15151
9/11/2020
date

Other Information:

This Layout Plan does not constitute development approval.

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, incorporated community council, native title representative body, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water and Environmental Regulation.

Patjarr Private Road names approved by the Minister for Lands, September 2020.

See map-set for location

First Street
Jennings Street
Kurrkubitjuta Close
Minna Minna Road
Mipultjarra Drive
Patjarr Road
Second Street
Third Street
Tikatika Court
Yirralarra Street