

Burringurrah Layout Plan 2

Background Report

October 2003

Date endorsed by WAPC



Amendments

Amendment 3 - April 2013

Amendment 4 - February 2015



Department of
Planning



BURRINGURRAH LAYOUT PLAN 2

Burringurrah Layout Plan 1 was prepared in 2003 by consultants PMD. The Layout Plan was endorsed by the resident community (April 2003) and the Western Australian Planning Commission (October 2003). Amendments 1 and 2 were initiated in 2007 and 2010, respectively, but did not proceed.

The attached amendments are appurtenant to that Layout Plan.

The background report that was prepared at that time is now significantly out-of-date and has been effectively superseded by the report prepared in 2010 (attached).

AMENDMENTS

Burringurrah

Amendment 3

August 2010

Prepared by the Department of Planning in partnership with
Burringurrah Community Aboriginal Corporation

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List of Acronyms used in this Report

AACAP	ATSIC Army Community Assistance Program
ALT	Aboriginal Lands Trust
AHA	Aboriginal Heritage Act (WA) 1972
ATSIC	Aboriginal and Torres Strait Islander Commission
BCAC	Burringurrah Community Aboriginal Corporation
CDEP	Community Development Employment Program
CLP	Community Layout Plan
DoH	Department of Housing
DIA	Department of Indigenous Affairs
DoP	Department of Planning
EHNS	Environmental Needs Health Survey
ILUA	Indigenous Land Use Agreement (under the Native Title Act)
PMM	Pilbara Meta Maya (Service Providers)
NNTT	National Native Title Tribunal
NTA	Native Title Act (Commonwealth) 1993
NTRB	Native Title Representative Body
PBC	Prescribed Body Corporate (under the NTA, representing traditional owners)
RAESP	Remote Area Essential Services Program
WAPC	Western Australia Planning Commission

Community Layout Plans & the Development Process

Community Layout Plans are a plan for future growth and development. Even though a CLP is prepared with consultation with a range of relevant government authorities and agencies, it does not constitute development approval.

Prior to commencing development a range of consents, approvals, licenses and clearances may be required.

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 the landowner, local government, incorporated community council, native title representative body, Department of Environment & Conservation (DEC), Aboriginal Cultural Materials Committee (ACMC), Environmental Protection Authority (EPA), Department of Consumer & Employment Protection (DOCEP) and Department of Water (DoW).

EXECUTIVE SUMMARY

Preamble

This report is an addendum to the Community Layout Plan No. 2 (CLP No. 2) background report and includes information relevant to the changes that have been made to CLP. No 2.

The table below summarises the main issues concerning the planning, development and provision of services within Burringurrah, covered in more detail in the body of this report.

Table 1 - Infrastructure and essential/social service characteristics at Burringurrah

Infrastructure /service Indicator	Community Characteristics
Drinking water	Drinking water quality does not always meet standards but not considered a health risk. Commissioning of Bore BU/03 is vital to ensure demand can be met.
Native title	Community is located within registered Wajarri-Yamatji Registered Native Title claim. ILUA under negotiation
Secure land holding(s)	All community housing and infrastructure located on land with secure and appropriate tenure.
Flood / storm surge	Flood events experienced but mitigation measures in place. Low risk to safety and infrastructure
Emergency assistance	Police station in Meekatharra approximately 310km away. Medical assistance via the RFDS. Reliable telecommunications available.
Education	State School from Kindergarten to Year 12 located within the community.
Health	Health clinic (remote area nursing post) located within the community with one full time community nurse, supplemented by fortnightly fly in visits by a doctor from Carnarvon.
Governance	Community organisation incorporated under appropriate legislation, meeting regulatory requirements.
Employment and enterprise opportunities	Job markets at Meekatharra and Carnarvon both approximately 5 hours away by road, seasonally restricted.
Transport	Road access from the community to Carnarvon known to become seasonally cut-off for periods of more than 2 consecutive weeks. The community is served by a CASA code 3

	unsealed airstrip.
Food	Year-round shop trading effectively within the community.
Electricity	Regulated electricity supply with reliable generation, distribution and retailing. Support provided by government via RAESP.

The main purpose of this addendum to CLP No. 2 is to provide updated information regarding the planning and development of Burringurrah. The addendum has been undertaken in consultation with Burringurrah Community and does not include any substantial modifications. As such no formal endorsement in this instance has been sought.

Development at Burringurrah

The following initiatives, development and works are needed to implement CLP No. 2:

Within the next year:

1. Develop a water source protection plan. (DoH/Parsons Brinckerhoff/DoW)
2. Renovate existing houses. (Department of Housing (DoH))
3. Repair and replace security screens and fences on existing properties. (DoH)
4. Upgrade access road to airstrip.
5. Complete construction of the youth centre. (BCAC with assistance from DoH)
6. Commission new bore BU 3/03. (DoH/Parsons Brinckerhoff)
7. Clear over grown drainage swales. (BCAC with assistance from Shire of Upper Gascoyne)
8. Re-inter the water pipe located outside Lot 14. (Parsons Brinckerhoff/Pilbara Meta Maya)
9. Repair/replace broken street lighting and cover with steel mesh to prevent further damage. (DoH)

Within the next 5 years:

1. Seal 2.2k of the Mt Augustus road near the community, to reduce dust intrusion. (Shire of Upper Gascoyne)
2. Connect the swimming pool's water supply to a formal drainage/waste water system. (Pilbara Meta Maya)
3. Maintain existing housing stock as advised by community CEO and office manager. (DoH)
4. Conduct feasibility study on the development of eco-tourism venture on Lot 111. (Gascoyne Development Commission and Department of Tourism)
5. Second wastewater pond be lined.

Within the next 10 years:

1. Investigate feasibility of the use of solar as a backup power source for the community. (DoH/ Parsons Brinckerhoff)

1 BACKGROUND

1.1 Previous Land-Use Planning

CLP No. 1 was developed in 1997 by Morris, Heyhoe & Richards. It was not endorsed by either the community, the WAPC or the Shire of Upper Gascoyne. In response to suggested changes and further consultation, CLP No. 2 for Burringurrah was undertaken in 2002 by Practical Management and Development P/L in association with Parson's Brinckerhoff. It was endorsed in 2003 by the community and the WAPC but not by the Shire of Upper Gascoyne.

CLP No. 2 was designed based on an expected population of approximately 144 people with the major planning issues identified as housing maintenance, infrastructure upgrades (water and power), provision of additional houses, a training centre and a new clinic and nurses' accommodation. CLP No. 2 was amended in 2007 to provide for a multi-function police station and associated officer's quarters and caravan park.

Further background information about the community can be obtained from the 2002 CLP No. 2 background report.

2 EXISTING SITUATION

2.1 Governance

Burringurrah Community Aboriginal Corporation (BCAC) is the incorporated body responsible for the management of the community. The corporation was registered on the 9th of September 1987 under the then Aboriginal Councils and Associations Act 1976. This Act was replaced in 2006 by the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act 2006).

The Incorporated Rule Book (registered on 27 June 2009) prescribes the decision making process for the corporation. Documents for the Burringurrah Community Aboriginal Corporation can be found on the website for the Office of the Registrar of Indigenous Corporations (www.orac.gov.au).

2.2 Land Tenure

The entire settlement is located on Crown Reserve 39182. The reserve is under management order with the primary interest holder being the Aboriginal Lands Trust. The land is leased to the BCAC until 04/07/2085.

<i>Crown Land Title</i>	Reserve 39182
<i>Lot Details</i>	Lot 8 on Deposited Plan 91552
<i>Status Order / Interest</i>	Reserve under management order
<i>Primary Interest Holder</i>	Aboriginal Lands Trust
<i>Area</i>	45,010ha
<i>Limitations/Interests/</i>	For the purpose of use and benefit of

Encumbrances/Notifications

Aboriginal inhabitants registered 01/03/1994. Management Order, contains conditions to be observed, with power to lease for any term.

A Land Ownership plan is included at Attachment 3.

2.3 Native title

Background to Native Title in Australia

The *Native Title Act 1993* (NTA) enshrines in legislation the High Court Mabo decision, in which the common law of Australia formally recognised Indigenous land ownership through the continuing observance of traditional law and custom.

Native title is defined by section 223 of the NTA as:

the communal, group or individual rights and interests of Aboriginal people or Torres Strait Islanders in relation to land or waters where:

the rights and interests are possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal people or Torres Strait Islanders; and b) the Aboriginal people or Torres Strait Islanders, by those laws and customs, have a connection with the land and waters; and c) the rights and interests are recognised by the common law of Australia.

Native title is therefore not a form of land tenure, such as a freehold estate or pastoral lease, but is the recognition of pre-existing rights and interests in country.

Under the NTA, registered native title claimants and registered native title bodies corporate (often referred to as PBCs) are entitled to the right to negotiate regarding proposed future acts which may affect native title rights and interests. Procedures for negotiation can either be in accordance with Subdivision J of the NTA or in accordance with alternative procedures agreed by both parties in the form of an Indigenous Land Use Agreement (ILUA).

Examples of future acts which may affect native title rights and interests include mining exploration or the construction of public works (such public housing).

Native title rights and interests are also variously affected by different forms of land tenure. For example, native title rights and interests are generally extinguished by valid grants of freehold tenure (see Division 2B of the NTA and also Ward and Lawson decisions) while native title may co-exist with pastoral leases, but if there is any inconsistency between the two then pastoral interests are likely to prevail (see Wik decision).

Additionally, ILUAs can be entered into so that agreement can be made about instances when the non-extinguishment principle applies.

More information about native title can be obtained from the [National Native Title Tribunal](#).

Native Title issues affecting Burringurrah Community

The Wajarri-Yamatji (WAD 6033/98) native title claim covers an area of 100,700km². The claim was registered by the National Native Title Tribunal in 2004 and therefore attracts the right to negotiate under the *Native Title Act 1993*.

The Wajarri-Yamatji claim is represented by Yamatji Land and Sea Council, native title representative body. The claim lawyer is based in the Geraldton office.

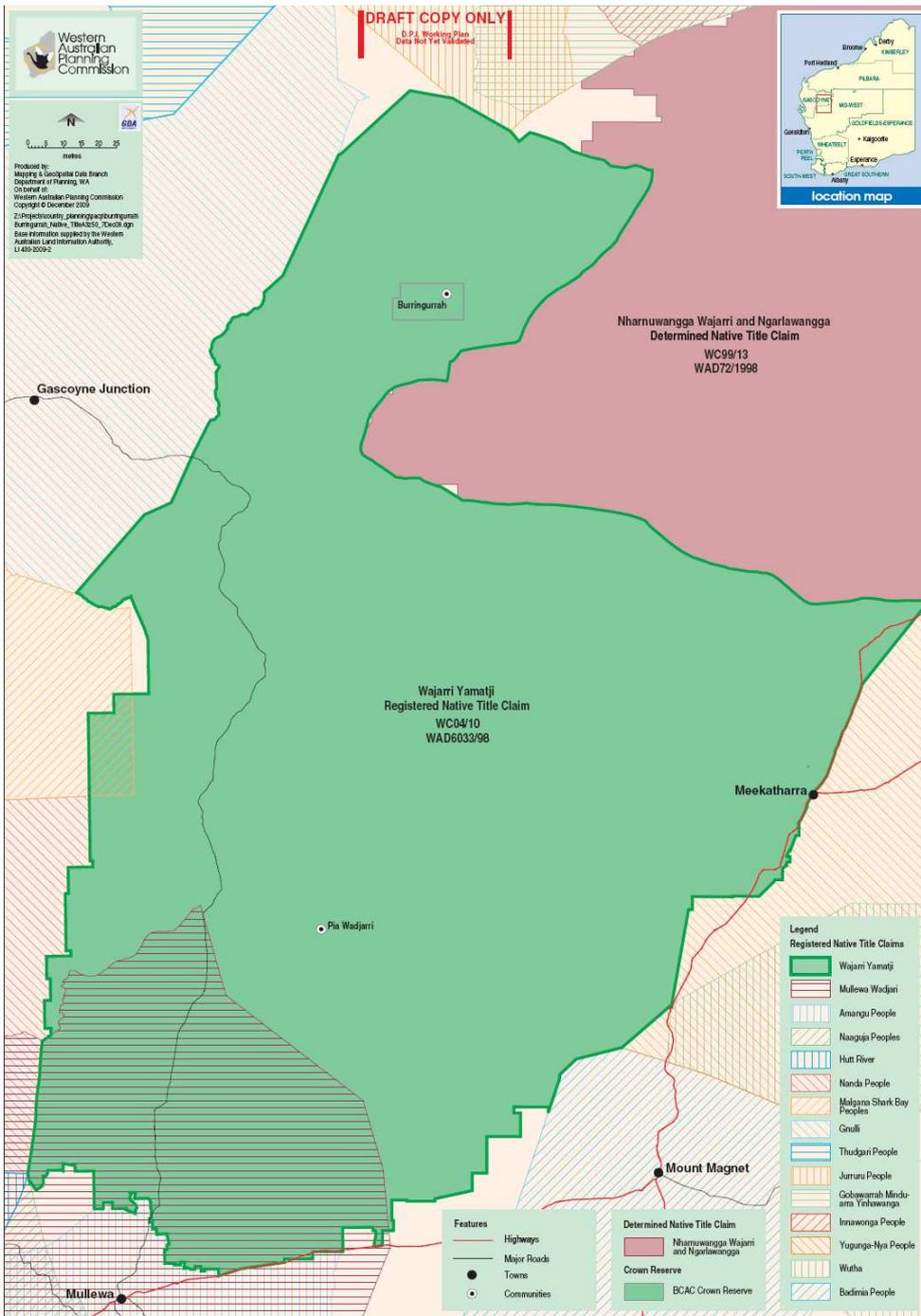


Figure 1: Native title location map

An enlargement of the Native Title Map is included at attachment 1.

2.4 Culture

The majority of the community identify as Wajarri people. However other non traditional owners from other language groups reside at Burringurrah. Residents have familial ties with other communities in Carnarvon, Geraldton and Meekatharra.

2.5 Aboriginal Heritage

Impact of Aboriginal Heritage on Urban Growth in Remote Aboriginal Communities

The *Aboriginal Heritage Act 1972* (AHA) was introduced in Western Australia to provide automatic protection for all places and objects in the State that are important to Aboriginal people because of connections to their culture. The Department of Indigenous Affairs maintains a Register of Aboriginal Sites as a record of places and objects of significance to which the AHA applies. It should be noted that unregistered sites of cultural significance to Aboriginal people are also protected under the State Government's *Aboriginal Heritage Act 1972*, but only registered sites are recorded on the Department's database and are generally included in the Aboriginal Heritage Inquiry System.

The presence of an Aboriginal site places restrictions on what can be done to the land. Under the AHA it is an offence for anyone to excavate, damage, destroy, conceal or in any way alter an Aboriginal site without obtaining the appropriate approvals. Anyone who wants to use land for development or any other cause must therefore investigate whether there is an Aboriginal heritage site on the land.

Contact should be made with the Yamatji Land and Sea Council in the first instance.

No formal heritage assessment under the *Aboriginal Heritage Act 1972* has been undertaken as part of the preparation of CLP No. 2 and the CLP Background Report and CLP map-set do not represent clearance under that Act in any way. It is expected that any future development of housing and other infrastructure on the community be undertaken in consultation with the community and native title holders and cleared in accordance with the provisions of the AHA.

Notwithstanding the above, the following discussion of heritage matters derives from consultation with the community and a desk-top survey of sites registered under the AHA 1972 using the [Aboriginal Heritage Inquiry System](#).

The purpose of the following discussion is to foreshadow heritage constraints to development as they relate to the implementation of the CLP. These constraints to development must be addressed prior to construction of housing and other works.

2.6 No-Go Area

CLP No. 1 identified a no-go area located on the west side of the Mount Augustus-Landor road. The specific significance of this site has not been determined and it is not a registered site. The approximate location of this site has been included in this iteration of CLP No.2. The no go area also falls within the well head buffer zone, further underscoring that no development should be considered for this area.

The second no go area depicted on the current CLP, delineates a bough shelter located at the centre of the community's living area (see section 2.8 & 6.8)

2.7 Registered Sites

It should be noted that both registered and unregistered sites of cultural significance to Aboriginal people are protected under the State Government's *Aboriginal Heritage Act 1972*, but only registered sites are recorded on the Department of Indigenous Affairs' database.

A search of the Department of Indigenous Affairs' Aboriginal Heritage Inquiry System (AHIS) conducted on 27 August 2009 indicates that there are no registered Aboriginal heritage sites in or around the community living area of Burringurrah. The nearest registered site, 'Djilguda', is a closed site located approximately three kilometres south of the community. Whilst it is likely the site falls outside the 500m buffer zone for the pink hills bore 2.5k south of

the community, if works for the bore are required it is recommended that the community is consulted prior to works taking place so as not to disturb the site.

2.8 Built Heritage



Figure 2: Historic Bough Shelter on Lot 122

The community has expressed a desire to have the original bough shelter on Lot 122 constructed by the community's founders to be delineated as 'no-go' area on CLP No.2. The bough shelter is not registered under the Heritage of Western Australia Act 1990. The bough shelter is adjacent to the health clinic on Lot 122.

2.9 Population

Current Population

Estimating remote populations is difficult because Aboriginal people tend to be mobile in terms of housing and living arrangements. Populations can increase and decrease quite rapidly based on family, cultural or administrative factors (Taylor 2006)

The community members of Burringurrah have affiliations with other settlements in the region, including Carnarvon, Geraldton and Meekatharra. Migration between these communities is common, and several of the Burringurrah community's children are enrolled in school at both Burringurrah and Carnarvon. Community members also travel to areas such as Jigalong, Mt Tom Price and Onslow. Population figures can also vary depending on the time of year, methods and sources by which data are collected. ABS data has been criticised for undercounting populations in remote communities (Memmot et al 2004; Morphy 2010).

Current population levels are estimated from a range of sources, including Census Data from the ABS and the Environmental Health Needs Survey undertaken by the Department of Indigenous Affairs.

A summary of recent population data from these two sources follows:

Table 2 - Population figures by source 1997-2006

	1997	2001	2004	2006
Total persons	148	169	150	138
Indigenous people		149		124
Indigenous males		79		59
Indigenous females		70		65
Source	EHNS	ABS	EHNS	ABS

In addition to the above, a key source of population data is from the community itself. The community advised in September 2009 that Burringurrah's permanent population is approximately 116 people. This figure corresponds to the sum of the community's members, as recorded by the Office of the Registrar of Aboriginal Corporations (56 adults aged over 18 years according to the list of members) and the number of students enrolled in the community school (63) giving a total of 119.

Based on the above, this report assumes that the current permanent population of Burringurrah is approximately 116 residents, not including non-permanent staff members.

Given the lack of reliable demographic data for Burringurrah, the current CLP assumes the same growth rate for Burringurrah as that of the Shire of Upper Gascoyne as a whole, being 1.53% between 2009-2023 (DoP 2005).

Design Population & Estimated Housing Demand

CLP No. 2 has a design population of 144 residents.

The table below outlines the estimated population growth over the next fifteen years with a constant annual growth of 1.53% per year. It is likely however that the population growth will not be constant over that period of time, and will be contingent on migration to and from the community as well as natural increase from births and deaths.

Based on a design population of 144 it is estimated that 7 new houses will be required in the next 10-15 years to maintain the existing housing density of 4.3 residents per house.

Table 3 - Demand for additional housing assuming 1.53% population growth 2009-2023

Year	Population estimate (growth@1.53% p.a.)	Housing density based on existing No. of 27 habitable dwellings*	No. additional houses needed to maintain existing housing density	Total housing stock needed (excluding staff housing)
2009	116	4.3	0	27
2010	118	4.4	0	27
2011	120	4.5	1	28
2012	122	4.5	1	28
2013	124	4.6	2	29
2014	126	4.7	2	29
2015	128	4.8	3	30
2016	130	4.8	3	30
2017	132	4.9	4	31
2018	134	5.0	4	31
2019	136	5.0	5	32
2020	138	5.1	5	32
2021	140	5.2	6	33
2022	142	5.3	6	33
2023	144	5.3	7	34

2.10 Housing

Residential areas

The settlement has two distinct residential areas. An enlargement of the Living Areas Map is included at attachment 2.

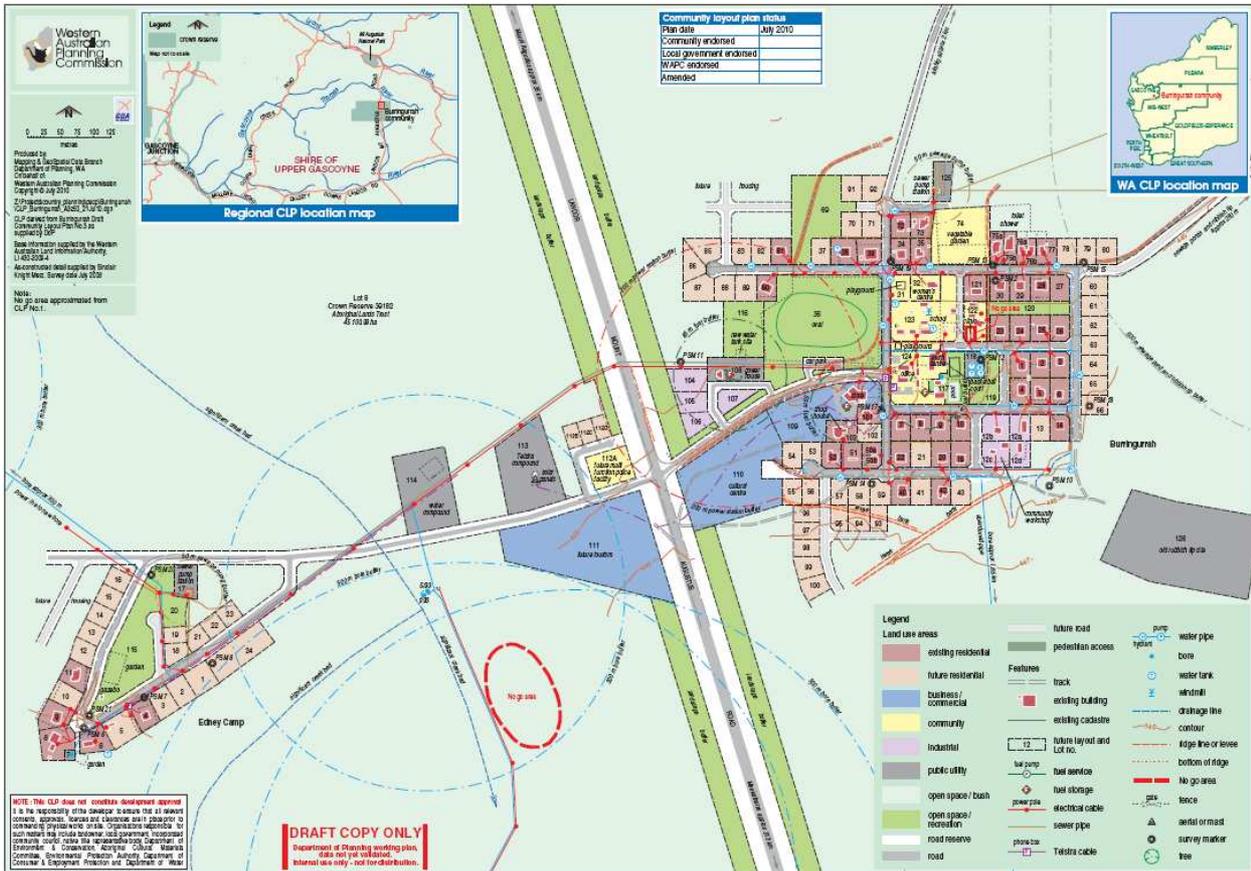


Figure 3: Community Living areas map

The majority of the community's housing stock is in the main community on the east of the Mt Augustus Rd.

Number & type of dwellings

BCAC advised in Sept 2009 that 27 to 35 dwellings were considered habitable. Department of Housing records indicate that 29 single detached dwellings are currently occupied at Burringurrah. All dwellings are managed by Homeswest. There are no specifically designated single persons quarters or aged housing in the community.

All dwellings are steel-frame iron clad construction with coated profiled steel sheet roofing. All dwellings have carports and roof insulation of a reflective foil type.

There are four 4 bedroom houses, 22 three bedroom houses and three 2 bedroom residences. This equates to a total of 88 bedrooms which produces an average of 1.3 people per bedroom.

Quality of dwellings

At the time of the site visit in 2009 the community estimated that up to seven dwellings are not maintained to a standard conducive to residential uses. The community has entered into a Housing Agreement with DoH which will commence in 2010. This program will deliver an audit of required works for all unoccupied properties.

Future residential development

CLP No. 2 provides for 61 future residential Lots. 42 of these are in the main part of the community, 16 at Edney's Camp, and three for officer accommodation for the proposed Multi-Function Police Facility.

2.11 Flooding & Drainage

The community does not flood, but experiences seasonal inundation and ponding. To improve the management of stormwater drainage the road network requires resealing and upgraded kerbing. The internal roads have not been re-sealed since 1998 and potholes can be found throughout the community.

Edney's Camp is separated by a creek, which is occasionally isolated from the main section of Burringurrah during the wet. It is recommended that a creek crossing be developed to ensure year round access should additional housing be constructed at Edneys camp in the future.

Existing drainage swales are overgrown and in need of clearing. These swales run adjacent to the boundary of Lots 121, 122 and Lots 30, 23 and bisect Lot 119.



Figures 4 and 5: Overgrown drainage swales.

2.12 Water Supply

The community's potable water is drawn from several bores in the vicinity of Edney's Camp. The main supply comes from bore No. 1/93 with the nearby bore 5/93 acting as the standby. Further potable water is delivered by bore 4/97 with 3/97 as the standby. Bores 1/93 and 5/93 are sited adjacent to the creek approximately 360m west of the Mount Augustus - Landor road while bores 3/97 and 4/97 are situated some 300m north west of Edney's Camp. All community bores are located within Crown Reserve 39182.

A Groundwater Source Protection Plan (GWSP) was prepared by Global Groundwater in 2004. This plan has not been endorsed by DoW. It is recommended that this or another a Drinking Water Source Protection Plan be endorsed by DoW.

The 2004 GWSP estimated the main bores, 1/93 and 5/93, as having a combined yield of 35m³/day. Bores, 4/97 and 3/97 were deemed capable of supplying 50m³/day. The new bore, BU 3/03, yet to be commissioned, is estimated to be capable of producing 130m³/day. Global Groundwater recommends that this bore, once operational, should become the primary supply bore. CLP No. 2 places a 500m buffer around this bore's wellhead, in accordance with the water source protection plan. Bores 1/93 and 5/93 each have a 300m wellhead protection buffer in accordance with the GWSP.

The estimated daily usage in 2002 was around 900L per person. If this daily rate were to remain constant then the daily requirement at present for the total population would be 104m³ with the 2023 daily usage rising to 130m³. Given that the existing operating potable supply bores have a combined recommended discharge rate of 85m³/day, it becomes vitally important to commission bore BU 3/03.

The drinkingwater is tested monthly and is occasionally found to contain unacceptable levels of bacteriological contamination

2.13 Access & Dedicated Roads

Access to the community is via the Mount Augustus-Landor road. This road is unsealed and is therefore subject to periods where it is impassable as a result of inundation. Access is best made by 4WD vehicle. The Shire of Upper Gascoyne has responsibility for this road and generally grades it twice a year.

2.14 Internal Road Layout

All internal roads are sealed, but were last resealed in the mid 1990's resulting in potholes throughout the community. The community has also identified the need for these roads to be kerbed to assist with drainage.

The main connection between Edney's Camp and the rest of the community is unsealed and subject to stormwater runoff through the creek bed, restricting access at times. It is recommended that this access road be sealed, should residential lots in the western portion of the community be developed in future.

2.15 Community and Social Services

The following community facilities and social services are located at Burringurrah:

School

The school is located on Lot 123 'community purposes' zone. It is a state school and provides education for children from kindergarten to year 12. The number of students enrolled for the second semester 2009 was 63 with nine staff (of which five are teachers and one is the Principal). Several students are enrolled in both Burringurrah and Carnarvon to allow for periodic travel between the two.

The school has a playground and has access to the community swimming pool, which it utilises for swimming lessons and water sport practice. Students also benefit from the community oval and a manual arts shed.

Store



Figure 6: Community Store on Lot 109

The store is trading effectively and has a good range of supplies, fuel and fresh food – but is expensive. The store gets extra supplies during the wet season. The community has previously had supplies air-dropped during protracted wet seasons when the access road is impassable. The store is located on Lot 109 at the intersection of the main entrance road and the main north-south access road. The store is run by the community as a separate corporation. The Winjamanu Store Aboriginal

Corporation was registered in September 4 2009.

Office

The community office on Lot 124 is well maintained and has the full complement of office equipment, such as computers, fax, phones, printers etc. Staff consists of the Chief Executive Officer, Community Chairperson, Treasurer, Community Services Officer and an Essential Services Officer. The administration and governance functions of the community are all carried out from this office.

Clinic



Figure 7: Community Health Clinic on Lot 122

The clinic on Lot 122 was constructed in 2003 by members of the community and is located adjacent to the historic bough shelter. The Department of Health runs the clinic, which is designated as a Community Health Service and staffed by a full time Community Nurse. The clinic is supplemented by fortnightly fly in visits by a doctor from Carnarvon. Officers from the Department of Health's Central West Mental Health Services visit the community on an average of once a month. This frequency can vary due to commitments to other centres, road access and social events at the community.

Recreation Centre

The community has a youth centre, intended for use as a recreation centre, located on Lot 124, however this is only partially constructed.

Oval

The oval is located on Lot 36 and creates a buffer between the community residential area and the power station.

Workshop



The community workshops are located on one large Lot (12 a, b, c and d). The WAPC Land Use Buffers for Aboriginal Communities recommends a buffer of 150m separating industrial activity from residential dwellings. The workshop is well equipped and acts as a training centre where community members can learn skills such as basic carpentry and metal work.

The workshops house the community's plant and other equipment.

Figure 8: Workshop on Lot 12 a, b, c & d

2.16 Essential Services

Present capacity & location

The community's electricity supply is located on Lot 108. The facility comprise three diesel generators of 200, 150 and 100 kW with supply delivered by above ground reticulation. The fuel for the generators is stored in two 27kL above ground tanks.

A total capacity of 250kW is considered sufficient for the design population of 144. The community would like a backup system (possibly solar) to ensure food security at the store is not compromised.

The current location for the power station on Lot 108 is considered appropriate by the community. It is accessible from the main access road, thereby removing any danger to the community from fuel transportation. The nearest residential dwellings are generally located 200m or more away, as recommended by the WAPC draft Land-Use Buffers for Remote Communities policy.

2.17 Garden

The community garden located on Lot 74 is currently fallow. The school have expressed interest in renewing this garden for the purpose of growing fresh produce. Another garden, primarily a citrus orchard, is situated in Lot 115 Edney's Camp.

2.18 Wastewater



The community is connected to a reticulated sewer system that pumps to two wastewater treatment ponds located 500m north-east of the community on Lot 127, accessible via a gravel road. The primary sewage treatment pond has an impermeable lining. Global Groundwater (2004) highlights the potential risk of groundwater contamination due to the local soil permeability. The community has requested that the second pond also be lined.

Figure 9: Primary wastewater pond lined and unlined secondary pond

2.19 Rubbish Disposal



The rubbish tip is located adjacent to the wastewater treatment ponds 500m north-east of the community on Lot 1127. The tip site is fenced and in good condition. The site operates a burn and bury method of waste disposal which is carried out by the community. An unsealed road is used to access the tip. Access is difficult after heavy or prolonged rain.

Figure 10: Rubbish disposal area

2.20 Airstrip

The community airstrip is located 2.2km north of the community on the same Crown Reserve as the settlement. The current lighting system is manual which means that night time landing requires prior coordination with the community. It is a community aspiration to have a pilot activation lighting system. It is also recommended that the access road be sealed at the earliest possible time.



Figures 11 and 12: The airstrip road showing surface wear

Access road to the community is considered to be poor quality and requires upgrading to an all weather standard. At the present time there is uncertainty as to what additional assistance is available to BCAC with regard to maintenance of internal roads including access to the airstrip.

3 PLANNING FRAMEWORK

3.1 State Planning Policies

State Planning Policies (SPPs) 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 State Planning Policies 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 SPPs when determining appeals.

The following SPPs were considered in the preparation of the current CLP No. 2:

- SPP 3 – Urban Growth and Management;
- SPP3.2 Planning for Aboriginal Communities; and
- SPP2.7 Public Drinking Water Source

3.2 Shire of Upper Gascoyne Town Planning Scheme and Local Planning Strategy

The Shire of Upper Gascoyne presently has no Town Planning Scheme or Local Planning Strategy to guide development within the Shire. As such the local government has no authority to issue planning approval. However should a Scheme be prepared in the future, the area designated on CLP No. 2 Land Ownership plan as 'proposed settlement zone' should be incorporated into the scheme prior to WAPC endorsement.

3.3 Settlement Zone

The intent of 'settlement zones' under local planning schemes is to improve the amenity of Aboriginal settlements by supporting the preparation, endorsement and implementation of CLPs.

Should the Shire of Upper Gascoyne prepare a TPS in the future then the proposed settlement zone depicted on the Land Ownership Plan should be used as a basis for including Burringurrah within the scheme.

The proposed settlement zone for Burringurrah is bounded to the north by an existing cadastral boundary. The proposed southern boundary is defined by coordinates 7270707.80N, 491093.39E & 7270707.80N 495816.11E. This area covers all existing and proposed infrastructure and buffers associated with the settlement.

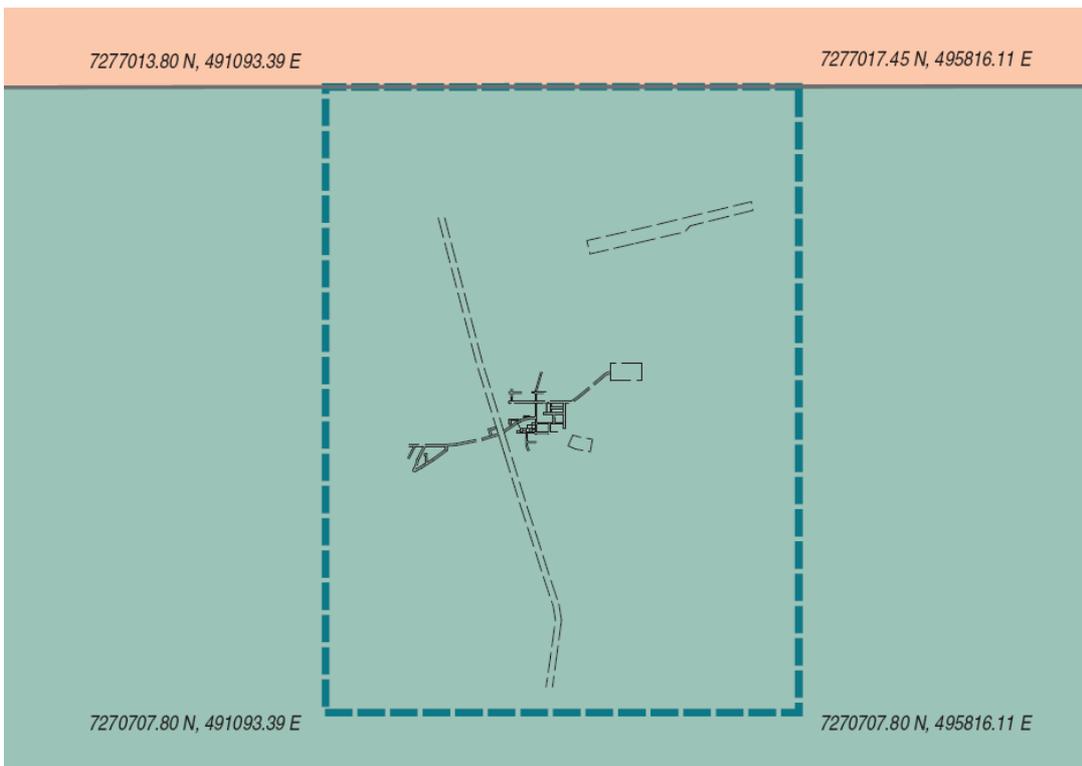


Figure 13: Proposed settlement zone

3.4 Land Use Buffers for Aboriginal Communities

In 2007, consultants, Arup, prepared the draft 'Land Use Buffers for Aboriginal Communities in Western Australia' 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 COMMUNITY ASPIRATIONS

The ideas for improvements to the facilities noted by the Burringurrah Community Aboriginal Corporation during consultation in 2009 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. Self sustainability/reduced reliance on government funding;
2. Caravan and camping ground, tied to a cultural tourism enterprise;
3. Cultural Centre;
4. Mental Health Clinic, to be serviced by regular visits by a mental health professional;
5. Back up electricity supply; ideally solar cells (issues of how to protect from vandalism);
6. On site water sampling equipment and training in said equipment;
7. Residents trained up to trade standard to reduce dependence on outside maintenance contractors;

8. A change in land tenure arrangements that would see either a transfer of the existing crown reserve to the community in freehold and/or a further allocation of crown land to the existing reserve in the form of a pastoral lease to enable pastoral activities;
9. Improved community security, including: repair to house fences and security screens, street light repair/replacement and a means to stop street lights being broken;
10. Creation of a local cemetery;
11. The sealing of the access road to Edney's Camp and a form of creek crossing for this road;
12. Reserve to be held in fee simple by the Burringurrah Community Aboriginal Corporation, which would provide the community greater authority regarding land-use and also provide a more secure form of land tenure

5 TRADITIONAL OWNER ASPIRATIONS

CLP No. 2 respects the knowledge and incorporates the aspirations of the Traditional Owners. At the time of preparation of this plan in 2009, the Department of Planning was not able to appropriately engage Traditional Owners via Yamatiji Land and Sea Council in the iterative process of plan preparation. Future reviews of the CLP should incorporate traditional owner aspirations where possible.

6 DEVELOPMENT PROJECTS & REQUIRED IMPROVEMENTS

6.1 Design Summary

The future plans for Burringurrah are based on visits to the community and advice or reports from relevant government agencies, including the Remote Area Essential Services Program (RAESP) managers Parson Brinkerhoff, Main Roads WA, Global Groundwater, and the Departments for Housing, Water and Indigenous Affairs.

The general design principles of the plan are:

1. Maintain adequate separation between incompatible uses (e.g. Move the workshops to the new industrial zoned Lots 104 to 107).
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 Burringurrah CLP No. 2 shows all proposed improvements to Burringurrah, as well as a layout for current and future land uses. The following provides a brief explanation of the design principles and required improvements that are shown on the plan.

6.2 Relocation of Workshops

22 existing houses and 11 new lots fall within the 150m buffer recommended by the WAPC for industrial zones. In addition part or all of the following are also within 150m of the workshops: school, pool, office, youth centre, basket ball court and the health clinic. Given the sensitivity of some of these land uses to noise, particulate and odour pollution, workshops are proposed to be relocated to new industrial zoned Lots 104 & 107.

6.3 Housing

Based on a design population of 144 it is considered that up to 6 new dwellings may be requires in the next 10-15yrs.

6.4 Road Layout

The current internal road network for the community east and west of the Mount Augustus Road is sealed. The remaining roads are unsealed including the portion of road that connects Edney's Camp to the Mount Augustus road. Edney's Camp road should be sealed as a priority, as this will assist in dust suppression and stormwater runoff. The Mount Augustus Road should also be sealed for an approximate length of 2.2k in the vicinity of the settlement.

6.5 Stormwater Drainage

Several drainage swales are overgrown and ineffective. The equipment used to clear these swales was no longer functioning at the time of site visit in 2009, therefore it is recommended that this equipment is repaired or replaced and until such time that it is, the Shire of Upper Gascoyne and/or Pilbara Meta Maya maintain the swales to a functional level.

Kerbing should be added to the internal roads, the roads themselves would help to manage stormwater drainage. Remediation of the swales will be the first priority with kerbing the internal roads the second.

6.6 Drinking Water Source Protection Plan

The Global Groundwater (2004) DWSP should be submitted for endorsement by DoW or revised in light of Australian Drinkingwater Guidelines, then submitted for endorsement, to assist in protecting the settlements future water supply.

Preparation of a Drinking Water Source Protection Plan (DWSP) is a priority for Burringurrah, to ensure appropriate protection of the community's drinking water supply. The DWSP should incorporate:

- monitoring and maintenance requirements
- estimates of groundwater flow directions
- estimation of aquifer resources
- likely zones of influence of production bores and;
- an assessment of the potential for contaminants to impact water supply.

7 ENDORSEMENTS

This addendum to CLP No. 2 does not include any substantial modifications. As such no formal endorsement has been sought in this instance.

8 PLANS

- 1. Burringurrah Community Layout Plan No.3 - Living Area**
- 2. Burringurrah Community Layout Plan No.3 - Context and Surrounds**
- 3. Burringurrah Community Layout Plan No.3 - Land Ownership (showing proposed settlement zone)**
- 4. Burringurrah Community Layout Plan No.3 – Aerial**

REFERENCES & INFORMATION

Department of Indigenous Affairs (DIA) 2004 *Environmental Health Needs Survey of Indigenous Communities in Western Australia*. Government of Western Australia. Available at: www.dia.wa.gov.au

Department of Planning 2005 *Western Australia Tomorrow*. Government of Western Australia. Available at: <http://www.planning.wa.gov.au/Publications/723.aspx>

Global Groundwater 2004, *Groundwater Source Protection and Management Plan: Burringurrah Water Supply*.

Memmot, P. & S. Long & M. Bell & J. Taylor & D. Brown 2004 *Between Places: Indigenous Mobility in Remote and Rural Australia*. Australian Housing & Urban Research Institute, University of Queensland.

Morphy, F. 2010 *Population, people and place: The Fitzroy Valley Population Project*. Centre for Aboriginal Economic Policy and Research, Australian National University. Available at: <http://caepr.anu.edu.au/system/files/Publications/WP/CAEPRWP70.pdf>

Taylor, J. 2006 *Population and Diversity: Policy Implications of Emerging Indigenous Demographic Trends*. CAEPR discussion paper No. 283/2006. ANU: Canberra.

Burringurrah Layout Plan 2

Amendment 3

Plan Date : January 1999 **WAPC Endorsed** : 21 October 2003
Proponent : Department of Planning **Requires** : WAPC only – minor amendment
Endorsement

Reason for the Amendment

The Department of Planning, on behalf of the Western Australian Planning Commission (WAPC), is the custodian for Layout Plans prepared under State Planning Policy 3.2, including the Burringurrah Layout Plan 2.

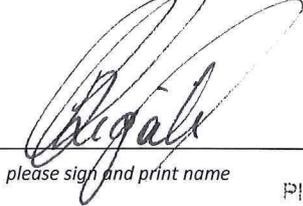
Since the publication of that Policy in August 2000 all Layout Plan map-sets have been prepared using a variety of computer-aided-design (CAD) formats. All Layout Plan map-sets have now been converted to a common user geographic information systems (GIS) format, including the Burringurrah Layout Plan 2.

This conversion process has required a comprehensive re-development of the map-set and includes a number of data and content upgrades. This may include the establishment of new Settlement Layout lots (SL-lots), the inclusion of recommended settlement zones, modification to ensure land-use areas accord with Aboriginal Settlements Guideline 1, inclusion of drinking water source protection areas, incorporation of updated cadastre, and many other general improvements.

Approved

This is a minor amendment as the myriad changes made to content and illustration are of a technical nature. As such, under provision 6.14 the endorsement of the WAPC only is required.

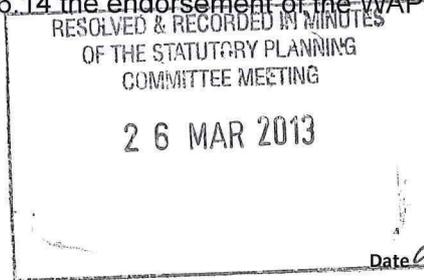
Western Australian Planning Commission



please sign and print name

Rosa Rigali

Planning Administration Team Leader
Perth. Feel Planning - Department of Planning



Date 2/4/13

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 Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

Proponent : Department of Planning
Date : 12 February 2015

Reason for the Amendment

Drinking water source protection is critical to the health and well-being of residents and visitors to Burringurrah. In 2004 consultants Global Groundwater prepared a Drinking Water Source Protection Plan for Burringurrah on behalf of the Department of Housing.

The purpose of this amendment to Layout Plan 2 is to integrate the groundwater source protection elements of the Burringurrah Drinking Water Source Protection Plan (2004) into Layout Plan 2. Broadly, this means amending Layout Plan 2 to change an area of land south and west of the community living area from 'open space' land use category to 'Drinking Water Source Protection Area' land use category.

Subject Land		Changes required to CLP
1.	All land within the recommended settlement zone.	Changing the land uses identified in the Burringurrah Drinking Water Source Protection Plan (2004) as 'Priority 1 Protection Area and 'Well-head Protection Zone' to 'Drinking Water Source Protection Area' land use category.

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>	 12/02/2015 Ashley Randell Planning Manager, Aboriginal Communities Regional Planning & Strategy PN: 15151.1 Determination date
	 23/02/2015 Ashley Randell Planning Manager, Aboriginal Communities Regional Planning & Strategy PN: 15151.1 Authorisation name & date

Other Information:

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