

Wangkatjunga

Layout Plan 1

Background Report

March 2006

Date endorsed by WAPC



Amendments

- Amendment 1 - November 2010
- Amendment 2 - September 2012
- Amendment 4 - September 2012
- Amendment 5 - September 2012
- Amendment 6 - October 2014
- Amendment 7 - October 2014
- Amendment 8 - August 2015
- Amendment 9 - June 2016
- Amendment 10 - August 2017
- Amendment 11 - May 2019



Department of
Planning



WANGKATJUNGKA

COMMUNITY LAYOUT PLAN REPORT & PROVISIONS

February 2004

Commissioned by:

The Western Australian Planning Commission

Planning and Consultation by:



Hames Sharley (WA) Pty Ltd.

ABN 42 009 073 563

Project No. 41370

Infrastructure: advice by:



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PART I – REPORT

1.INTRODUCTION

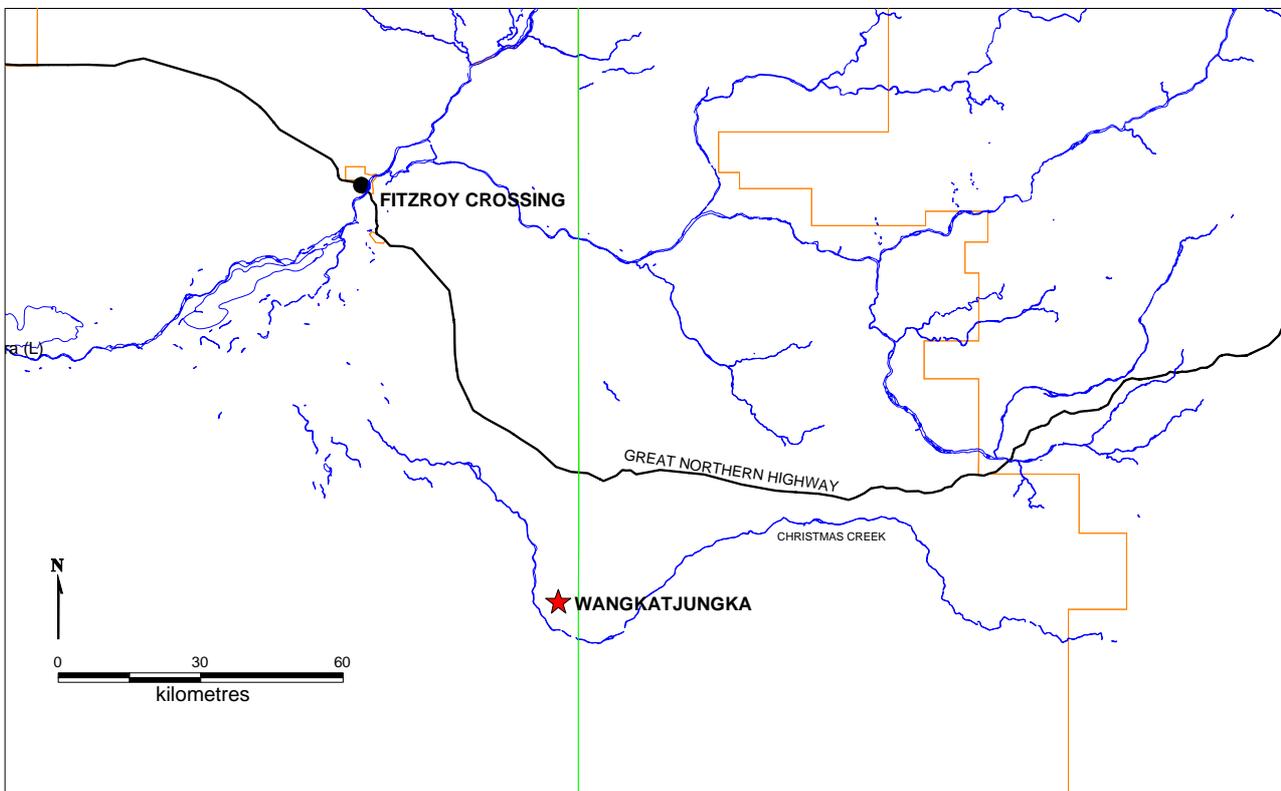
The Wangkatjungka Community Layout Plan (CLP) will provide a framework for decisions made by the community on land use planning matters over the next five to ten years.

The preparation of the CLP has been facilitated by Hames Sharley WA between May and December 2003 on behalf of the Department for Housing and Works for the benefit of the Wangkatjungka Community.

Assistance in relation to infrastructure and essential services has been provided by ARUP engineers.

The CLP report, plan and provisions have been prepared in accordance with the ATSC and DIA guidelines for the preparation of such plans.

Wangkatjungka is situated within the Shire of Derby East Kimberley.



2.. BACKGROUND INFORMATION

2.1.COMMUNITY DETAILS

Common name:	Wangka Junga (word straight)
Alternative name:	Wangkatjungka
Representative Organisation:	Wangkatjungka Community Incorporated
Position:	Approx. 120km south-east of Fitzroy Crossing
Local Government Area:	West Kimberley - Derby
ATSIC region:	Derby
DIA region:	Kimberley – Broome
Address:	PO Box 318 Fitzroy Crossing WA 6765
Telephone:	9191 4627, 9191 7722
Fax:	9191 4627
Coordinator:	Alan "Doodie" Lawford – 2003; Steven James – 2004 (Chairperson Kurungal Council)
Chairperson: Kurungal Council	Lloyd Kwilla – 2003; Jane Bieunerry – 2004. 9191 4627

2.2.HISTORY

The Wangkatjungka settlement was first established in 1981.

3.POPULATION & COMMUNITY DEMOGRAPHICS

Language groups:	Walmarjarri (60) Wangka (30) Kukajarr (15) Gooniyandi (40)
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Total estimated:	145
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Chins 1999:	200
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Chins 2001:	150
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Comments:

The population count is inclusive of Wangkatjungka outstations. Beyond the immediate outstations, families have relatives living at Fitzroy Crossing, Derby, Halls Creek and Balgo. This and the above mentioned languages indicate that the community has strong connections with the desert area to the south.

Comparative analysis with the Chins data suggests that the community total population may be declining. This could be due to the fact that local employment opportunities at Wangkatjungka are very limited and residential alternatives exist in the region.

4.LAND TENURE

DIA Correspondence Ref: 97/1121

Land description: Crown reserve 35196 being Lot 99 on Deposited Plan 194196 as is comprised in CLT Vol 3113 Fol 753 and Lot 11 on deposited Plan 182543 as is comprised in QCLT Vol 3028 Fol 209.

Reserve purpose: U & B

Registered interests: MO issued to ALT with power to lease.

Unregistered lease: Lease issued by ALT to Wangkatjungka Community Incorporated for ninety-nine years commencing 1/10/1986 for lot 11 only. (Aboriginal Communities act 1979)

Contiguous land: "Christmas creek" Pastoral Lease# 3114/1257

Access: Access easement being finalised by DOLA (status to be confirmed).

Previous CLP: HGM 2001, approved by Shire.

Other technical issues: The school is located north of Lot 99 on an Education Department of WA Reserve No. 26889. The legal access to the settlement remains through the school reserve and negotiations with the Education Department of WA and the ALT should take place to create a road reserve connecting Reserve No. 35196 to the existing road reserve to the north of the school site.

If such an initiative is pursued, it is important that the final location of the road reserve does not preclude the establishment of a full size oval in the immediate vicinity of the school.

5. LORE AND CULTURE

Status

Cultural activities touch the lives of the Wangkatjungka community regularly. Hunting, gathering bush products, hosting people from other communities, travelling on culture and lore business and participating in ceremonies are cultural activities of significance to the people of the community.

Immediate Lore areas

The community uses 3 separate lore areas:
A small area north of the water tower, an area immediately west of the power house and a larger area starting some 300m to the south of the settlement.

Other religious practices

Some members of the community are following Christian practices. A shed erected near the water tower act as a church and is used regularly for Sunday service.

6. LOCAL AND REGIONAL CONTEXT

Wangkatjungka Council

The Wangkatjungka Aboriginal Corporation is represented by an elected Council and a chairperson.

The Council holds regular meetings to transact business and consider financial reports.

Governing committee

The objectives of the Corporation are carried out by a Governing committee comprised of the chairperson and council members. The association committee must hold an Annual General Meeting every year to consider audited financial statements and elect new office bearers.

Kurungal Council

The Kurungal Council operates from Kupartiya Community and deals with the procurement of essential services for Wangkatjungka, Kupartiya and Ngumpan Communities.

7. RELATIONSHIP TO COMMUNITY AND REGIONAL PLANS

The Wangkatjungka Community is located in the Malarabah Region of ATSIC. The Regional Plan sets out the desired goals and strategies of the Malarabah Regional Council in relation to ATSIC funded programs. The Plan does not set out specific projects for each community but confirms funding on an annual basis to individual communities based on submissions made by the Community Council.

The programs relevant to the CLP include new and renovated community housing, infrastructure, essential services maintenance, and all weather roads.

8. DESCRIPTION OF CLP AREA

8.1. INFRASTRUCTURE

Water supply

Community water supply is from an electric bore located within the tank compound located on higher ground in the northern part of the community. The bore electrical supply is from an overhead power line from the community power station.

A second standby diesel driven bore is located on the western side of the community. This bore was not operational at the time of inspection.

Water from the electric bore is passed through a sand filter and calcite reactor and pumped to a 225kL concrete ground storage tank. The bore is automatically operated and is activated by a float control system in the ground tank.

The water from the ground tank is pumped to a 50kL tank on a 15m stand. The water is disinfected with chlorine gas before being pumped to the elevated tank.

Water is distributed through the community via a 100 – 150mm dia. asbestos cement pipe network. The distribution system does not conform to a standard layout; however it appears to follow the road / housing layout. Water pressure throughout the community is adequate.

Water quality is sampled by the Regional Service Provider (RSP) on a monthly basis and test results indicate the water quality is satisfactory.

Wastewater

All houses in the community are connected to a deep sewer system via in-line septic tanks. The sewer system comprises gravity mains and manholes which connect to a single pump station located in the southern part of the community. The sewerage collection system is generally located within the front property boundaries on an alignment conforming to the road and housing layout.

Sewage is pumped to the treatment ponds located approx 1km south of the community. The treatment ponds comprise 2 maturation ponds, a primary pond, 2 evaporation ponds and a sludge drying bed for septic tank sludge. The sewerage system operates satisfactorily.

Power supply

Power supply is from a community operated power station located to the west of the community area between the school and the community. The location is not completely satisfactory from a community perspective being close to housing and on the entry road to the community. It has however been there for some time and the community and associated infrastructure have grown around it. It would also be expensive to relocate.

The power station comprises three diesel generators in a shed, external radiators and banded fuel storage tanks all located within a secure fenced compound.

Overhead power lines distribute power supply to the community generally on an alignment following the road and housing layout although not in accordance with normal service alignments. Street lighting is provided however there are many damaged light fittings.

Roads & Drainage

The road network in the community comprises kerbed and sealed formation. The roads are in generally poor condition and require repairs and maintenance. Vehicles still use informal tracks for access through the community and create a dust problem.

There is a major drainage path which dissects the community running generally from north to south. This would be a significant flooding problem during the wet season and possibly restrict access to the eastern side of the community.

The community is within a flood area which limits further expansion to the south. Further areas of development are restricted by boundaries of the community lease area. In considering expansion of the lease area consideration should be given to overland drainage paths and soil type.

Solid Waste Disposal

The community collects and disposes of solid waste. Generally garbage is carted to a disposal area located outside of the community leased area some 2 - 3km south of the community. During periods when access to the tip is restricted by floodwaters, solid waste is collected in an area located within the community and later transferred to the tip site. This arrangement is unsatisfactory.

8.2. EXISTING LAYOUT

Buildings

No discrepancies noted between the "as surveyed" plan and the buildings on the ground.

School

Additional survey or as built information may be required (to be checked)

Land holding

The community's defined land holding, being lot 11, excludes the school.

Severe restrictions are imposed on future development given the extent of flood prone areas and the limited amount of suitable land left available for development within the current reserve.

There is no evidence to suggest that the previous CLP has properly analysed and identified the factors defining land suitable for the development of future housing.

The community is basically caught between the flood environmental constraint to the west and south and the land tenure limitations to the north and east.

The modification of the lease boundary to provide the community with adequate developable land is most desirable. Discussions between the community advisor and the Kimberley Land Council on this issue have taken place in recent times.

8.3.HOUSING

Provision of housing and infrastructure

Under the *Agreement for the Provision of Housing and Infrastructure for Aboriginal and Torres Strait Islander People in Western Australia July 2002-June 2007* (the Agreement), ATSIC and the Department of Housing and Works (DWH) have agreed to combine their individual housing and infrastructure funding into one funding pool, to be administered by the DHW Aboriginal Housing and Infrastructure Directorate (AHID)

The key elements of the Agreement are:

- Each ATSIC Regional Council will develop a 5 year rolling Regional Housing and Infrastructure Plan (RHIP), to be reviewed annually.
- The RHIP will set out each region's housing and infrastructure priorities for Indigenous people in the region. The priorities identified by Regional Councils in the RHIPs must be based on justifiable need.
- AHID will program manage the pool of funds.
- AHIC approve the content of the RHIPs submitted by Regional Councils and allocate pooled funds between the nine Regional Council areas, according to an agreed needs based funding formula.

Cost contribution

The community contributes to the cost of housing repairs and maintenance through a rental scheme whereby money is deducted from Centerlink entitlements or CDEP wages.

Distribution excluding outstations

Community advisor:	None
Community officer:	None
School teachers:	4
Nurses:	None
Store keeper:	1
Single men:	1
Single women:	1
Family homes:	27
Decommissioned:	None
Total	34

Visitor accommodation

Not provided.

Immediate needs

The 1981 built housing stock has probably reached 75% of its life cycle. A combination of demolition, refurbishment and construction of new dwellings should be envisaged as soon as possible. A formal audit of the housing stock would be the natural first step of that process.

8.4.COMMUNITY FACILITIES

Clinic

The facility seems to be in relative good condition (not visited internally).

The community is visited by a nurse 3 days a week. Emergency evacuations are directed by road to the Fitzroy Crossing Hospital thus allowing family visitations and communication with patients.

Store

The community operates a store built in several stages. Equipped with cool room and frozen food storage, the shop is also the point of sale for gas bottles.

School complex

The Education Department runs the school complex located some 500m from the settlement on a separate title.

The school caters for children from Wangkatjungka as well as Ngumpan (19km north), Kupariya (75km north-east), Mount Pierre (66km east) and some emerging outstations (also known as blocks).

Pupils' distribution is as follow:

- Kindy 10
- Pre-primary 6
- Primary 75
- High 23

Total 114

Community hall

Immediately adjacent to the office, the community hall shares the central area with the other community buildings. The hall surrounded by mature trees is a multi purpose facility allowing for community meetings and occasional art activities.

Workshop and depot

The community mechanical workshop/depot is located in close proximity to the office and within a fenced compound.

The workshop is part funded by ATSIC and part funded by the community.

The key role of the workshop is to maintain community vehicles and machinery.

Major repairs are directed towards Fitzroy Crossing whenever possible.

Sporting Oval

An undersized football oval is available in close proximity to the community gym and the store. The oval reticulation is not in service. In the longer term a full size oval could be establish at the settlement's periphery and the current facility converted into a landscaped open space.

Women's Centre

No facility available.

Single person accommodation

The ultimate status of the single men and single women accommodations is unclear. Both facilities would require significant refurbishment however the need to maintain these two functions has been reaffirmed.

Aged persons accommodation

Not available and probably required for both sex.

Church

A small shed sited on high ground near the water tower operate as a church on Sundays. Estimated attendance: 30.

Swimming Pool

Not available. Outings to nearby creeks are popular. The existing oval site would be ideal for such facility in the long term.

Tourist facilities

Not available and not required. Wangkatjungka is not visited by tourists and the immediate areas have little to offer in that respect.

Craft centre

Not available. Assessment of future needs in this area is to be determined.

9.OPPORTUNITIES & CONSTRAINTS ON DEVELOPMENT

9.1.ECONOMIC DEVELOPMENT

Community Development and Employment Program

Wangkatjungka, Kupartiya and Ngumpan Communities have strong links to each other and are dependant on CDEP programs to generate employment. Supplementary grants and funds come from ATSIC and are coordinated by Marra Worra Worra in Fitzroy Crossing. Currently there is no on site administration of CDEP programs.

Tourism

Opportunities in this area are extremely limited. The community immediate environment could not be considered as a destination. However the region itself is well frequented by tourists and job opportunities may be found at Fitzroy Crossing and along the Great Northern Highway.

Horticulture

An area immediately east of the existing settlement has identified a potential future horticulture area.

9.2.ENVIRONMENTAL CONSIDERATIONS

Climate

Fitzroy Crossing is characterised by a winter dry season and a summer wet.

Average annual rainfall is 537mm with an average of 49 rain days. Most of this rainfall is recorded in the months from December to March. During this time localised flooding is common.

From May to October, days are warm and dry and nights cool whilst December to March in most years, tropical storms transform the surrounding countryside into a waving sea of green. The average maximum temperature is 35.7 degrees C and the average minimum temperature is 19.2 degrees C. The variations in rainfall and temperature result in high levels of humidity.

Drainage

The main area proposed for future housing in the previous CLP (near the eastern boundary of the settlement) is located in an area prone to water run-off with less than favourable soils conditions. This is clearly visible when looking at that area from the top of the nearby water tower.

Soil

The soil type is predominantly a mix of 'pindan' or red brown sand clay and the productive 'blacksoils.'

The community central area may have been used as a rubbish dump by the nearby station prior to the establishment of the community. It is suggested that, following heavy rain, contamination can be seen flowing out of that site. This would require investigation and proper assessment. The rocky ridge where the water tower has been established runs through the settlement.

Flooding

The community is not subject to flooding however, the creek east and south provides constraints to development during the wet season. The 100 flood ARI is identified on the plan.

Rubbish Transfer Site & Permanent Solid Waste Disposal Site

The community's rubbish tip is not accessible during the wet season when the local creek overflows. A rubbish transfer area has been created in the southern section of the settlement. Such holding area is found less than 50 metres from existing dwellings when a minimum of 400 metres would be more appropriate.

It is evident that a permanent location for solid waste disposal away from the community should be pursued and the best option is to reinstate the rubbish tip site located 1km south. Emphasis should be placed to ensure that this site is accessible during the wet season and as such it is recommended that an all weather creek crossing is the best long term solution.

Fauna

No adverse impact.

Land Contours

A rocky ridge exists on the eastern section of the community which represents an opportunity for residential growth.

Animals

The community's dog population is relatively high and the management of population level could be applied. There is acceptance to reduce the dog population within the community's middle age group. Resistance is experienced with older individuals that have traditional attachment to dogs from either past hunting experience or close relationship with animals as pets.

Fire protection

No apparent vulnerability. Fuel content in vegetation surrounding the community is very low.

Amendment 8 insert. August 2015

In June 2015 consultants Water Technology completed the 'Wangkatjungka Flood Hazard Assessment Report'. That report identified land that is subject to flood hazard, and includes recommended mitigation options (including minimum finished floor levels). This report is available from the Department of Planning on request.

9.3. INFRASTRUCTURE AND SERVICES

Water Supply

New water reticulation mains will need to be installed to service the new residential lots. This will be an extension of the existing reticulation system and generally comprise 100mm PVC mains installed on an alignment of 2.4m from the property boundary.

There is an urgent need to replace the existing water reticulation mains which are currently asbestos cement and prone to breakage. These should be replaced with 100 – 150mm PVC mains laid on an alignment of 2.1m from the property boundary.

Further development will also result in an increase in consumption and additional storage capacity will be required. This will involve an additional ground level storage tank and associated transfer pumps.

Power Generation

Power supply will need to be extended to the new building sites. This will comprise overhead service lines connected to the existing supply on an alignment of 2.7m from the property boundary.

Power generating capacity will in the longer term need to be increased to cater for additional loading. The Wangkatjungka power station could be included on the Remote Communities Power Procurement Program and in this case the new power station should be sited to reduce the impact of noise and pollution on the community. A minimum buffer of 100m is recommended.

Wastewater Disposal

Sewerage reticulation will need to be extended to service the new building sites. This will comprise 150mm PVC gravity mains connecting to an existing manhole upstream of the pump station. The existing pump station and sewerage ponds should be adequate to cater for the additional development.

The existing sewerage reticulation and manholes require upgrading and repairs. A remote Flygt level system should be installed at the pump station to enable remote monitoring and control.

Roads

New road and stormwater drainage system will be required to service the new building sites.

9.4. SCHOOL

The school capacity and catchment is addressed in Section 4 and 8.4 of this report. Given the vast catchment distances that pupils travel daily the sealing of the road from the school to the Great Northern Highway will significantly improve access to the school as well as the Wangkatjungka Community.

There is an opportunity for the school curricular to respond to the identified horticulture area in the CLP where students could assist in its development.

10. IDENTIFICATION OF COMMUNITY'S OBJECTIVES, SPECIAL NEEDS AND REQUIREMENTS

The Community's objectives, special needs and requirements can be summarised as follows:

- Modest development opportunities can be found on rocky grounds in the settlement's central area. Services are in close proximity and the community would remain relatively compact;
- Establishment of 20 new residential lots;
- Consolidation of the southern residential area;
- Relocation of single persons area west of the oval to the south-east section of the settlement and decommissioning of the old area;
- The elimination of cul-de-sacs by creating through roads;
- Expansion of the oval and relocation of the old school building;
- Establishment of a child care facility immediately west of the community office and in close proximity to the Home and Community Care Building;
- Protection and expansion of the workshop area;
- Identification of a swimming pool site near the oval.

11. PLANNING PHILOSOPHY

The planning philosophy has been articulated along the following principles:

- Understanding and Respect for the Community's choices and expectations;
- Consolidate the settlement by linking the south-east residential area with the north-west residential area with a second road via the water tower;
- Consolidation of community facilities around the store;
- Protection of cultural areas;
- Introduction of open space areas to facilitate the greening of the community;
- Incorporation of existing services and infrastructure features into future road reserves where ever possible;
- Introduction of new housing lots comparable in size to existing lots.

12. METHODOLOGY TO PREPARE THE CLP

The methodology to prepare the CLP has been based on the preparation of documentation, planning options and concepts, the presentation of such material during four visits to the community and the allowance for negotiation “loops” to be completed between community members themselves between each visit and outside the consultant’s presence

12.1. SITE VISIT AND CONSULTATION 1

Date:

14 April 2003

Visiting Team:

Hervé Calmy, Town Planner, Hames Sharley
Peter Randerson, Engineer, ARUP

Attendees at Meeting:

Lloyd Kwilla

The Inception Visit consisted of a briefing from Herve Calmy in relation to the CLP purpose and process, the objectives of the consultation schedule and the program of future visits.

Key issues raised whilst walking through the community were:

- The necessity to consider closing the rubbish transfer site;
- The aging housing stock;
- Potential contamination land identified in the vicinity of the oval during the wet season;
- Not to pursue housing in the black soil area to the east of the community;
- Need to create sorry area to the south of the office including shelters and ablutions with the ability to cater for up to 400 people during lore ceremonies.

12.2. SITE VISIT AND CONSULTATION 2

Date:

17 June 2003

Visiting team:

Hervé Calmy, Town Planner Hames Sharley
James Blitz, Town Planner Hames Sharley
David Kelly, Program Manager, Department of Housing and Works.

Attendees at Meeting:

Lloyd Kwilla

Majority of community attended to discuss housing and land-use options

One of the main purposes of the second visit was to identify land suitable for future development within the community.

The following items were raised whilst walking through the community:

- Identified the ridge area to the east of the existing oval suitable for residential development;
- Identified camping site to south of office area;
- Discussed the necessity to link all cul-de-sacs as through roads;
- The need for an all weather strategy for access to an appropriately located rubbish disposal site.

12.3. SITE VISIT AND CONSULTATION 3

Date:

9 September 2003

Visiting team:

Hervé Calmy, Town Planner Hames Sharley

James Blitz, Town Planner Hames Sharley

Attendees at Meeting:

Community Council Person: Jane Bieunaury

Community Project Officer: Wayne Wallaby

Community Members: Malcolm Uhl & Claude

Wayne was representing the Chairperson with the responsibility to convey questions and comments back to Allan Lawford and Lloyd Kwilla

The CLP 1st Draft sent in advance directly to the community in June was discussed and the 2nd Draft presented.

The following issues were raised:

- Confirmation of the location of the area set aside for single persons;
- Confirmation of the location dedicated to future residential blocks;
- Strategy to expand the shop, the clinic and the workshop compound;
- Definition of restricted areas for lore and cultural business;
- Identification of areas to be landscaped in the foreseeable future;
- Confirmation of the future road network;
- Strategy to expand the oval and relocate the clubhouse and
- Strategy to relocate the rubbish tip when an all weather access across the creek is secured

Four items not previously discussed were also raised:

- The establishment of an Orchard between the community western boundary and the new residential area;
- The location of a Women Centre, perhaps in close proximity to the future child care facility;
- The establishment of an art centre and
- The strategy to expand the area dedicated to community purposes west of the existing hall and office.

A walk in the Community was carried out by Herve, James and Wayne to discuss the establishment of the future western residential precinct and associated roadwork. The following was noted:

- Several easements needed between houses to facilitate road drainage and access to both the possible future orchid and the community central area;
- Road clearance beneath the powerline immediately south of the water tower;
- Presence of an underground water main (possible fire hydrant) in the same location;
- Watertank overflow to be secured when new road is established;
- Road access to future orchid area and
- Relocation of existing drain in central area to facilitate expansion of the oval.

12.4. SITE VISIT AND CONSULTATION 4

Date:

Scheduled for 24 February 2004

Visiting team:

Hervé Calmy, Town Planner Hames Sharley

James Blitz, Town Planner Hames Sharley

Scheduled Attendees

Lloyd Kwilla;

Jane Bieuneurry;

Steven James

The purpose of this visit is for sign off for the CLP. Final Report and Plans will be sent on 13 February 2004 in advance of scheduled meeting.

13. EXISTING STATUTORY AND NON STATUTORY CONTROLS

13.1. STRATEGIC TOWN PLANNING INITIATIVES

State Planning Strategy

This document was prepared by the Western Australian Planning Commission (WAPC) and provides a strategy for the future decision making and planning by government agencies.

Recommendations included in this document that apply to the region are:

- Facilitate the preparation of Community Layout Plans for remote Aboriginal communities to enable them to determine the future of their settlements;
- Develop planning policies for service provision to remote Aboriginal communities and town reserves;
- Encourage Aboriginal participation in industry related vocational training and on-the-job training.

Statement of Planning Policy No. 13

This WAPC Policy establishes a formal planning framework for the preparation and approval of a CLP for permanent Aboriginal communities. The objectives of the policy are to improve the standard of living and quality of life for people living in Aboriginal communities by:

- Providing a framework to ensure that large permanent Aboriginal communities are afforded a high level of service;
- Ensuring that these communities and associated land uses are appropriately identified and zoned within Local Government town planning schemes;
- Providing a mechanism that will enable both local government and the WAPC to approve CLP's prepared for Aboriginal communities;
- Providing a framework for negotiation and decision making between Aboriginal communities and local government.

Guidelines For The Preparation Of Community Layout Plans For Western Australian Aboriginal Communities

These guidelines were prepared jointly by ATSIC, the Department of Indigenous Affairs and the WAPC. The Guidelines outline the form, content and structure of a CLP. They highlight the importance of establishing an effective consultation process with the Aboriginal community and stakeholders in order to achieve a CLP that is understood and endorsed.

The guidelines outline the purpose of CLP's as:

- A vision for the community and a guide to the community's future growth and development recognizing the community's aspirations;
- Provide a community focus for, and involvement in, the development process;
- Facilitate proper and orderly planning of the community to establish development requirements based on need with social, physical, environmental and economic opportunities and constraints;
- Provide a mechanism for a coordinated approach to the provision of services and infrastructure and enable access to existing services and infrastructure information; and
- Promote development that maximises health, safety and welfare outcomes for the community.

13.2. LOCAL GOVERNMENT

The Shire of Derby – West Kimberley

The Shire is situated approximately 2,000 kilometres north of Perth and covers an area of 102,700 square kilometres. It includes the townsites of Derby and Fitzroy Crossing.

The Council's Mission Statement is "We will strive, in partnership with our community, to cultivate our unique Kimberley spirit and lifestyles." The Council's vision is to achieve a unique blend of friendly, safe communities and attractive towns building on a future of people working together and respecting each other's values and lifestyles.

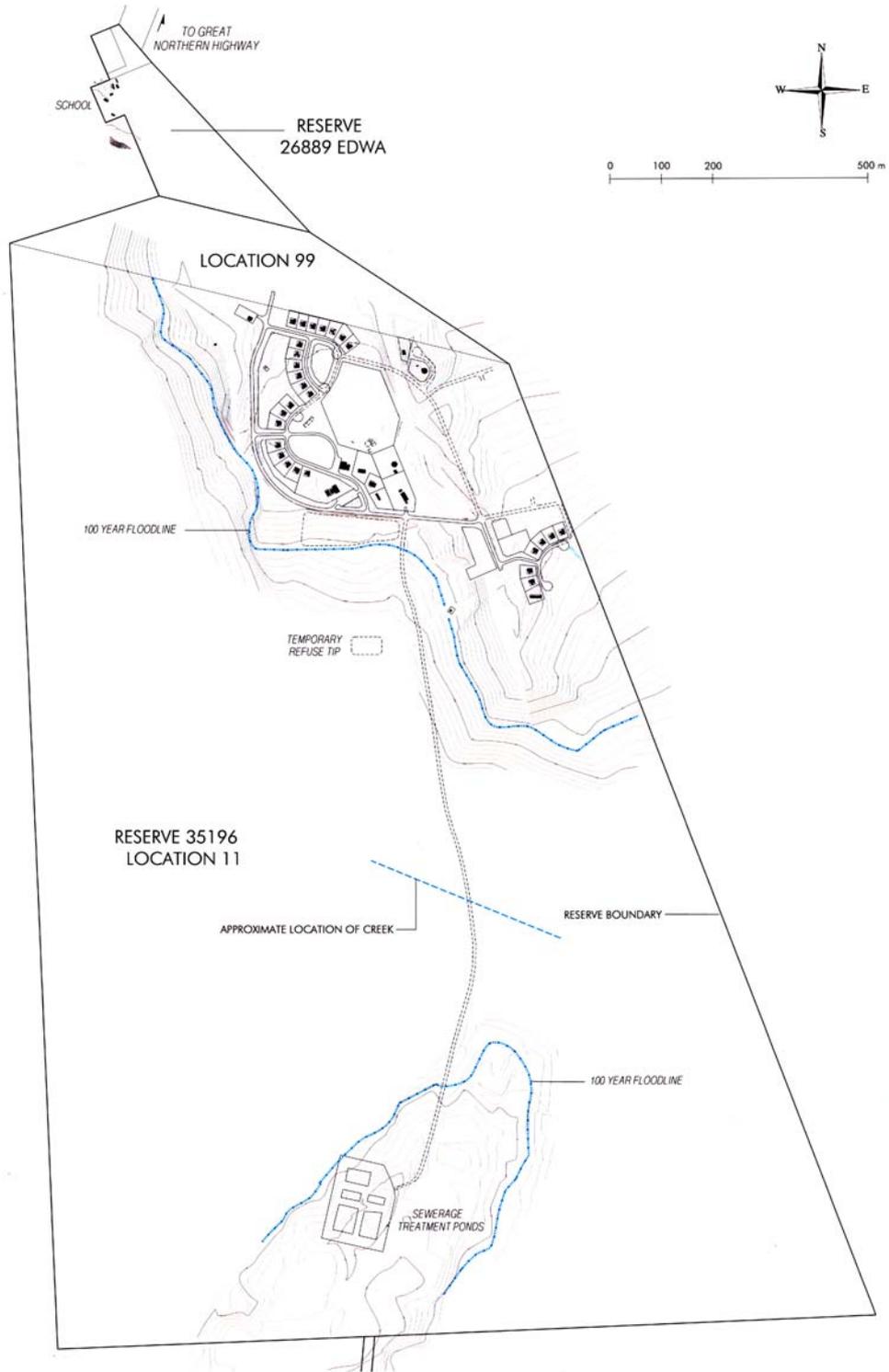
The Council's vision also states, "Growth in business, industry, tourism and the arts is a key part of our vision and will provide jobs and the economic base to deliver a comprehensive range of services and facilities. Our vision is to attract sustainable development."

Town Planning Scheme Provisions

The Shire of Derby/West Kimberley Town Planning Scheme No. 5 extends only to the townsite of Derby. An Interim Development Order (No.7) does affect the scheme boundary of the proposed Town Planning Scheme No. 6 described as Fitzroy Crossing Townsite boundary extending southwards to include Reserve No. 35167, No. 38602, No. 39294 (Use and Benefit of Aboriginal Inhabitants) and Reserve No. 35166 (Sewerage Treatment Plant Site) and the Camballin Townsite Boundary.

The proposed Fitzroy Crossing Town Planning Scheme and Interim Development Order do not affect the Wangkatjungka Community.

14. COMMUNITY GREATER PLAN



15. PHOTOS AND THE CLP



Panorama looking south from foot of water tower



Panorama looking south from top of water tower



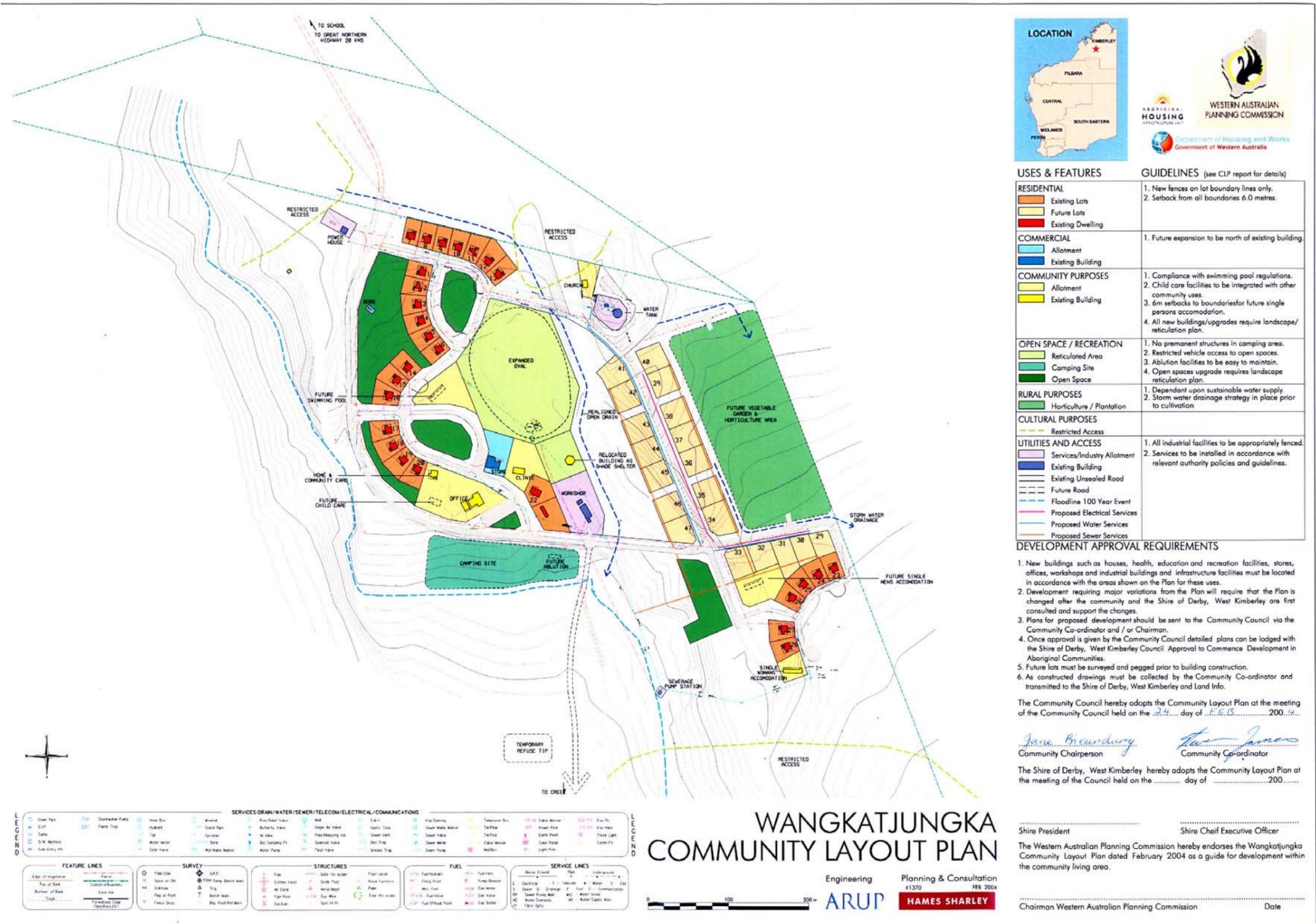
View of lots 17 to 20 along the community main access road looking east



Community main access road looking north towards the power house



The creek crossing subject to flooding during the wet season south of the community



PART II - PROVISIONS

1. INTRODUCTION

These provisions complement the Community Layout Plan which sets out existing and future uses. The provisions provide guidance in planning for future growth and consideration of development proposals.

2. LAND USE TYPES

The Land Use Types shown on the CLP indicate the preferred areas within which future development should occur. The actual location of new buildings may vary according to community preferences, design elements and infrastructure and servicing constraints.

The following Land Use Types have been included in the CLP to reflect current uses and to guide the future choice of sites for activities and development:

- Residential
- Commercial
- Recreation/Open Space
- Community Purposes
- Cultural Purposes
- Utilities and Access
- Rural Purposes

3. OBJECTIVES AND DEVELOPMENT GUIDELINES

The Land Use Plan has been prepared with the objective of ensuring that there is sufficient land for these uses and the separation of non compatible uses.

It is anticipated that some development proposals will arise for uses that have not been identified in the CLP. The Land Use Objectives and Guidelines will assist in the consideration of the most appropriate location for future development and will assist with layout and design matters.

4. CLP IMPLEMENTATION & DEVELOPMENT APPROVAL

The following implementation framework has been devised in collaboration with the Shire of Shire of Derby/West Kimberley. It attempts to describe the appropriate set of steps during the

planning and construction process in order to ensure understanding, compliance and maintenance of the CLP.

Program Managers

The Program Managers are officers of Government Departments and Publicly funded organisations having responsibility and financial authority to establish new buildings or facilities within the Community.

The Departments mostly involved are:

- Department of Housing & Works
- Office of Energy and Western Power Corporation
- Department of Local Government & Regional Development
- Health Department
- Education Department

Program Managers can also belong to independent and or private groups dealing with essential services, education, communication etc.

Project Managers and or Design Team are selected from a panel or through a tender process by the Program Managers to oversee the design, documentation and construction of a particular project. Project Managers and or Design Team are preparing the necessary tendering documentation and also participate in the selection of builders and or construction companies.

Step 1. CLP attainment

Program Manager to seek from DPI the CLP of the Community subject to forthcoming works.

Step 2. CLP included in design brief

Program Manager to provide CLP to Project Manager/Design Team as part of the Design Brief package.

Step 3. 1st visit with CLP in hand

Design Team preliminary visit to Community to assess project objectives against conditions on the ground as well as CLP requirements. Community Coordinator to also ensure that the CLP is taken into account during preliminary visit.

Step 4. Options evaluation, possible CLP amendment

Design team to consider options within the CLP framework. Infrastructure and essential services needs should be included in the criteria to evaluate options alongside cultural and social requirements.

If preferred option is outside CLP framework, the Project Manager is to consult the Program Manager and initiate a CLP amendment through DPI.

Step 5. Planning application to Shire in compliance with CLP

Project Manager/Design Team to secure endorsement of preferred option with Community and subsequent clearance to proceed with Program Manager

Project Manager/Design Team to submit planning application to the Shire (see attached application form) in compliance with the requirements of the CLP.

When the Aboriginal Land Trust is the legal land owner, it must also sign the application form.

Step 6. Planning approval

Shire to liaise with Community Coordinator to confirm compliance/acceptance of the project by the Community.

Shire to approve planning application with conditions.

Step 7. Design, tender and award

Project Manager/Design Team to proceed with design development, detail design tender documentation and tender phase.

Project Manager to recommend Program Manager preferred Contractor.

Step 8. Building licence approval

Project Manager/Design Team to consult with successful Contractor and lodge building licence application with the Shire.

Shire to approve building licence application with conditions inclusive of a project establishment survey consistent with the CLP.

Step 9. Project establishment survey consistent with CLP

Project Manager/Design Team and Community Coordinator to ensure that a project establishment survey consistent with the CLP is initiated by the Contractor.

Step 10. Construction

Construction phase, Project Manager/Design team and Shire to conduct site inspections and ensure compliance with CLP. Shire requires notification prior to inspection.

Step 11. Contractor transmit "as constructed" drawings

Project Manager/Design team to sign off practical completion upon final site inspection. Contractor to issue to Project Manager/Design team "as constructed" drawings inclusive of site plan and all services within two months of practical completion.

Project Manager/Design team to issue to Contractor final progress certificate at end of defect liability period conditional upon effective receipt of "as constructed" documentation.

Step 12. Update of CLP following receipt of "as constructed" drawings

Project Manager/Design team to transmit "as constructed" drawings to Program Manager and Shire.

"as constructed" drawings also transmitted to DPI/Land Info to update CLP.

Step 13. Program Manager receives project certificate of classification

Shire to issue to Program Manager the project certificate of occupancy or certificate of classification.

7. ENDORSEMENT

WANGKATJUNGKA ABORIGINAL CORPORATION

The Community Council hereby adopts the Community Layout Plan at the meeting of the Community Council held on the 24 day of FEB 2004


.....
Community Chairperson


.....
Community Co-ordinator

SHIRE OF BERBY/WEST KIMBERLEY

The elected Council of the Shire of Derby/West Kimberley hereby adopts
The Community Layout Plan, report and provisions at the meeting of the Council held on the
.....day of200.....

Signatures:

.....
Shire President

.....
Shire Chief Executive Officer

WESTERN AUSTRALIAN PLANNING COMMISSION

The Western Australian Planning Commission hereby endorses the Wangkatjungka Community Layout Plan dated February 2004 as a guide for development within the community living area.

.....
Chairman
Western Australian Planning Commission

.....
Date

8. APPENDIX 1

8.1 SHIRE OF DERBY WEST KIMBERLEY ADVICE NOTES

1. The current location and management of the refuse tip requires remediation as a matter of priority. To this extent, the Council strongly recommends the Community investigates opportunities to relocate the tip to another location with suitable all weather access;
2. Further investigations should be undertaken into identifying a suitable location for any future power station to be constructed. Such a site should be located to reduce the impact of noise and pollution on the Community. A minimum buffer of 100 metres to residential dwellings is recommended.

AMENDMENTS

Date: 10th November 2010

Reason for the Amendment

To show administrative changes to the plan.

Details of the Amendment

The intention is to modify the community layout plan endorsed by the WA Planning Commission on 22nd March 2006.

Amendments made to CLP
1. Number lots that were unnumbered.

Approved / Noted:

Amendments are minor in nature. As such, endorsement not required.

- 10 November 2010

Other Information:

This CLP 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.

To update the mapping, please forward details of amendment to
Western Australian Planning Commission, 469 Wellington Street, PERTH WA 6000

Attn: Thomas Della Vedova,

or e-mail to thomas.dellavedova@planning.wa.gov.au

Wangkatjungka Community Layout Plan No.1

Amendment No.2

Date : 12 October **Community** : 24 February 2004
Officer : Brianna Sharp **Endorsed**
Requires : Yes
Endorsement

Details of the Amendment

The intention is to modify the Wangkatjungka Layout Plan endorsed by the WA Planning Commission on 22 March 2006 in accordance with requests made from the community.

Amendments made to CLP	
1. Lot creation	<ol style="list-style-type: none">1. Add 'residential' Lots 72-76, 78, 78-83.2. Add 'public utility' Lots 97-99, 100, 120 & 121.3. Amalgamate Lot 59 and Part Lot 49 to create Lot 77.
4. Amend land use	<ol style="list-style-type: none">1. Change Lot 48 from 'horticulture' to 'recreation'2. Change Lot 29 from 'community' to 'residential'.3. Change Lot 59 from 'residential' to 'community'.
4. Update As Con	<ol style="list-style-type: none">1. Update plan with latest as constructed survey data.
5. Amend 'no go area'	<ol style="list-style-type: none">1. Update plan with amended 'no go area' as identified at Heritage Survey on 4th October 2011.

Approved / Noted:

See Attached

Plan Date : 24 February 2004 **WAPC** : 24 March 2006
Proponent : Department of Planning **Endorsed**
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 Wangkatjungka Layout Plan 1.

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 Wangkatjungka Layout Plan 1.

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, Peel Planning - Department of Planning

Date 12/9/2012

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.

RESOLVED & RECORDED IN MINUTES
OF THE STATUTORY PLANNING
COM. STAFF MEETING
11 SEP 2012

Wangkatjungka Layout Plan No.1

Amendment No.6

Proponent	: Department of Housing (DoH) : Department of Transport (DoT)
Date	: 07 March 2014

Reason for the Amendment

DoH propose to build a number of houses at Wangkatjungka. To achieve this objective numerous housing sites have been selected that do not comply with the current Layout Plan, but are viable in terms of efficient use of existing essential and municipal services.

DoT contracted the Centre for Appropriate Technology (CAT) to report on the site selection for a new community Air Strip. A suitable location has been identified to the east of the settlement and is now required to be shown on the Layout Plan.

Land abutting the eastern boundary of the Wangkatjungka Recommended Settlement Zone area has been excised from Christmas Creek Station (Pastoral Lease 3114/1257) and created as Lot 851 for the purpose of aerodrome.

Changes required to the layout plan are as follows:

Issue / Proposal		Changes required to GLP
1.	SL-lot 49	A portion of SL-lot 49 to be changed from 'Recreation' to 'Residential' land use.
2.	SL-lot 49	A portion of SL-lot 49 to be subdivided and reconfigured to include a new SL-road and SL-lots 76 and 85 – 95.
3.	SL-lot 76	Original SL-lot 76 deleted.
4.	SL-lot 72 and 73	Slight boundary realignment of SL-lots 72 and 73.
5.	SL-lot 77	Eastern portion of SL-lot 77 changed from 'Community' to 'Residential' land use, and the western portion changed from 'Community' to 'Recreation' land use.
6.	SL-lot 68	Subdivide SL-lot 68 into SL-lot 68 and SL-lot 96.
7.	SL-lots 78 and 79	Amalgamate SL-lots 78 and 79 to become SL-lot 78. Change land use of SL-lots 78 and 79 from 'Residential' to 'Open Space'.
8.	SL-lot 21	Subdivide SL-lot 21 to create SL-lot 98. Change land use of proposed SL-lot 98 from

		'Community' to 'Residential'.
9.	Boundary realignment and land use change	Realign the boundaries of lots 54, 81, 82, 83 and 112. Change land use from 'Community' to 'Residential'.
10.	Create new SL-lots	Subdivide SL-lot (Community) 51 and create SL-lots 113, 114, 115, 116, 117, 118 and 119.
11.	Land use changes	Change land use of SL-lots 113-116 from 'Community' to 'Residential'. Change land use of SL-lots 117-119 from 'Community' to 'Open Space'.
12.	Create new SL-road	Create new SL-road through SL-lot 51, connecting to Wangkatjungka Road. Change land use from 'Community' to 'Road Reserve'.
13.	New community airstrip	Create SL-lot with the land use classification 'Community' for the purpose of a community airstrip.
14.	Extend Recommended Settlement Zone	Extend Recommended Settlement Zone to include Lot 851.

Endorsements:

Wangkatjungka Community Incorporated	
please sign and print name <i>DOUGLAS HOBBS</i>	Date: 20.5.14
Kimberley Land Council Aboriginal Corporation WANGKATJUNGKA COMMUNITY INC	
please sign and print name <i>GREG PETERSON</i>	Date: 20.5.14
Shire of Derby-West Kimberley	
please sign and print name <i>Stephen Cash</i> STEPHEN CASH	Date: 1/9/14
Western Australian Planning Commission	
please sign and print name 	Date: 23/10/2014.

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.

Wangkatjunka Layout Plan No.1

Amendment No.7

Proponent : Department of Housing (DoH)
Date : 22 October 2014

Reason for the Amendment

DoH propose to remove and realign some residential SL-lots to respect existing natural drainage channels. Changes required to the layout plan are as follows:

Issue / Proposal		Changes required to CLP
1.	Minor modification to the SL-lot layout of SL-lots 49, 72, 86, 87 and 151 to ensure that no residential land is affected by existing known drainage channels.	Amalgamate SL-lot 72 and portions of SL-lots 49, 86 and 87 to SL-lot 151. Show as SL-lot 151 'open space'.
2.	Amendment 6 amalgamated SL-lots 78 and 79 and changed the land use from 'residential' to 'open space'. For clarity, the residual SL-lot 78 is no longer required and is proposed to be amalgamated with the un-numbered 'open space' SL-lot abutting to the south.	Amalgamate SL-lot 78 with the un-numbered 'open space' SL-lot abutting to the south. Show as SL-lot 78 'open space'.
3.	Expand Lot 851 (community uses – aerodrome) to abut Wangkatjunka Road to make clear future access options.	Amalgamate Lot 851 with the portion of SL-lot 150 bounded by Wangkatjunka Road (east) and the southern boundary of Lot 44 (Crown Reserve 26889).

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 Planning Manager, Aboriginal Communities Determined on behalf of the Western Australian Planning Commission PN: 15151.1 date
	 Ashley Randell Planning Manager, Aboriginal Communities Regional Planning & Strategy PN: 15151.1 Authorisation name & 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, 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 :	20 August 2015

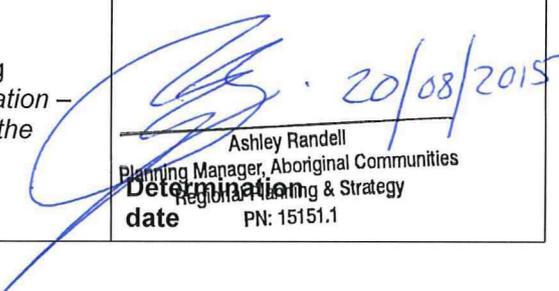
Reason for the Amendment

In June 2015 consultants Water Technology completed the 'Wangkatjunka Flood Hazard Assessment Report' on behalf of the Department of Planning. The 'Wangkatjunka Flood Hazard Assessment Report' recommends several amendments to the Wangkatjunka Layout Plan 1 (LP1), including modifying SL-lots and specifying minimum finished floor levels that differ from those specified in the LP1 report. The LP report is required to be amended to match the flood study.

Issue / Proposal		Changes required to CLP
1.	SL-lot 150	Subdivide SL-lot 150 to create SL-lots 150 and 156.
2.	Add 'Waterway' land use classification	Add 'Waterway' land use classification in accordance with the 'Wangkatjunka Flood Hazard Assessment Report (June 2015)'.

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.

<p>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></p>	 <p>Ashley Randell Planning Manager, Aboriginal Communities Regional Planning & Strategy Department of Planning & Strategy PN: 15151.1</p> <p>Determination date</p>
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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, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

Proponent	: Housing Authority
Date	: 17 June 2015

Reason for the Amendment

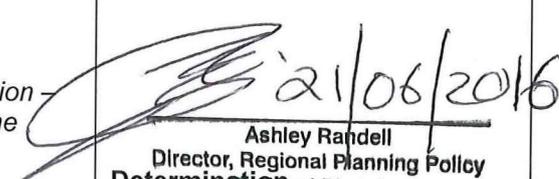
The Housing Authority has recently built a number of houses on Tenth Street Wangkatjunga. The Layout Plan is required to be amended to ensure that the road alignment matches recent construction.

Changes required to the layout plan are as follows:

Land identification		Amendment description
1.	SL-lots 151, 302 & 303	Amalgamate SL-lot 303 and a portion of SL-lot 302 into SL-lot 151. Change the land use of SL-lot 151 from 'open space' to 'waterway'.
2.	SL-lots 300, 301, 304, 305, 306, 307, 308 & Tenth Street	Spatially upgrade to match the alignment of recent development.
3.	SL-lots 58, 71 & 150	Amalgamate a portion of SL-lot 71 into SL-lot 58 to match existing use and development. Amalgamate portion of SL-lot 150 into SL-lot 71 to match existing use and development.

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.

<p>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></p>	 <p style="text-align: center;">Ashley Randell Director, Regional Planning Policy</p> <p>Determination date PN: 15151</p>
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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, Department of Environmental Regulation, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water.

Proponent :	Department of Planning, Lands and Heritage
Date :	15 August 2017

Reason for the Amendment

Amendment 10 to Wangkatjunga Layout Plan 1 proposes to modify the extent of the Recommended Settlement Zone by excluding Lot 851.

The Recommended Settlement Zone includes all of the following land holdings:

- Crown Reserve 26889 (Lots 6, 10 and 44). School Purposes.
- Crown Reserve 35196 (Lots 11 and 99). Aboriginal Lands Trust.
- Lot 851. Pastoral Lease N049681 (Christmas Creek Station). Klopper Holdings P/L.

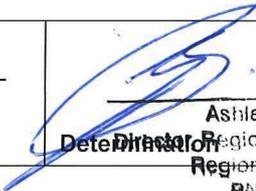
Amendment 7 to Layout Plan 1 (2014) included increasing the extent of the Recommended Settlement Zone to include Lot 851. At that time an agreement was in place to excise Lot 851 from Christmas Creek Station when the pastoral lease was to be renewed in 2015. However, when the pastoral lease was issued on 1 July 2015 it included Lot 851.

It is necessary to amend Layout Plan 1 to match the existing land tenure and ownership arrangements, by excluding that portion of Christmas Creek Station that is currently within the Recommend Settlement Zone.

Land Identification		Amendment description
1.	Recommended Settlement Zone	Alter the extent of the current Recommended Settlement Zone to exclude Lot 851, Pastoral Lease PL N049681

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: 16 August 2017
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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, Department of Environmental Regulation, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water.

Proponent	: WA Country Health Service
Date	: 24 May 2019

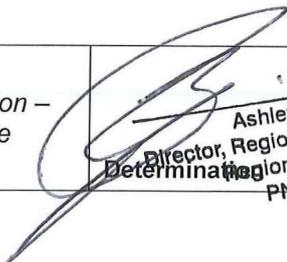
Reason for the Amendment

The WA Country Health Service has constructed a new health facility in Wangkatjunka and as such an amendment is required to change the land use classification from 'recreation' to 'community' on SL-lot 60 to match the existing development. In addition, it is proposed to assign an SL-lot number and land use to a portion of Crown Reserve 26889 (Department of Education) that is blank on the Layout Plan.

Land Identification		Amendment description
1.	SL-Lot 60	Change the Land use of SL-lot 60 from 'recreation' to 'community'.
2.	Lot 44 Crown reserve 26889	Assign a new SL-lot number (SL-lot 865) to a portion of Lot 44 of Crown Reserve 26889 and allocate the 'community' land use.

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>	 28/05/2019 Ashley Randall Director, Regional Planning Determination 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.