

Mandangala Layout Plan 1

Background Report

October 2015

Date endorsed by WAPC



Amendments

Amendment 1 - April 2017

Amendment 2 - January 2020



Department of Planning,
Lands and Heritage



Western
Australian
Planning
Commission

MANDANGALA LAYOUT PLAN 1

This background report was prepared during the dry season in 2000 by consultants GHD and Planwest.

Layout Plan 1 (LP1) was endorsed by the Mandangala Aboriginal Corporation on 23 May 2000 and the Shire of Wyndham East Kimberley on 15 June 2000. The Western Australian Planning Commission (WAPC) did not endorse LP1 at that time. On 13 November 2012, the WAPC ratified draft version 3. of LP1, believing that the resident community and local government had not endorsed the plan.

In October 2015 the WAPC was made aware of the existing endorsements by the Mandangala Community and the Shire of Wyndham-East Kimberley and subsequently endorsed it.

The WAPC endorsed one amendment in April 2017 to incorporate a number of land use spatial arrangement issues, no changes were made to the background report. The endorsed amendment is listed in part 7 of this report.

In January 2020 the background report was updated as a part of Amendment 2. The Amendment 2 background report update sought to keep all relevant information, while removing and replacing out-of-date references and data. All temporal references in the background report refer to the original date of preparation, unless otherwise specified.

<p>As part of the machinery of government (MOG) process, a new department incorporating the portfolios of Planning, Lands, Heritage and Aboriginal lands and heritage was established on 1st of July 2017 with a new department title, Department of Planning, Lands and Heritage. Since the majority of this report was finalised before this occurrence, the Department of Planning, Lands and Heritage will be referred to throughout the document. Other government departments mentioned throughout this document will be referred to by their department name prior to the 1st of July 2017.</p>
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CONTENTS

EXECUTIVE SUMMARY	II
DEVELOPMENT PRIORITIES	III
1 BACKGROUND	1
1.1 LOCATION & SETTING	1
1.2 CLIMATE	1
1.3 HISTORY	1
1.4 PREVIOUS LAYOUT PLAN	1
2 COMMUNITY PROFILE	2
2.1 POPULATION	2
2.2 GOVERNANCE	3
2.3 LAND TENURE	3
2.4 NATIVE TITLE	4
2.5 ABORIGINAL HERITAGE	4
2.6 COMMUNITY ASPIRATIONS	5
3 INFRASTRUCTURE & SERVICES	6
3.1 ELECTRICITY SUPPLY	6
3.2 WATER SUPPLY	6
3.3 WASTEWATER	6
3.4 RUBBISH DISPOSAL	6
3.5 AIRSTRIP	7
3.6 INTERNAL ROAD LAYOUT	7
3.7 ACCESS & DEDICATED ROADS	7
3.8 COMMUNITY AND SOCIAL SERVICES	7
4 HOUSING	9
4.1 RESIDENTIAL AREAS	9
4.2 NUMBER & TYPE OF DWELLINGS	9
4.3 FUTURE RESIDENTIAL DEVELOPMENT	9
5 CONSTRAINTS AND LIMITATIONS	10
5.1 FLOOD HAZARD	10
5.2 DRAINAGE	10
5.3 CULTURALLY SENSITIVE AREAS	10
5.4 EXCLUSION BOUNDARIES	10
6 PLANNING FRAMEWORK	11
6.1 STATE PLANNING POLICIES	11
6.2 SHIRE OF WYNDHAM-EAST KIMBERLEY	11
7 ENDORSEMENTS	13
MANDANGALA COMMUNITY COUNCIL ENDORSEMENT	A
SHIRE OF WYNDHAM- EAST KIMBERLEY ENDORSEMENT	A
WESTERN AUSTRALIAN PLANNING COMMISSION ENDORSEMENT	B
CONSULTATION & REFERENCES	C
AMENDMENTS	D

Community Representative Organisations

Resident community representative Organisation	: Mandangala Aboriginal Corporation
Traditional Owners representative organisation	: Miriuwung and Gajerrong #1 (Native Title Prescribed Body Corporate) Aboriginal Corporation RNTBC
Related Organisations	: Glen Hill Pastoral Aboriginal Corporation

Acronyms

ABS	: Australian Bureau of Statistics
AHA	: Aboriginal Heritage Act (WA) 1972
ALT	: Aboriginal Lands Trust
ATSIC	: Aboriginal and Torres Strait Islander Commission
DAA	: Department of Aboriginal Affairs
DIA	: Department of Indigenous Affairs
DoC	: Department of Communities (Housing)
DPLH	: Department of Planning, Lands and Heritage
EHNS	: Environmental Health Needs Survey
GHD	: Gutteridge Haskins & Davey
GHPAC	: Glen Hill Pastoral Aboriginal Corporation
ILUA	: Indigenous Land Use Agreement (under the Native Title Act 1993)
KRSP	: Kimberley Regional Service Providers
LP	: Layout Plan
MAC	: Mandangala Aboriginal Corporation
NNTT	: National Native Title Tribunal
NTA	: Native Title Act (Commonwealth) 1993
NTRB	: Native Title Representative Body
ORIC	: Office of the Registrar of Indigenous Corporations
PBC	: Prescribed Body Corporate (under the NTA, representing native title holders)
RAESP	: Remote Area Essential Services Program
WAPC	: Western Australia Planning Commission

Layout Plans & the Development Process

Layout Plans provide a structure for future development. LP preparation includes consultation with a range of relevant government authorities and agencies, but it is not 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 the landowner, local government, incorporated community council, native title representative body, native title prescribed body corporate, Aboriginal Cultural Materials Committee, Environmental Protection Authority, state and federal government departments, and other relevant regulatory authorities.

EXECUTIVE SUMMARY

Mandangala Layout Plan 1 (LP1) was prepared during the dry season in 2000 by consultants Gutteridge Haskins & Davey (GHD) and Planwest. The tables below summarise the main issues concerning the planning, development and provision of services within Mandangala at that time, and these are covered in more detail in the body of this report.

Table 1 – Population Summary

Existing Population	72
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Table 2 - Place Characterisation Indicators

Indicator	Community Characteristics
Drinking water	Water quality and quantity is monitored through the RAESP programme.
Electricity	Electricity supply operated by community with repair and maintenance by RAESP.
Flood	Community area located on land where flood or storm surge is known to be experienced but mitigation measures in place.
Land tenure	Glen Hill pastoral lease N049794, lot 701 on DP 194363 vested with the ALT. The pastoral lease is sub-leased to the Glen Hill Pastoral Aboriginal Corporation
Wastewater	Gravity wastewater reticulation system, with a pressure main discharging to treatment ponds approximately 500m east of the community.
Emergency assistance	Emergency services greater than 30 minutes but no more than 2 hours total travel time from community. Nearest airstrip located at Argyle mine, 30 minutes from community.
Education	Jungdranung Remote Community School in the community, K to year 5
Health	Visiting Outreach Service available – unable to determine how often. Full-time Medical clinic at Warmun Clinic approximately 1 hour by road.
Food	Shops at Warmun, approximately 1 hour by road.
Transport	40km of rough dirt road to main highway seasonally cut off for more than 2 consecutive weeks in wet season.
Waste services	Rubbish tip is located south of the community and managed by the community.
Employment & enterprise	Community located 30km from Argyle Diamond mine, expected to close by the end of 2020. Some pastoral work also available.
Governance	Mandangala Aboriginal Corporation.
Aboriginal heritage	The community is located within the Miriuwung-Gajerrong (Western Australia) WAD6001/1995 determination area.

LP 1 plans for future expansion of the community and formalises existing infrastructure and land-uses and provides a future lot layout and road design.

The major purpose of the LP 1 is to guide the growth and development of Mandangala by providing a layout of existing and future land uses in the community. The LP 1 addresses future growth issues in the context of constraints to development including available land for growth of the living area and the location of essential service infrastructure.

This Layout Plan outlines a clear and straightforward way for Mandangala to grow in a co-ordinated and efficient manner.

DEVELOPMENT PRIORITIES

The following initiatives were developed by the community in 2000 and considered to be needed to implement Layout Plan No.1:

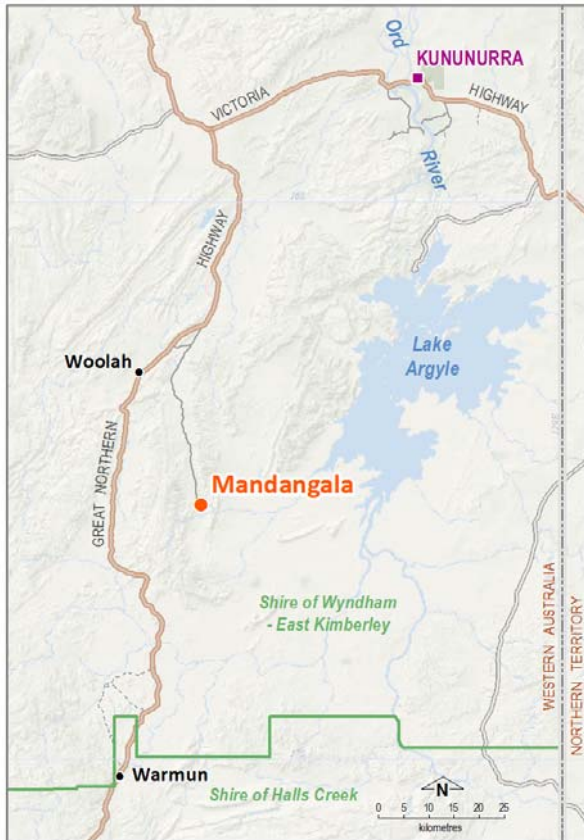
1. an oval for the children;
2. arts and crafts centre;
3. sealed roads;
4. better store;
5. airstrip.

Implementing the Layout Plan

The implementation of this LP will rely on the energy and endeavour of the community members. The future growth of Mandangala will require community members to find solutions for the provision of services and infrastructure (such as housing and sealed roads). This reinforces the objectives of the Mandangala Layout Plan 1 to help bring about the self-support of its members by the development of economic projects and industries, and to encourage members to manage their affairs on their own land.

1 BACKGROUND

1.1 Location & Setting



Mandangala is located in the Shire of Wyndham-East Kimberley approximately 130 kilometres by road south of Kununurra and 50 kilometres north of Warmun.

The settlement is located approximately 40 kilometres from Great Northern Highway. Figure 1 illustrates the location of Mandangala in relation to Kununurra.

Due to the close proximity of Kununurra to Mandangala, many of Kununurra's facilities, amenities and services are used by the Mandangala community.

Services available locally in Mandangala include a school, community centre and clinic.

The nearest other Aboriginal settlement is Woolah which is approximately 50 kilometres by road to the north-west.

Figure 1 – Regional context of Mandangala

1.2 Climate

The Shire of Wyndham-East Kimberley has a tropical climate with a wet and dry season. The dry season is from May to October and the wet season is from November to April. The dry season is characterised by sunny blue skies and cold nights, while the wet season is hot and humid with large rainfall quantities and sometimes violent thunderstorms.

Mandangala has a sub-tropical climate characterised by summer rainfall and dry winters. Summers are hot, and winter mild to cool. Mean daily temperatures range between 29-37 °C in summer, and between 12-25 °C in winter. Average annual rainfall is 687 mm.

Prevailing winds are from the east. The area is not rated as cyclonic.

1.3 History

The community was established as part of Glen Hill Station, located on a tributary of Flying Fox Creek. The station is located approximately 20km north of the Argyle Diamond Mine in the East Kimberley. In the early 1980's, families returned to re-establish a settlement with government assistance.

1.4 Previous Layout Plan

There is no previous Layout Plan (LP) for Mandangala.

2 COMMUNITY PROFILE

2.1 Population

Table 3 – Population

Existing Population	:	72
Aspirational Population	:	n/a
Design Population	:	n/a

Existing Population

Estimating and predicting populations in Mandangala 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 (see Taylor 2006 for a useful discussion of demographic trends of remote Indigenous populations).

Population estimates also vary depending on the time of year of enumeration, methods and sources by which data are collected.

As Mandangala is not listed by the Australian Bureau of Statistics (ABS) as an Indigenous Area (IARE) there are no population estimates available from that source.

The population estimates in Table 4 are sourced from the Environmental Health Needs Survey (EHNS) undertaken by the former Department of Indigenous Affairs in 1997 and 2008. These are:

Table 4 - Environmental Health Needs Survey Population estimate

Population of Mandangala	1997 EHNS	2008 EHNS
Total persons	71	72

At the time of consultation in 2000, the community estimated the population of Mandangala to be approximately 110 people.

Based on the available data, the population of Mandangala is estimated to be 72 people.

Aspirational Population

Aspirational population refers to the resident community's expected future population in the settlement within the next 10-15 years.

At the time of consultation in 2000, there was no discussion of specific aspirational population, however it was assumed that the community would grow based on several factors. These factors included the establishment of a community store, a fuel storage capacity to ensure the community can survive through a complete wet season, and improved road access. It was agreed that in terms of the rate of growth at the time, the Layout Plan provided for adequate SL-lots to cater for the foreseeable future.

Design Population

The design population is intended to reflect the number of people the LP plans for, taking into consideration the community's aspirational population, the estimated population growth rate over the years and the servicing and physical constraints of the community.

Based on the available records of consultation from 2000, it is not possible to determine a design population for Mandangala.

2.2 Governance

Incorporated Community

The community is managed through its incorporated body - Mandangala Aboriginal Corporation (MAC). MAC was incorporated under the *Aboriginal Councils and Associations Act 1976* in 1981.

The objectives of MAC are as follows:

- a) To obtain title to or otherwise secure the Pastoral Lease known as Glen Hill Station;
- b) To develop and maintain facilities to provide for the financial and social needs of the members of the Corporation ordinarily resident at Mandangala Community located on Glen Hill Station;
- c) To act in concert with any Government or other external organisation for the delivery of essential services to any place on the Mandangala Country to further the interests of the members of the Corporation;
- d) To make applications for funding from both Government and non-Government organisations for funds to be used in carrying out the objectives of the Corporation.

MAC is registered with the Office of the Registrar of Indigenous Corporations (ORIC). Documents on MAC can be obtained from www.oric.gov.au

2.3 Land Tenure

Mandangala is located on a pastoral lease comprising of a single title.

<i>Tenure</i>	Pastoral Lease (PL N049794)
<i>Lot Details</i>	Lot 701 on Deposited Plan 194363
<i>Certificate of Title</i>	LR3015/576
<i>Primary Interest Holder</i>	Aboriginal Lands Trust
<i>Area</i>	14,275 ha
<i>Limitations/Interests/ Encumbrances/Notifications</i>	Sub-leased to Glen Hill Pastoral Aboriginal Corporation, reference numbers N615151 & N615152

All community housing and infrastructure is located on Lot 701.

2.4 Native Title

The community is located within the Miriuwung-Gajerrong (Western Australia) WAD6001/1995 claim, determined by consent on 9 December 2003.

The Registered Native Title Body Corporate is Miriuwung and Gajerrong #1 (Native Title Prescribed Body Corporate) Aboriginal Corporation RNTBC

For further information refer to the determination on the Federal Court of Australia website link, <http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2003/283.html>.

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](http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2003/283.html).

2.5 Aboriginal Heritage

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 Aboriginal Heritage Act (WA) 1972 (AHA) 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 LP. These constraints to development must be addressed prior to construction of housing and other works.

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 Planning, Lands and Heritage AHIS database.

There are two registered mythological Aboriginal Heritages Places (IDs 14022 and 14038) and no other heritage sites in the vicinity of the Mandangala, as of November 2019.

Any future development at the community, including implementing LP No1, should therefore be undertaken in consultation with the community and the Miriuwung and Gajerrong #1 (Native Title Prescribed Body Corporate) Aboriginal Corporation RNTBC, who represent the native title holders, to ensure adequate avoidance of sites.

Built Heritage

Background notes from the 2000 consultation did not identify any heritage sites registered under the Heritage of Western Australia Act 1990.

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 Planning, Lands and Heritage 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 relevant Native Title Representative Body in the first instance.

No formal heritage assessment under the *Aboriginal Heritage Act 1972* has been undertaken as part of the preparation of LP No. 1 and the LP Background Report and LP 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.

2.6 Community Aspirations

At the time of consultation in 2000, the community identified several issues as important in the development of the community. These included:

1. an oval for the children;
2. arts and crafts centre;
3. sealed roads;
4. better store;
5. airstrip.

3 INFRASTRUCTURE & SERVICES

Mandangala is a part of the Remote Area Essential Services Program (RAESP) conducted by the Department of Communities (Housing). The community manages its own affairs.

3.1 Electricity Supply

The power station compound located on SL-lot 41 accommodates three diesel generator sets with automatic synchronisation and load sharing, and a total generating capacity of 100kW (KRSP 2007). At the time of consultation, the powerplant appeared to be relatively quiet and well maintained, and while fairly central to the community, suitably located to minimise noise impacts on the residential areas.

Power is reticulated throughout the community by overhead lines. The electricity supply and distribution network are operated by the community.

The nearest residential dwellings are located within 200m of the power station, which is not considered to be appropriate under the WAPC Aboriginal Settlement Guideline 3: Layout Plan Exclusion Boundaries (2012).

3.2 Water Supply

At the time of preparation of the background report, Mandangala obtained its drinking water from two bores, one located approximately 800 metres north-west of the community, and the other on SL-lot 63.

The Kimberley Regional Services Providers *Asset Condition Report* (2007) noted that the "bore is struggling to keep up with community demand and the reticulation needs upgrading. Water supply switchboard needs to be upgraded".

Water is pumped to two 50,000 litre storage tanks located on SL-lot 40.

3.3 Wastewater

The community is serviced by a gravity wastewater reticulation system, with a pressure main discharging to treatment ponds approximately 500m east of the community on SL-lot 42. This is well located in terms of prevailing winds and proximity to the creeks.

At the time of the visit in 2000, the ponds were near full. During the wet season they overflow outside the fenced pond compound. Whilst the fencing was in good condition, the gates were not locked. The ponds were sprayed to keep mosquito breeding down.

No significant problems with wastewater overflow, pipe blockages or odour from the lagoons were noted by the community.

3.4 Rubbish Disposal

The rubbish tip is located south of the community on SL-lot 60, an unsealed road is used to access the tip.

The unregulated rubbish tip is in a location that does not comply with government regulations or the WAPC Aboriginal Settlement Guideline 3: Layout Plan Exclusion Boundaries (2012).

The prescribed exclusion boundary for a rubbish tip is 2000m however, all housing and infrastructure is located within the 2000m exclusion boundary. A more appropriate and regulated site could be considered in the future if required.

3.5 Airstrip

The nearest airstrip is at Argyle Diamond Mine approximately 24 kilometres to the south.

3.6 Internal Road Layout

All internal community roads are unsealed. The community maintains the roads within the LP area with its own grader.

Settlement layout (SL) roads have been named by the community.

3.7 Access & Dedicated Roads

Mandangala community is located approximately 43 kilometres off the Great Northern Highway. The northern turnoff to the community from Great Northern Highway is about 90 kilometres south of Kununurra. Great Northern Highway is sealed and is normally in good condition. The road from the Highway to the community turns into a winding dirt road with frequent creek crossings. These creek crossings make the access road impassable in the wet periods. An alternative access is available to the south of the community to the Argyle Diamond mine.

The community maintains the gravel and dirt roads to Mandangala from the Great Northern Highway, with its own grader.

3.8 Community and Social Services

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

Store

The initial version of the background report noted that there was a community store, however its location was not identified.

School

The Jungdranung Remote Community School at Mandangala caters for years K to year 6. The school has approximately 10 students and 3 teaching/administrate staff.

Office

The initial version of the background report noted that there was an office, however its location was not clearly identified.

Clinic

The clinic is located on SL-lot 28.

Workshop

There are workshops located on SL-lots 36 and 39.

Recreation Centre and Recreational Activities

A future oval has been identified on SL-lot 32 and a playground on SL-lot 33.

4 HOUSING

4.1 Residential Areas

There are residential areas north and south of the creek which flows through Mandangala. The 2019 air photo for Mandangala shows 19 residential dwellings located in the community. Included in this number are the single men's and single women's quarters which are located a considerable distance from the main living area.

4.2 Number & Type of Dwellings

No accurate information is available on the number and types of dwellings at Mandangala, as of December 2019.

4.3 Future Residential Development

The initial version of the background report stated that the community did not wish to have any additional housing on the south side of the creek, due to the risk of isolation during floods and the soil type.

5 CONSTRAINTS AND LIMITATIONS

5.1 Flood Hazard

The creek which flows through Mandangala, a tributary of Flying Fox Creek, becomes impassable for several days at a time during periods of flood flow, thereby splitting the community in two.

Floodwaters from the creek have not entered buildings within the community, but anecdotal evidence gathered during the consultation process suggested that floods prior to 1980 left debris high in a tree adjacent to the creek. This would imply that the main living area is flood prone in severe events.

Other flood hazards include run-off from the water tank hill north of the settlement down to the rear of the houses at the western end of McCardie Road.

5.2 Drainage

No drainage issues were identified in Mandangala during the consultation process.

5.3 Culturally Sensitive Areas

It was established with the community that no cultural areas (men's areas, women's areas or ceremonial areas) would be affected by the Layout Plan.

5.4 Exclusion Boundaries

The exclusion boundaries shown on the map-set are in accordance with the WAPC's Aboriginal Settlements Guideline 3: Layout Plan Exclusion Boundaries.

6 PLANNING FRAMEWORK

6.1 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 SPPs into account when determining appeals.

The initial version of this background report was prepared prior to the *Planning and Development Act 2005*.

Future versions of this background report will have due regard for the following SPPs:

- SPP 3.0 – Urban Growth and Settlement;
- SPP3.2 Aboriginal Settlements ; and
- SPP2.7 Public Drinking Water Source
- SPP 3.7 Planning in Bushfire Prone Areas

6.2 Shire of Wyndham-East Kimberley

Local Planning Scheme No. 9

The Shire of Wyndham-East Kimberley Local Planning Scheme No. 9 (LPS 9) was gazetted on 19 February 2019.

Mandangala is zoned settlement under LPS 9 which identifies existing and proposed Aboriginal settlements and to collaboratively plan for the orderly and proper development of those places.

Under the Scheme, preparation and endorsement of a layout plan in accordance with State Planning Policy 3.2; and ensuring that development accords with a layout plan is a requirement of the settlement zoning (see current Scheme zoning in Figure 2 on the following page).

LPS 9 states development in the Settlement Zone is to accord with an endorsed Layout Plan and provide for:

- (a) a mix of land uses typically found in Aboriginal Settlements, including light industrial, tourism, residential, commercial, community, recreation and public utility; protecting sensitive areas such as No Go areas and drinking water source protection areas from inappropriate development.
- (b) traditional law and culture.

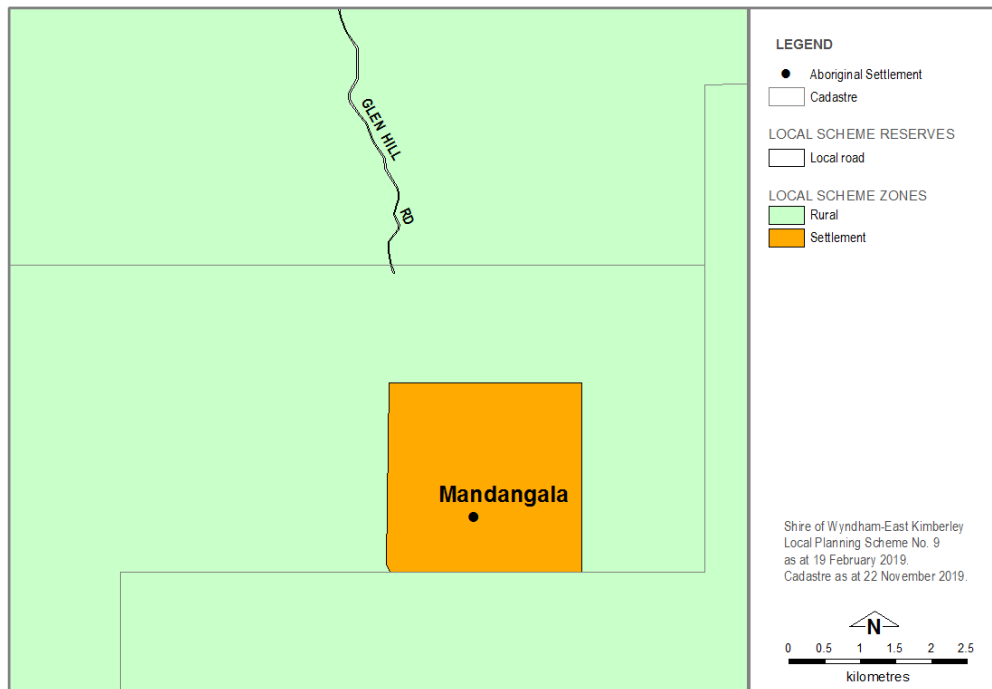


Figure 2 - Land classification under SWEK LPS 9 - Mandangala

Local Planning Strategy

The Shire of Wyndham-East Kimberley Local Planning Strategy (endorsed by the WAPC 21 August 2019) provides a vision for the growth and development of the Shire over a 10-15 year time frame. The strategy notes that Layout Plans should be prepared for all remote settlements, and should incorporate planning for infrastructure within and to these settlements and that existing Layout Plans within the Shire should be reviewed for currency.

7 ENDORSEMENTS

MANDANGALA

The Community Council hereby adopts the Layout Plan dated January, 2000 (including the provisions), for the purpose of ensuring the proper and orderly planning of the community area, at the meeting of the Council held on the

R. Gerrard Ruth Gerrard
Chairperson (sign and print name)

23rd may 2000
Date

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

23rd may 2000
Date

WYNDHAM-EAST KIMBERLEY

The Shire Council hereby endorses the Layout Plan dated January, 2000 for the Community as a guide for development within the community area to ensure the proper and orderly planning of the community area, at the

..... Ordinary meeting of the Council held on the
..... 15th day of June 2000.

..... 16 Reddy M.M. RDAP
President (sign and print name)

21/06/00
Date

Tony Brown

 Chief Executive Officer (sign and print name)

16/6/2000
Date

Western Australian Planning Commission Endorsement



Mandangala Layout Plan No.1

140 William Street
Perth WA 6000

The Western Australian Planning Commission hereby endorses the **Mandangala Layout Plan No.1** as a guide for development to ensure proper and orderly planning within the community area

The 23rd Day of October 2015

Signed for and on behalf of the Western Australian Planning Commission



23/10/2015 Ashley Randell
Planning Manager, Aboriginal Communities
Regional Planning & Strategy

CONSULTATION & REFERENCES

CONSULTATION SUMMARY

Preparation of this Layout Plan is the result of consultation with the community representatives and a range of agencies, authorities, non-government organisations during 2000. Whilst there was continuous phone and email communication with stakeholders throughout preparation of LP1, information was obtained in person from the following sources:

Organisation	Date
Mandangala Community Council	c. 2000
Community Development Employment Projects	c. 2000
Department of Sport and Recreation	c. 2000
Shire of Wyndham-East Kimberley	c. 2000
Argyle	c. 2000
Aboriginal Affairs Department	c. 2000
Aboriginal and Torres Strait Islander Commission	c. 2000

REFERENCES

Department of Indigenous Affairs (DIA), *Environmental Health Needs Survey of Indigenous Communities in Western Australia* (2008), Government of Western Australia.

Department of Education, *Western Australian Schools Lists* (2019), Government of Western Australia. Available at:
<https://catalogue.data.wa.gov.au/dataset/western-australian-schools-lists>

Kimberley Regional Services Providers, *Mandangala Community Asset Condition Report* (2007).

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

AMENDMENTS

Mandangala Layout Plan No. 1

Amendment No. 1

Proponent	: Housing Authority
Date	: 11 April 2017

Reason for the Amendment:

There are a number of modifications needed to resolve land use and spatial arrangement issues identified within the current Mandangala Layout Plan No.1 (LP1).

Initiated by the Housing Authority, Amendment No.1 to Mandangala LP1 will include the realignment of SL-lots on the ground to allow for refurbishment of houses forming part of the National Partnership Agreement on Remote Indigenous Housing (NPARIH) Program by the Housing Authority.

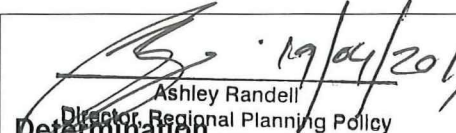
Other modifications required to Mandangala LP1 will assist in defining appropriate land uses for existing development and protecting essential service infrastructure. All 9 modifications are described below.

Land Identification		Amendment description
1.	SL-roads Glen Hill Rd, Waramie St, Lookout Dr, Gawooleng St, McCardie Rd, Jungdranung Ave, Jungdranung Ct, First St, Second St, Third St	SL-roads re-aligned to match May 2014 air photo, Landgate SLIP layer Roads LGATE-012 and surveyed fences where relevant.
2.	All SL-lots	All SL-lots spatially upgraded to match SL-road alignment, May 2014 air photo and surveyed fences where relevant.
3.	SL-lot 43	Removed.
4.	Waterway land use	Spatially upgraded to match May 2014 air photo and surveyed detail where relevant.
5.	SL-lot 31	Change of land use classification from community to residential (teacher's house).
6.	SL-lot 31	Divided into 3 SL-lots, the residual of SL-lot 31 being the southern SL-lot, new SL-lot 61 and 62, land use classification residential (teacher's houses).
7.	SL-lot 48	Change land use to Public Utility, lot contains drinking water bore and tank for storage.

Land Identification		Amendment description
8.	SL-lot 47/ Intersection of Lookout Dr and Jungdranung Ave	Creation of new SL-lot to protect drinking water bore.
9.	SL-lot 32/ Open space between Waramie St and First St	Extension of SL-lot 32 east to accommodate future oval.

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 Determination 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, Department of Environmental Regulation, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water.

Mandangala Layout Plan No. 1

Amendment No. 2

Proponent	: Department of Planning, Lands and Heritage
Date	: 17 th January 2020

Reason for the Amendment

The enactment of the Shire of Wyndham-East Kimberley (SWEK) Local Planning Scheme 9 (LPS 9), gazetted on 19 February 2019, has resulted in the need to delete the 'Recommended Settlement Zone' and add the 'Settlement' zone to match the LPS 9.


DPLH has also undertaken an update of the Layout Plan background report to ensure that it remains up-to-date, accurate and fit-for-purpose. The update includes:

- Revising the population and housing data;
- Editing and reformatting the background report;
- Removing out of date text and references

Land Identification		Amendment description
1.	All	Delete the 'Recommended Settlement Zone'. Add 'Settlement' zone to match the SWEK LPS 9.
2.	All	Update the Background Report.

Endorsement:

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

Determined on behalf of the Western Australian Planning Commission in accordance with the <i>Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission</i> .	 Determination Director, Regional Planning Policy Regional Planning PN: 15151 date 17/01/2020
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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.