

Papulankutja

Layout Plan 2

Background Report

March 2013

Date endorsed by WAPC



Amendments

Amendment 1 - April 2013

Amendment 2 - February 2016

Amendment 3 - January 2017

Amendment 4 - May 2017

Amendment 5 - April 2018

Amendment 6 - August 2020

Amendment 7 - November 2020

PAPULANKUTJA LAYOUT PLAN 2

The Papulankutja (Blackstone) Community Layout Plan No.2 (LP2) was prepared during 2007 and 2008 by planning consultants Planwest (WA) Pty Ltd on behalf of the former Department for Planning and Infrastructure. LP2 has been endorsed by the resident community (1 September 2008) and the Western Australian Planning Commission (WAPC) (26th March 2013). Due to administrative issues the layout plan was not considered by the WAPC until 2013. Following the community's endorsement, best endeavours were made to secure the endorsement of the Shire of Ngaanyatjaraku, but this was not received.

During the period April 2013 until April 2018 the WAPC endorsed 5 amendments to LP2. The endorsed amendments are listed in part 7 of this report. All of the amendments were map-set changes, with no changes made to the background report.

Consequently, the background report has become out-of-date, and in August 2020 it was updated as part of Amendment 6. The Amendment 6 background report update sought to keep all relevant information, while removing and replacing out-of-date references and data.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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Community Representative Organisations

Resident community representative organisation	:	Papulankutja Community Incorporated
Traditional Owners representative organisation	:	Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC
Related Organisations	:	Ngaanyatjarra Services (Aboriginal Corporation)

Acronyms

ABS	:	Australian Bureau of Statistics
AHA	:	<i>Aboriginal Heritage Act (WA) 1972</i>
AHIS	:	Aboriginal Heritage Information System
ALT	:	Aboriginal Lands Trust
AUSLIG	:	Australian Land Information Group
BOM	:	Bureau of Meteorology
DoC	:	Department of Communities (Housing)
DIA	:	Department of Indigenous Affairs
DPLH	:	Department of Planning, Lands and Heritage
DWSPP	:	Drinking Water Source Protection Plan
EHNS	:	Environmental Health Needs Survey
ILUA	:	Indigenous Land Use Agreement (<i>under the Native Title Act 1993</i>)
LP	:	Layout Plan
NNTT	:	National Native Title Tribunal
NTA	:	<i>Native Title Act (Commonwealth) 1993</i>
NTRB	:	Native Title Representative Body
PCI	:	Papulankutja Community Incorporated
PTMS	:	Property Tenancy Management System
PBC	:	Prescribed Body Corporate (under the NTA, representing native title holders)
REMS	:	Remote Essential and Municipal Services
RDFS	:	Royal Flying Doctors Service
RNTBC	:	Registered Native Title Body Corporate
SL-lot	:	Settlement layout lot
SPP	:	State Planning Policy
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

The Papulankutja Layout Plan No. 2 (LP No. 2) was prepared over a one-year period in 2007 and 2008. It replaces the Papulankutja Layout Plan No. 1 (1995).

The tables below summarise the main issues concerning the planning, development and provision of services within Papulankutja, and these are covered in more detail in the body of this report.

Table 1 – Population Summary

Existing Population:	176
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Table 2 - Place Characterisation Indicators

Indicator	Community Characteristics
Drinking water	The Papulankutja water supply is obtained from three electric bores located north-east and east of the community. The bores supply water to all dwellings, the swimming pool and football oval. The elevated storage tanks are located on SL-lot 81.
Electricity	Papulankutja's power station is located east of the community. It is powered by 3 diesel generators. The power station is managed by DoC, under the REMS program.
Flood	Papulankutja is not located near a river bank or watercourse. No information regarding flood waters or hazards is available for Papulankutja.
Land tenure	The Papulankutja community is located on Crown Reserve 39061.
Wastewater	The community is serviced by wastewater treatment ponds located approximately 650m north of the community. A pumping station is located on the western edge of the community.
Emergency assistance	The clinic provides a 24/7 emergency nurse on call service. RFDS evacuations are available.
Education	The Ngaanyatjarra Lands School – Blackstone campus is located centrally in the community. The number of students enrolled at the campus fluctuates from the high 30's to low 40's. Students enrolled range from Kindergarten to Year 12.
Health	Health services in Papulankutja are provided through the Ngaanyatjarra Health Services. Approximately two full time nurses and various visiting doctors and nurses are employed at the clinic.
Food	Papulankutja store is located in the centre of the community. The store stocks a good range of grocery items and diesel fuel is available for purchase.
Transport	Papulankutja is located approximately 200 kilometres east of Warburton and approximately 70 kilometres west of Wingellina within the Shire of Ngaanyatjarraku.
Waste services	The Papulankutja waste disposal site is located approximately 500m north of the community. The waste disposal site is currently not fenced.
Employment & enterprise	Community members are employed at the school, art centre and store. The community also owns the Tjukayirla Roadhouse, on the Great Central Road.
Governance	The community is managed through Papulankutja Community Incorporated and Ngaanyatjarra Services (Aboriginal Corporation). The Traditional Owners are the Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC
Aboriginal heritage	Papulankutja is located within the determination area of the Ngaanyatjarra Lands (Part A)(Tribunal number WCD2005/002 and Federal court number WAD6004/2004).

LP No. 2 plans for future growth of the community, formalises existing infrastructure and land-uses and provides for future SL-lot layout and road design.

The major purpose of the LP is to guide the growth and development of Papulankutja by providing a layout of future land uses in the community.

DEVELOPMENT PRIORITIES

At the time of consultation in 2008 the community identified several development priorities important to the development of Papulankutja and the implementation of LP2. These included:

1. Visitor camping facilities.
2. Additional community houses and plan for future growth by providing for new residential SL-lots.
3. Additional roads to be sealed and/constructed. Define a road network that is suitable for all uses, including water, electricity, and other services.
4. Maintain adequate separation between incompatible uses (e.g. move powerhouse away from houses).
5. Allocate land for a range of land uses that may be needed in the future.
6. Need to provide more visitor accommodation.
7. A Media Centre.

Implementing the Layout Plan

The implementation of this LP will rely on the energy and endeavour of the community members.

The future growth of Papulankutja 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 Papulankutja Layout Plan 2 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

Papulankutja community is located approximately 200 kilometres east of Warburton and approximately 70 kilometres west of Wingellina. The community is situated between the Western and Great Victorian deserts and half way between Mantamaru and Wingellina (Irrunytju).

Papulankutja is more commonly referred to as Blackstone. The area around Papulankutja contains some of the most significant Aboriginal sacred sites in the region.

Papulankutja is situated at the foothills of the Blackstone Ranges in the Ngaanyatjarra Lands, it has plentiful ground water supply and many trees.

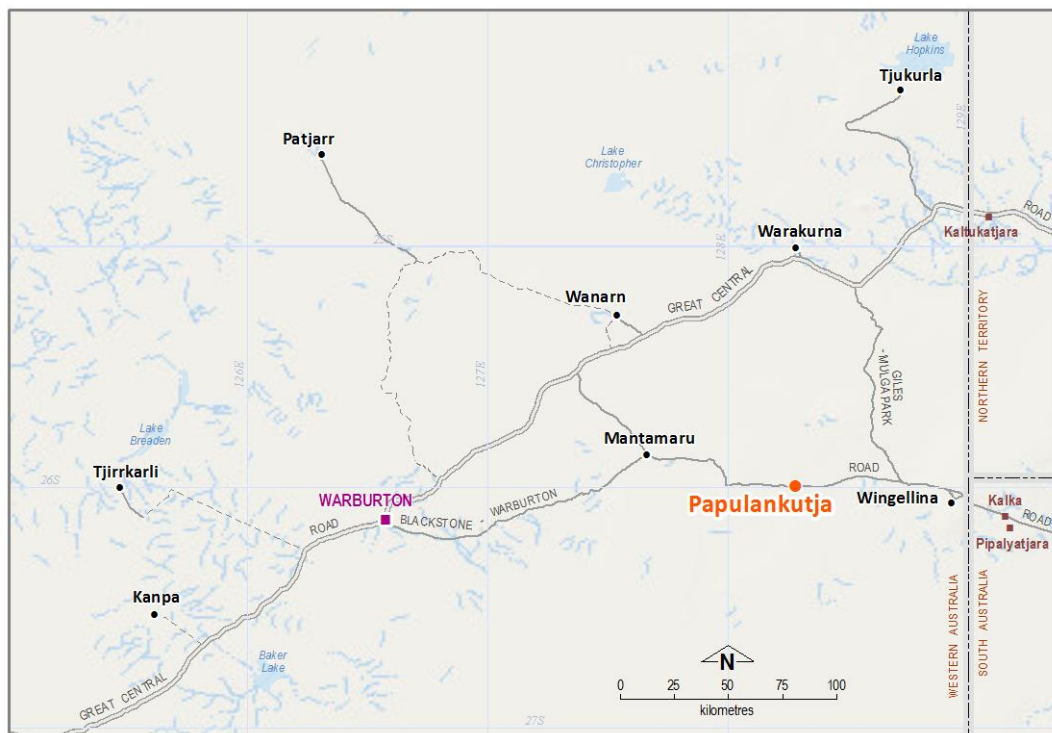


Figure 1 – Regional context of Papulankutja

1.2 Climate

Papulankutja has a sub-tropical climate, characterised by summer rainfall and dry winters. One of the nearest Bureau of Meteorology (BOM) weather stations to Papulankutja, is Giles weather station, located approximately 110 kilometres north of Papulankutja.

The mean annual rainfall for Giles weather station is 287.4mm with the majority of rain falling between December-March. BOM rainfall for Giles weather station is summarised in Table 3 and shown in Figure 2:

Table 3 –mean rainfall (1956 to 2020) for Giles weather station (13017)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Rainfall (mm)	33.0	43.2	34.8	17.6	20.3	17.8	10.7	9.3	10.3	15.7	28.1	46.6	287.4

Source: Bureau of Meteorology

Note: The mean annual rainfall is not the sum of the mean monthly rainfall totals. For further data please refer to the Bureau of Meteorology website at www.bom.gov.au

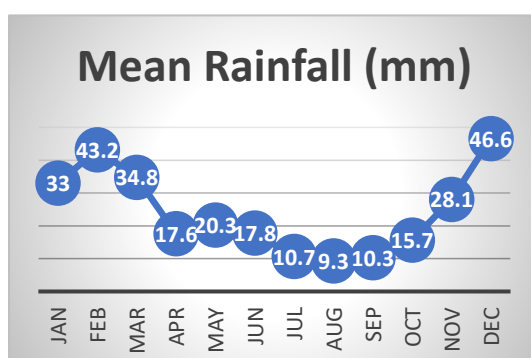


Figure 2 – Giles mean rainfall (1956 to 2020)

Summers are hot, and winters mild to cool. Mean maximum daily temperatures range between 38-40 °C in summer, and between 23-27 °C in winter. BOM mean temperatures for Giles weather station is summarised in Table 4 and shown in Figure 3.

Table 4–mean temperatures (1956 to 2020) for Giles weather station (13017)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean max. temp (°C)	40.5	40.4	38.2	33.6	27.3	23.2	23.9	26.9	31.7	36.4	38.2	40.7
Mean min. temp (°C)	33.2	30.2	26.8	23.6	18.9	17.6	16.2	18.5	22.9	24.9	28.3	32.0

Source: Bureau of Meteorology

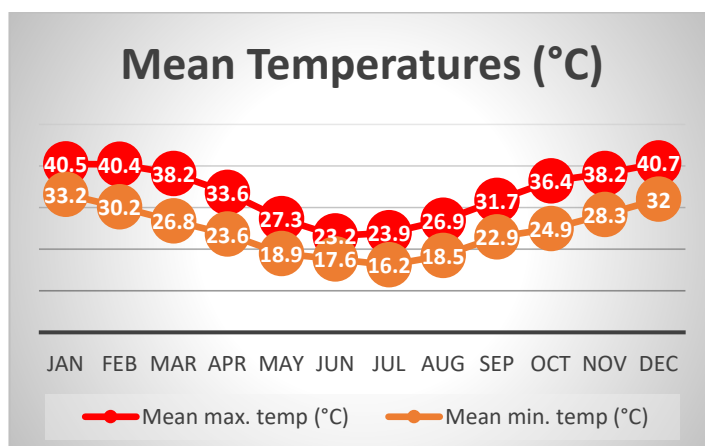


Figure 3 – Giles mean temperature (1956 to 2020)

1.3 History and Culture

Please note that this is a concise summary of the post-settlement history of Papulankutja, and is for the purposes of understanding the settlement.

1950s to 1970s

In the 1950s, Southwestern Mining had their headquarters and camp at Tollu, just south of the Blackstone Range. When the mining camp was abandoned, Yarnangu transported the remaining camp materials to the bore at Papulankutja and began a new community.

The 'Homelands' movement – 1970s and 80s

The emergence of the Papulankutja community can be seen in the context of the homelands movement; whereby particular Aboriginal groups have sought to return to lands with which they enjoy strong traditional and historical connections. This movement can be seen emerging after policies of indigenous self-determination were introduced in the early 1970s, and after the role of missions and government residential institutions in the lives of Aboriginal people had steadily declined.

Papulankutja was established after Ngaanyatjarra people walked out of the Ernabella (located in South Australia) and Warburton missions in the 1970s and returned to their home land.

Most of the Pitjantjatjara residents grew up at Ernabella Mission and the Ngaanyatjarra residents at Warburton Mission. As late as the 1960s, Native Patrol Officers were bringing in people from this region to the Warburton Mission. They were also reporting large numbers of people travelling from Ernabella Mission in South Australia through to the mining camp at Wingellina (Irrunytju) and along the range country through Blackstone, Jameson and Warburton. The patrol officers were concerned about these travellers during the dry season when the waterholes were becoming depleted. They reported their concerns to the Native Welfare Department who provided funding to establish bores and windmills along this travelling route. One of these bores was established in the vicinity of the Papulankutja Community. The community became incorporated in 1976 and a member of the Ngaanyatjarra Council in 1981.

Formal recognition of rights to country – 1970s to present day

The pursuit of a formal recognition of Aboriginal land rights has gained momentum since the late 1970s, with the founding of the Kimberley Land Council in 1978, and the Seaman Inquiry of 1984. This process was given further impetus with the passage of the Commonwealth Native Title Act 1993, which established a framework for the lodging of native title claims.

Papulankutja is located within the determination area of the Ngaanyatjarra Lands (Part A). On 29 June 2005 the Ngaanyatjarra Lands native title determination recognised Ngaanyatjarra people as the exclusive possession native title holders of approximately 187,000 square kilometres in the Gibson and Great Victoria Deserts.

This historical context underlines the strong desire of Aboriginal groups in the Ngaanyatjarra Lands to build and sustain facilities and enterprises that allow for continued association with traditional lands but that also enable these groups to engage with external economic and government interests through the context of an independent, organised community.

Culture

Papulankutja residents have family ties to Ngaanyatjarra and Pitjantjatjara language groups. The Ngaanyatjarra people maintain a rich cultural heritage that is based on a close connection with the land. They have a unique culture in society, economy, religion and outlook. The Ngaanyatjarra people hunt and gather bush tucker in traditional ways. Traditional men's and women's business remains very strong. The Elders teach the young people about the traditional ways of hunting, gathering and cooking bush tucker, but they also work within the community painting, (tjanpi) weaving and making artefacts (purnu). There is a strong tradition in the community of art and craft that includes woodwork, grass baskets, jewellery made from nuts and seeds and acrylic painting.

1.4 Previous Layout Plan

In 1995, a Layout Plan was prepared for the community by the Coordinator of the Ngaanyatjarra Council. This document included a survey plan prepared by AUSLIG (Australian Land Information Group). A previous LP draft (version 1) was prepared by Planwest with GHD in 2000. Although this plan was accepted by the community it was never endorsed. In September 2004 a Layout Plan review was carried out by Connell Wagner, but this plan was not endorsed either.

2 COMMUNITY PROFILE

2.1 Population

Table 5 – Population

Existing Population :	176
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Existing Population

Estimating and predicting populations in the Ngaanyatjarra Lands is difficult because Aboriginal people tend to be mobile in terms of housing and living arrangements. Populations can increase and decrease rapidly based on family, cultural or administrative factors (see Taylor 2006 for a useful discussion of demographic trends of remote Indigenous populations). Population figures also vary depending on the time of year of enumeration, methods and sources by which data is collected. This is reflected in the available demographic data for Papulankutja.

A summary of recent population data is shown in Table 6. The population estimates in Table 6 are sourced from the Environmental Health Needs Survey (EHNS) undertaken by the former Department of Indigenous Affairs (DIA) in 1997, 2004 and 2008, the Australian Bureau of Statistics (ABS) in 2006, 2011 and 2016 and the Department of Communities (DoC) Property Tenancy Management System (PTMS) from 2019.

Table 6 – Population figures of Papulankutja by source 1997-2019

	1997	2004	2006	2008	2011	2016	2019
Total persons	139	232	125	120	187	176	176
Source	EHNS	EHNS	ABS	EHNS	ABS	ABS	DoC

Based on the information available, it is considered the estimated population of Papulankutja is approximately 176 people.

Aspirational Population

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

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.

Design population is not a forecast population.

When this Layout Plan was prepared in 2008 the design population was not determined. However, based on the design identifying 20 additional single-house residential SL-lots at a nominal occupancy rate of 4 people per dwelling, it can be determined LP2 provides adequate vacant residential land for approximately 80 additional people. The Layout Plan is interpreted to plan for a design population of 256.

2.2 Governance

Incorporated Community

The community is managed by Papulankutja Community Incorporated (PCI). PCI is a not for profit organisation and was incorporated under the *Associations Incorporation Act (2015)* in 1976. The organisation conducts ongoing management of the affairs of the Association and controls the corporation's funds and property.

Ngaanyatjarra Services

Ngaanyatjarra Services (Aboriginal Corporation) was incorporated in 1986 and is a separately incorporated organisation that provides the following services to the Ngaanyatjarra communities:

- Building (planning and construction) project management service
- Essential services maintenance to Ngaanyatjarra and some neighbouring Communities in the Spinifex Region;
- Employment and Training;
- Municipal Services;
- Personal and Other Services

Traditional Owners

The Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC was registered on 9 June 2005 under the Corporations (Aboriginal and Torres Strait Islander) Act 2006

The Corporation's main objectives and statutory functions are to represent traditional owner interests. It is also to perform the functions of a prescribed body corporate as required by the *Native Title Act 1993*.

2.3 Land Tenure

The Papulankutja community is located on Crown Reserve 39061. The details are provided below.

<i>Tenure</i>	Crown Reserve 17614
<i>Lot Details</i>	Lot 9
<i>Status Order/Interest</i>	Reserve under Management Order
<i>Primary Interest Holder</i>	Aboriginal Lands Trust
<i>Area</i>	8023546.09ha
<i>Limitations/Interests/ Encumbrances/Notifications</i>	Reserve 17614 For the Purpose of Use and Benefit of Aboriginal Inhabitants. Crown Lease GE I798552 leased to the Ngaanyatjarra Land Council Aboriginal Corporation Blackstone Multifunctional Policy Facility (SL-lots 120-123). Blackstone Multi Function Police Facility BC ILUA, NNTT ref. WI2008/002 Telstra Corporation Ltd sub-lease, Telstra Shed (SL-lot 81) and telecommunications mast (SL-lot 129). Shire of Ngaanyatjarraku sub lease (SL-lot 76)

2.4 Native Title

Papulankutja is located within the determination area of the Ngaanyatjarra Lands (Part A). On 29 June 2005 the Ngaanyatjarra Lands native title determination recognised Ngaanyatjarra people as the exclusive possession native title holders of approximately 187,000 square kilometres in the Gibson and Great Victoria Deserts. The Registered Native Title Body Corporate is Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC (Table 7). An Indigenous Land Use Agreement (ILUA) for the Blackstone Multi-Function Police Facility, was registered in 2008 with the National Native Title Tribunal (NNTT) (NNTT reference WI2008/002).

Name	Federal Court ref.	NNTT ref.	Register	Status	Representative
Ngaanyatjarra Lands (Part A)	WAD6004/2004	WCD2005/002	Determination	Native title exists in the entire determination area	Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC

Further information regarding native title can be found on the National Native Title Tribunal website <http://www.nntt.gov.au>

Spatial searches for native title matters can be undertaken using the NNTT's spatial search tool, Native Title Vision, available at: <http://www.nntt.gov.au/assistance/Geospatial/Pages/NTV.aspx>

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://www.nntt.gov.au).

2.5 Aboriginal Heritage

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 [Aboriginal Heritage Information System](#) (AHIS) database.

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

There are 4 registered sites in the vicinity of Papulankutja (as of August 2020). A summary of the registered sites is listed below in Table 8:

Table 8 – AHIS registered sites in the vicinity of Papulankutja, July 2020

Place ID	Name	Restrictions	Status	Type
2830	Kultankunjinja	Male Access Only	registered site	Ceremonial, engraving, man-made structure, mythological, water source
2831	Imantaraku	no gender restrictions	registered site	Ceremonial, engraving, man-made structure, mythological
2832	Goannas	no gender restrictions	registered site	man-made structure, mythological
2833	Tjaputa	no gender restrictions	registered site	Mythological

Culturally Sensitive Areas

The No-go culturally sensitive areas in the community surround the main settlement living area to the north. "No-go" exclusion boundaries have been included on the layout plan to indicate that future development should not encroach on these areas. Any future development at the community, including implementing LP2 should be undertaken in consultation with the community and the traditional owners to ensure adequate avoidance of culturally sensitive areas.

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

During consultation in 2008 the resident community provided the following aspirations:

1. Visitor camping facilities.
2. Additional community houses and plan for future growth by providing for new residential SL-lots.
3. Additional roads to be sealed and/constructed. Define a road network that is suitable for all uses, including water, electricity, and other services.
4. Maintain adequate separation between incompatible uses (eg. Move powerhouse away from houses).
5. Allocate land for a range of land uses that may be needed in the future.
6. Need to provide more visitor accommodation.
7. A Media Centre.

3 INFRASTRUCTURE & SERVICES

Papulankutja is a part of the Remote Essential and Municipal Services (REMS) program overseen by the Department of Communities (Housing). The previous program was known as Remote Area Essential Services Program (RAESP). Figure 4 illustrates the types of essential services in Papulankutja.

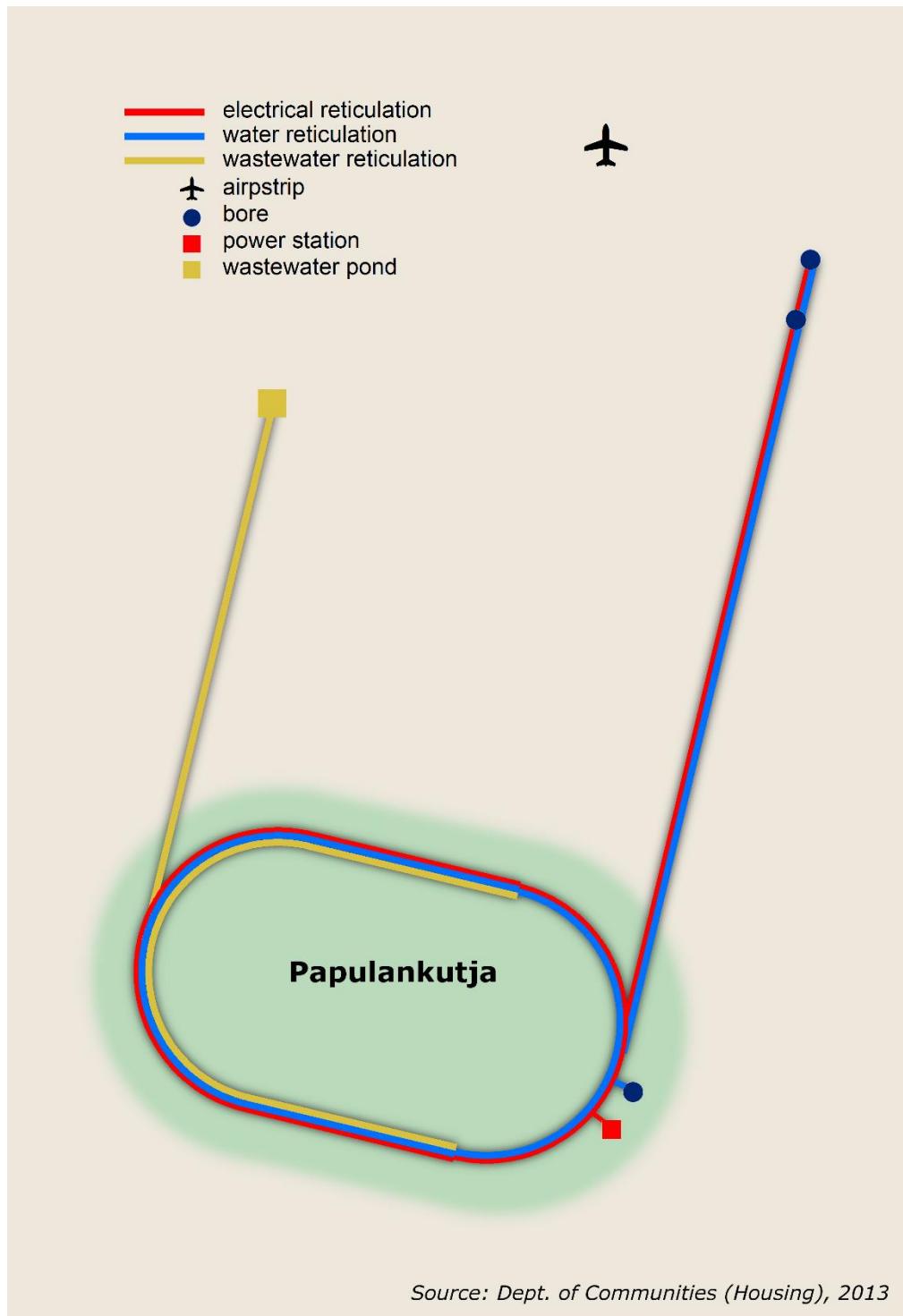


Figure 4 – Essential services in Papulankutja

3.1 Electricity Supply

Papulankutja's power station is located east of the community on SL-lot 64. It is powered by 3 diesel generators with a total capacity of 320kw with a 52,000 litre fuel storage. The power station is managed by the Department of Communities (DoC), under the Remote Essential and Municipal Services (REMS) program.

Approximately eight dwellings in the community are located within the 200m buffer prescribed under the *State Planning Policy 3.2 Aboriginal Settlements Guideline (2020)* for a power station. It would not be feasible to relocate the power station at this time, a power station site located over 200m from the nearest dwelling should be considered in the future.

3.2 Water Supply

The potable water supply for Papulankutja is obtained from three operational electric bores located on SL-lot 128 (bore 1 and 2) and SL-lot 156 (bore 3). The bores supply water to all dwellings as well as the swimming pool and football oval. All bores are fenced and in good condition. Water is pumped to elevated storage tanks located on SL-lot 81. The Community Essential Services Officer monitors the water service and the Water Authority of Western Australia carries out checks on a quarterly or as necessary basis. Water supply and distribution is managed by the DoC, under the REMS program.

Approximately 50 dwellings are located within the recommended 500m buffer to the ground water drinking water source prescribed by the *State Planning Policy 3.2 Aboriginal Settlements Guideline (2020)*. It is not considered feasible to relocate the drinking water source at this time, a site located over 500m from the nearest dwellings should be considered in future. A drinking water source protection plan (DWSPP) was prepared for Papulankutja in 2010 which identified a Priority 1 drinking water source protection area south of the community.

3.3 Wastewater

The community is serviced by a reticulated wastewater system. Wastewater is reticulated from dwellings to a pumping station located on the western edge of the community on SL-lot 125. Wastewater is then pumped to the wastewater treatment ponds located approximately 650m north of the community on SL-lot 126.

3.4 Rubbish Disposal

The Papulankutja waste disposal site is located approximately 500m north of the community on SL-lot 141. It is accessible via Ponds street. The waste disposal site is currently not fenced.

Waste disposal is managed by the community and maintained by the Shire of Ngaanyatjaraku. All community housing and infrastructure is located within the prescribed 2000m buffer outlined in the *State Planning Policy 3.2 Aboriginal Settlements Guideline (2020)*. It would not be feasible to relocate the rubbish disposal site at this time, a new rubbish tip site located 2000m from the community should be considered in the future.

3.5 Airstrip

The community is serviced by an 1600m all weather airstrip located approximately 1.2km north of the community on SL-lot 127. The airstrip is a CASA code 3 all-weather district airstrip with an unsealed gravel sheeted landing strip built to the Royal Flying Doctors Service (RFDS) standard with runway lights.

3.6 Telecommunications

A telecommunications mast is located on SL-lot 129 and a Telstra shed is located on SL-lot 81.

3.7 Internal Road Layout

The main internal settlement layout (SL) road network is fully sealed and kerbed with all dwellings accessible from a constructed and sealed road. The rubbish tip, bore 1 and 2, the sewage ponds and airstrip are all accessible from informal gravel SL -roads. All SL roads providing access to dwellings or community services are named.

3.8 Access & Dedicated Roads

Papulankutja community is located approximately 200 kilometres east of Warburton and about 70 kilometres west of Wingellina. Papulankutja is accessed via the Blackstone-Warburton Road from Warburton and the Gunbarrel Highway from Wingellina. Both roads are managed by the Shire of Ngaanyatjaraku and are graded and generally in good condition. The road to Papulankutja can be cut off for short periods of time during the wet season due to flooding.

3.9 Community and Social Services

Office

The community office is located on SL-lot 36. It is utilised for general administration purposes.

Store

Papulankutja store is located on SL-lot 35 in the centre of the community on Papulankutja Road. The store stocks a good range of grocery items including tinned foods, frozen meat, ice, cold drinks, milk, bread, fresh fruit and vegetables, frozen foods, various household goods and diesel fuel is available for purchase.

School

The Ngaanyatjarra Lands School – Blackstone campus is located on SL-lot 32. The Ngaanyatjarra Lands School comprises of eight campuses spread across the Western Desert of Western Australia with a total of 330 students (DoC 2020).

The number of students enrolled at the Blackstone campus fluctuates from the high 30s to low 40s. Students enrolled range from Kindergarten to Year 12. The Blackstone Campus has an Early Childhood Educator room, a Primary classroom and a High School classroom. Other facilities include a library, art/music room and a home economics room (Ngaanyatjarra Lands School 2020). The grounds have large trees, grass and play equipment. The school has approximately 3 teachers and additional education assistants.

Clinic

Health services in Papulankutja are provided through Ngaanyatjarra Health Services, Alice Springs. (Ngaanyatjarra Health Service 2020). The community clinic is located on SL-lot 54. Approximately two full time nurses and various visiting doctors and nurses are employed at the clinic. The nurse residences are located on SL-lot 49 and 51.

The clinic provides a 24/7 emergency nurse on call service. The main services provided at the clinic include medication management, child and school health, men and women's health, chronic disease management, immunisations and RFDS evacuations. Various visiting specialists also attend the clinic as required.

Church hall

The community church is located on SL-lot 97.

Workshop

Papulankutja has community workshops located on SL-lots 6 and 7. The workshops are used for repairs, maintenance and storage of equipment. The workshop services privately-owned and community vehicles. The workshop is a self-supporting, successful enterprise.

Recreation Areas

There is an uncovered basketball court located on SL-lot 59, a playground located on SL-lot 34, an indoor swimming pool located on SL-lot 110 and a football oval located on SL-lot 109 to fulfil the community's recreational needs. The football oval is home to the 'Blackstone Demons' football team.

Art Centre

Papulankutja Artists was established in 2001 and incorporated in 2004 (Papulankutja Artists Aboriginal Corporation) growing out of Blackstone's women's centre. After many years of working through the women's centre and then the community hall, Papulankutja Artists opened their own Art Studio in 2009 located on SL- lot 160.

Papulankutja Artists reached out to neighbouring communities and started a regional art reach program in 2008. There are now approximately 60 artists at Papulankutja and approximately 20 artists at Jameson working for Papulankutja Artists. Papulankutja Artists strive for everybody working together with a strong heart. The art themes are about country and include the Seven Sisters' story, Wati Kutjarra, Illupa and Nintuka (Papulankutja Artists 2020).

Community Hall

Papulankutja Community hall is located on SL-lot 31. The hall is utilised for social and community events including movies, roller skating, video games and pool games.

Multi-function Police Facility

Papulankutja has a permanently staffed and functional police station located on SL-lot 123 at the eastern entry of the community. The Papulankutja police coverage area includes Papulankutja, Jameson and Wingellina communities.

Visitor Camping

A visitor camping site is located on SL-lot 113 at the western entry of the community.

Tjukayirla Roadhouse

The community owns the Tjukayirla Roadhouse, on the Great Central Road between Warburton and Laverton.

4 HOUSING

4.1 Residential Areas

The dwellings in Papulankutja are located in a cluster either side of the main street (Papulankutja Road).

4.2 Number & Type of Dwellings

At present there are approximately 65 residential dwellings in the community. The Department of Communities (Housing) provides property and tenancy management services under a Housing Management Agreement (HMA) to 37 community houses in the community.

4.3 Future Residential Development

Approximately 20 residential lots are available for future residential development in Papulankutja.

5 CONSTRAINTS AND LIMITATIONS

5.1 Flood Hazard

Papulankutja is not located near a river bank or watercourse. No information regarding flood waters or hazards is available for Papulankutja. No flood study has been undertaken for Papulankutja.

5.2 Drainage

A formal sealed road network with drainage is in place at Papulankutja.

5.3 Drinking Water Source Protection Plan

A Drinking Water Source Protection Plan (DWSP) was prepared in 2010 by Parsons Brinckerhoff Australia Pty Limited on behalf of the former Department of Housing. The plan identified a Priority 1 drinking water source protection area to the south of the community. Drinking water source protection areas are needed to prevent the degradation of the drinking water source and to avoid the development of potentially harmful activities in those areas.

5.4 Bushfire

The community is designated as bushfire prone under SPP 3.7 Planning in Bushfire Prone Areas (SPP 3.7). It is unknown whether the community has any bushfire management emergency/evacuation procedures in place.

5.5 Exclusion Boundaries

The exclusion boundaries shown on the map-set are in accordance with the WAPC's *State Planning Policy 3.2 Aboriginal Settlements Guideline (2020)*.

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 following SPPs were given due regard in the preparation of LP 1:

- SPP 3.0 – Urban Growth and Settlement;
- SPP 3.2 – Aboriginal Settlements; and
- SPP 2.7 – Public Drinking Water Source
- SPP 3.7 – Planning in Bushfire Prone Areas

6.2 State Planning Policy 3.2 - Aboriginal Settlements

SPP 3.2 was published in the Government Gazette on 11 May 2011. The objectives are to:

- Provide for the recognition of Aboriginal settlements through local planning schemes and strategies; and,
- Collaboratively plan for the orderly and coordinated development of Aboriginal settlements.

SPP 3.2 defines Layout Plan as the valid planning instrument applicable to Aboriginal settlements and prescribes the manner in which they are to be prepared, authorised and amended. SPP 3.2 requires that local governments classify land as 'settlement' zone in a local planning scheme.

6.3 Shire of Ngaanyatjarraku

The Shire of Ngaanyatjarraku has no planning Scheme or Strategy. SPP3.2 and LP2 govern the planning outcomes in Papulankutja.

6.4 Goldfields-Esperance Regional Planning and Infrastructure Framework

The Goldfields-Esperance Regional Planning and Infrastructure Framework (2015) provides an overall strategic regional context for land-use planning within the Goldfields-Esperance region; and identifies a number of priority initiatives required to facilitate comprehensive regional planning in order to guide local planning processes.

The framework states layout plans provide another important local planning instrument to guide land-use planning in Aboriginal settlements many of which fall outside of, or are not recognised or zoned within local planning schemes, this is the case with Papulankutja.

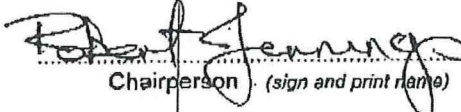
In this context, Aboriginal settlements such as Papulankutja are considered to fit within the Settlement Hierarchy of the Goldfields– Esperance Activity Centres Framework. Papulankutja is identified as a local centre in the settlement hierarchy.

7 ENDORSEMENTS

ADOPTION**PATJARR**

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

10TH day of OCTOBER, 2008


Chairperson (sign and print name)

10 | 10 | 08
Date

ANNETTE JONES
Secretary (sign and print name)

10 | 10 | 08
Date

ENDORSEMENT**NGAANYATJARRAKU**

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

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

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


.....
Date

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

.....
Date

APPROVAL**WA PLANNING COMMISSION**

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


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

2/4/13
Date



REFERENCES

Bureau of Meteorology 2020 Halls Creek Monthly Rainfall and Temperatures. Available at <http://www.bom.gov.au/climate/data/>

Department of Communities (Housing) 2020 Property Tenancy Management System (PTMS) database

Department of Education 2020 Western Australian Schools Lists <https://catalogue.data.wa.gov.au/dataset/western-Australian-schools-lists>

Department of Indigenous Affairs (DIA) 1997, 2004 and 2008 Environmental Health Needs Survey of Indigenous Communities in Western Australia. Government of Western Australia.

Department of Planning, Lands and Heritage. 2020. State Planning Policy 3.2 Aboriginal Settlements Guideline. Government of Western Australia

Department of Planning, Lands and Heritage 2020 Aboriginal Heritage Inquiry System <https://www.dplh.wa.gov.au/information-and-services/online-services/aboriginal-heritage-inquiry-system>

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

National Native Title Tribunal 2020 Native Title Vision <http://www.nntt.gov.au/assistance/Geospatial/Pages/NTV.aspx>

Ngaanyatjarra Health Service. 2020. Blackstone. <https://www.nghealth.org.au/communities/blackstone>

Ngaanyatjarra Lands School. 2020. Blackstone Campus. <https://www.nglandschool.wa.edu.au/locations/blackstone-campus/>

Office of the Registrar of Indigenous Corporations 2020, <https://www.oric.gov.au/>

Papulankkutja Artists. 2020. <https://papulankutja.com.au/>

Shire of Ngaanyatjarraku. 2020. <https://www.ngaanyatjarraku.wa.gov.au/index.php/our-region/community-information/blackstone>

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

WAPC 2011 State Planning Policy 3.2 - Aboriginal Settlements, Government of Western Australia

WAPC 2019 Shire of Halls Creek Local Planning Strategy, <https://www.dplh.wa.gov.au/lps> Government of Western Australia

AMENDMENTS

Papulankutja (Blackstone)

Layout Plan No. 1 (Sept 2008)

Amendment No. _____

Date : 7 December, 2012 WAPC : _____
Proponent : Gerard Coffey Endorsed
Requires : Yes
Endorsement

Reason for the Amendment

Telstra propose to install a mobile telecommunications tower at Blackstone Community. To achieve this objective, a proposed site has been selected as per the attached plans. The Department of Housing have insisted on a Lot number being allocated on the Layout plan for power connection purposes. The telecommunications equipment is viable in terms of efficient use of existing essential services.

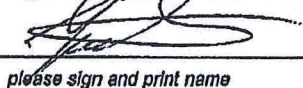
The new lot proposed on the attached plans, are identified by Telstra and endorsed by the Ngaanyatjarra Council.

Changes required to CLP

Allocate lot number as per attached proposed site

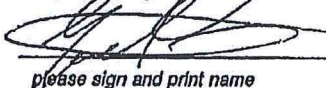
Approved

Ngaanyatjarra Council Incorporated

 Gerard Coffey
please sign and print name

Date 7/12/2012

Ngaanyatjarra Land Council Aboriginal Corporation

 Gerard Coffey
please sign and print name


Date 7/12/2012

Shire of Ngaanyatjarraku

 Christopher
please sign and print name

Date 7/12/12

Western Australian Planning Commission

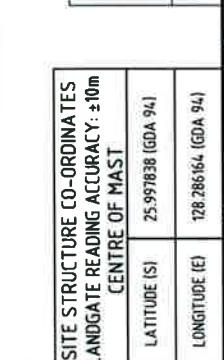
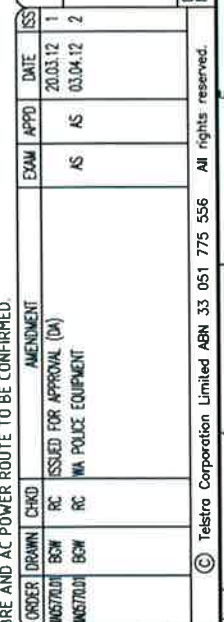

please sign and print name
Ashley Randall
Planning Manager, Aboriginal Communities
Regional Planning & Strategy
PN: 15151.1

03/04
Date 26/12/2013

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.



1. THIS IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT/APPROVAL. IT IS NOT A DETAILED SURVEY / STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.
2. NEW STRUCTURE WILL BE DESIGNED TO CATER FOR TELSTRA AND THE FULL LOAD OF GOVERNMENT ANTENNAS AS DEFINED IN THE CONTRACT.



Papulankutja Layout Plan No.2**Amendment No.2**

Proponent	: Housing Authority
Date	: 12 October 2015

Reason for the Amendment

The Housing Authority proposes to build additional workers accommodation in Papulankutja and have selected an appropriate location that does not currently comply with the current Layout Plan, but is viable in terms of efficient use of existing services.

The Housing Authority proposes to make the following changes at **Papulankutja**.

Subject Land		Changes required to CLP
1.	North of SL-lot 120	Create SL-lot 133 along SL-road Station Ct, to the north of SL-lot 120 Change land use of the proposed lot from 'Open Space' to 'Residential'

Endorsements:**Papulankutja Community Incorporated**

please sign and print name

MARK BUTLER Mark Butler **Date:** 30/10/2015

Yarnangu Ngaanyatjaraku Parna Aboriginal Corporation

please sign and print name

Date:

Shire of Ngaanyatjaraku

please sign and print name

Date:

Western Australian Planning Commission

Alexander Petrovski

please sign and print name

*A Director Regional Planning
PN: 15151.1*



Date: 22 JAN 2016

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 : 22 December 2016

Reason for the Amendment


Housing Authority propose to create SL-lot 141 on the Papulankutja Layout Plan 2 (LP2) for the purpose of appropriately identifying the site where the rubbish tip currently exists. Realign SL-road reserve Ponds Street to ensure access to newly created SL-lot 141 is provided.

	Land Identification	Amendment description
1.	Area classified 'Open Space' to the west of SL-road reserve Ponds Street.	Subdivide a portion of the area classified 'Open Space' to the west of SL-road reserve Ponds Street to create SL-lot 141 to be classified 'Public Utility' for the purpose of rubbish tip.
2.	SL-road reserve Ponds Street	Realign SL-road reserve Ponds Street to the west to ensure accessibility to SL-lot 141.

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 *Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission*.

 09/01/2017
 Determination Ashley Randell date
 Director, Regional Planning Policy
 Regional Planning
 PN: 15151

Other Information:

This Layout Plan does not constitute development approval.

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

Proponent	: Ngaanyatjarra Services
Date	: 27 April 2017

Reason for the Amendment

Ngaanyatjarra Council has requested the creation of 3 new residential SL-lots at Papulankutja. The council proposes to construct 3 new residential dwellings on existing SL-lots 45 and 46 which will be amalgamated and subdivided into 3 new SL-lots.

Land Identification		Amendment description
1.	SL-lots 45 and 46	Amalgamate SL-lots 45 & 46 and subdivide into three new SL-lots (151, 152 and 153), retaining the land use classification as "Residential".

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>	 Ashley Randell Director, Regional Planning Policy Determination PN: 15151 01 May 2017 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 Environmental Regulation, Aboriginal Cultural Materials Committee, Environmental Protection Authority and Department of Water.

Proponent	: Ngaanyatjarra Council
Date	: 26 April 2018

Reason for the Amendment

Ngaanyatjarra Council has requested the creation of a new residential SL-lot at Papulankutja. The council proposes to subdivide an existing residential SL-lot to reflect the two existing houses on this SL-lot. Additional infrastructure (production bore) has also been identified with an SL-lot and number to appropriately identify the site.

Land Identification		Amendment description
1.	SL-lot 62	Subdivide SL-lot 62 to create additional SL-lot 155 (eastern side fronting Amy Giles Street) with both SL-lots having the land use classification of "Residential".
2.	SL-lot 156	Create SL-lot 156 (Public Utility) to identify the existing production bore.

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>26/04/2018</p> <p>Ashley Randell Director, Regional Planning Policy Regional Planning date</p> <p>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	: Ngaanyatjarra Services & DPLH
Date	: August 2020

Reason for the Amendment

The proposed amendment seeks to facilitate the subdivision of SL-lot 31 into two separate lots to enable the separation of the Community Hall and Art Centre. The amendment also seeks to change the land-use of the Clinic SL-lot from 'Residential' to 'Community'.

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

- Revising the population, housing infrastructure and services data;
- Editing and reformatting the background report;
- Removing out of date text and references
- General update to the layout plan map-set

Land Identification		Amendment description
1.	SL-lot 31	Subdivide SL-lot 31 into two new community SL-lots. Assign new SL-lot number 160 and retain SL-Lot 31
2.	SL-lot 54	Change the land-use of SL-lot 54 from 'Residential' to 'Community'.
3.	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 *Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission*.



28 August 2020

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.

Papulankutja Layout Plan No. 2

Amendment No. 7

Proponent : Department of Planning, Lands and Heritage

Date : October 2020

Reason for the Amendment

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

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

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

Endorsement:

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

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


Determined by Ashley Randell
Director, Regional Planning Policy
Regional Planning
PN: 15151
9/11/2020
date

Other Information:

This Layout Plan does not constitute development approval.

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

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

See map-set for location

Airstrip Street
Amy Giles Street
First Street
Hann Street
Holgarth Street
Match Hill Street
Morgan Close
Osborne Street
Oval Street
Pirrul Street
Ponds Street
Range Street
Station Court
Tjawupalya Street
Waratjarra Street
Workshop Street
Yungal Street