

Jarlmadangah Burru

Layout Plan 2

Background Report

July 2007

Date endorsed by WAPC



Amendments

Amendment 1 - September 2011

Amendment 2 - September 2012

Amendment 3 - November 2014

Amendment 4 - January 2018



Department of
Planning



Western
Australian
Planning
Commission

CONTENTS

CONTACTS.....	1
SUMMARY	2
1. BACKGROUND.....	3
History	3
Language.....	3
Location	3
Climate	3
Community Layout Plan No.1	3
2. EXISTING SITUATION	4
Land Tenure	4
Native Title.....	4
Access & Dedicated Roads	4
Population.....	4
Water Supply	5
Electricity Supply	5
Wastewater.....	6
Housing	6
Stormwater Drainage.....	6
Road Layout	6
Rubbish Disposal.....	6
Community and Social Services	7
Air Strip.....	7
3. REGIONAL TOWN PLANNING	8
State Planning Policies	8
4. LOCAL TOWN PLANNING	8
Shire of Derby-West Kimberley Town Planning Scheme No.4.....	8
Shire of Derby-West Kimberley Local Planning Strategy	8
5. COMMUNITY ASPIRATIONS	9
6. DEVELOPMENT PROJECTS & REQUIRED IMPROVEMENTS.....	10
Design Summary	10
Housing	10
Land Title.....	11
Road Layout	11
Electricity Supply	11
Wastewater.....	12
Water Supply	12
Rubbish Disposal.....	13
Community and Social Services	13
Business and Commercial.....	13
Lot Numbering and Street Names	14
Industrial.....	14
Open Space / Recreation	14
Open Space / Bush	14
7. PLANS	15
8. ENDORSEMENTS	16
Jarlmadangah Burru Aboriginal Corporation Endorsement.....	i
Shire of Derby-West Kimberley Endorsement	ii
Nyikina Mangala Working Group Endorsement	iii
Aboriginal Lands Trust Endorsement	iv
Western Australian Planning Commission Endorsement	v
APPENDIX	i

CONTACTS

Community Contacts

Corporation	Jarlmadangah Burru Aboriginal Corporation
Chairperson	William Watson
Telephone	9191 7791
website	www.jarlmadangah.com
Postal Address	Po Box 381 DERBY WA 6728
Administrator/Accountant	Joe Grande
Telephone	91922335
Fax	91921756
Email	granjoe@tpg.com.au
Postal Address	PO Box 1776 BROOME WA 6725

Useful Contacts

Department of Indigenous Affairs Sandra Krupa 9235 8077 Sandra.Krupa@dia.wa.gov.au
Shire of Derby-West Kimberley Noel Myers 9191 0945 planner@sdwk.wa.gov.au
Department for Planning and Infrastructure - Town Planning Ashley Randell 9191 0205 ashley.randell@dpi.wa.gov.au
Sinclair Knight Merz – Survey Information Adrian Day 9268 4542 aday@skm.com.au
Parsons Brinckerhoff - Essential Services Program Tony Barton 9192 6257 tbarton@pb.com.au

SUMMARY

The Jarlmadangah Burru Community Layout Plan No.1 was prepared in 2000. Since that time the community have established the following facilities and activities:

- primary school
- office
- store
- health clinic
- youth centre
- aged persons accommodation
- 7 new houses
- new drinking water bore
- camel tours business

The Jarlmadangah community have steadily developed with generally a high regard to CLP1. It is standard practice to review Community Layout Plans every 5 years. In 2006 the Jarlmadangah CLP No.1 was reviewed and CLP No.2 prepared to supersede it. Changes made to the Jarlmadangah Burru Community Layout Plan No.1 and included in CLP No.2 are as follows:

1. Issue individual lot numbers for all existing buildings and uses.
2. Realign Kuralga Drive so that it will be built around the workshop.
3. Change Kuralga drive and Karlbijagu Drive so that the house on Lot 31 is not within the road reserve.
4. Industrial and utilities lots changed to match existing buildings.
5. Lot 56 created to match existing house.
6. 9ha aquaculture enterprise area
7. 1ha utilities lot and 300m radius buffer around the main drinking water bore
8. 2.25ha future sewerage ponds lot
9. 5625m² future power station lot
10. Request that the Aboriginal Lands Trust transfer Lot 237 (Reserve 41497) to Jarlmadangah Burru Aboriginal Corporation.

1. BACKGROUND

History

Jarlmadangah Burru was established in 1987 by the Traditional Owners of that country. The community land holding was excised from Mt Anderson Station. The land that the community has been build on was carefully chosen by the Traditional Owners as a place where activity would not compromise culture and heritage sites. The people of Jarlmadangah Burru maintain a close association with Mt Anderson Station.

Language

The two main language groups at Jarlmadangah Burru are Nyikina and Mangala. English is widely spoken.

Location

Jarlmadangah Burru is in the West Kimberley, located approximately 120km east of Derby on the Mt Anderson Road, close to the Fitzroy River. Camballin and Looma are the nearest towns, approximately 35km and 50km, respectively, from Jarlmadangah Burru.

Climate

Jarlmadangah Burru has a climate that is typical of the inland the West Kimberley region: dry mild winters and hot wet summers.

Community Layout Plan No.1

The Jarlmadangah Burru Community Layout Plan No.1 was prepared by town planning consultants Planwest for the Jarlmadangah community and the Aboriginal and Torres Strait islander Commission (ATSIC) in 2000. CLP1 was endorsed by the community at that time. The Shire of Derby-West Kimberley and the Western Australian Planning Commission subsequently endorsed the CLP in 2002.



2. EXISTING SITUATION

Land Tenure

Jarlmadangah Burru is currently on the following land title:

Lot 237

Reserve 41497

Management Order with the Aboriginal Lands Trust for the “*use and benefit of Aboriginal inhabitants*”

Lot 237 is 757.58ha in area. The boundaries of the land are roughly defined by the range that borders the community to the south and the Mt Anderson Road to the north. There is no existing fencing or other markers that clearly identify the boundary on-site.

The community living area is wholly within Lot 237.

Native Title

Jarlmadangah Burru is within the Nyikina Mangala native title claim. The Nyikina Mangala people have registered a native title claim with the National Native Title Tribunal. The Claim has not been determined.

There is a Nyikina Mangala Working Group that responds to matters regarding the Claim. The Claim and Working Group are administered by the Kimberley Land Council.

Access & Dedicated Roads

Jarlmadangah Burru has all-weather road access to a range of towns, including Derby, Fitzroy Crossing, Looma and Camballin.

Population

In 1997 the Environmental Health Needs Survey recorded 76 people living in 7 houses at Jarlmadangah Burru.

The 2003 Australian Bureau of Statistics (ABS) population statistics record 53 people permanently living at Jarlmadangah Burru. 2006 census data is unavailable at the time of this review.

When CLP1 was prepared in 2000 it assumed an existing permanent population of 100 people and set a maximum design population of 250 people. Although the existing population estimate may have been a bit high, the assumption of continued growth was probably accurate and a maximum design population of 250 is considered to be reasonable.

The Nyikina Mangala Community School at Jarlmadangah Burru estimate a permanent population at 81 people.

It is considered that the most accurate permanent population estimate at the current time is 81 people.

Water Supply

CLP No.1 identifies three production bore sites within the community living area. In recent times the bore areas toward the southern end of the community living area have been shut-down (bores 1/93, 1/98 & 2/98).

The community drinking water is currently sourced from the remaining bore sites within the community living area (1/55 and 1/88) and a new bore approximately 600m north of the community living area adjacent to the entry road (JA1/02).

Global Groundwater prepared a drinking water source report as part of the review of CLP No.1 (see Appendix 1). In summary, that report advises as follows:

- Watertable is about 20m below the ground level.
- Superficial sediments are relatively thin and may be sandy.
- Risk of groundwater contamination to the bores located close to contamination sources is “relatively high”.
- All bores used for drinking water should be protected by a 300m radius buffer.
- Bore JA1/02 should be the main drinking water supply bore.
- Bores within the community living area should not be used for drinking water.

CLP No.1 shows a 50m radius buffer around the water supply bores. Based on advice from Global Groundwater, this appears to be very inadequate.

Electricity Supply

The power supply for Jarlmadangah Burru is generated from the Power House on Lot 16.

Electricity is generated on-site by a 70kVa generator and there is a standby system available. The system is not modular and cannot be refitted with additional generator units to increase capacity. Therefore, if more generation capacity was needed the power station would need to be replaced.

The power network is considered adequate for the current power demands of the community. However, if the population continues to increase and new business ventures like the proposed aquaculture farm are successful the power station may need to be upgraded or replaced.

Wastewater

Jarlmadangah Burru is not connected to a reticulated sewerage system. Wastewater is disposed of on-site in septic tank systems. The community disposes of wastewater via septic tanks. The community is satisfied with this approach and there have been no problems with the operation of the system.

However, the as-constructed survey plans indicate that there is an existing reticulated sewer pipe network in the ground throughout the community living area.

Housing

When CLP1 was developed the estimated permanent population of Jarlmadangah was 100 people, accommodated in 10 houses.

There are currently 17 houses in Jarlmadangah Burru community, plus an aged care accommodation unit. One additional house is programmed to be built in 2007. Plans to build a house for a health worker are well advanced.

There are more than 30 serviced house lots available for development at the community.

Stormwater Drainage

Jarlmadangah Burru is not subject to significant flood impacts. However, there is pooling of water after rains because the road and drainage network is not formed.

The road network essentially defines the drainage system. The CLP No.1 road network is generally sound and has been respected by new development.

Road Layout

The CLP No.1 road network is generally sound and has been respected by new development. But, there are two parts of the road network where the road is planned to go through existing buildings.

Rubbish Disposal

The existing Jarlmadangah Burru rubbish tip is approximately 50m west of the existing power station. It is about 160m directly away from the closest existing or future house (Lot 56).

There is a proposal to move the rubbish tip further west, as much of the waste is disposed by burning, which can create a nuisance for the residents.

Community and Social Services

CLP No.1 planned for a school, health clinic, cemetery, youth centre, women's centre and visitor's accommodation. Many of these services have now been developed as planned.

The Nyikina Mangala Community School was established in 2000 to provide an appropriate educational service for Jarlmadangah Burru

The community members wanted a school to be built at Jarlmadangah Burru because they want their kids to stay in the community. Then they can learn how to speak their languages and be strong young people in themselves, so when they grow up they will be able to know what to do with their lives.

Students' home languages are either Nyikina, Mangala or Aboriginal English and English to varying degrees. The school language program is supported by specialists who develop resources that are used in classes and in furthering the profile of Nyikina and Mangala.

Air Strip

Jarlmadangah Burru does not have an airstrip. The nearest available all-weather airstrip is the Camballin airstrip, approximately 35km away on all-weather unsealed roads.

3. REGIONAL TOWN PLANNING

State Planning Policies

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

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

The following SPPs were given due regard in the preparation of CLP No.3:

- SPP 3 – Urban Growth and Management
- SPP3.2 Planning for Aboriginal Communities

4. LOCAL TOWN PLANNING

Shire of Derby-West Kimberley Town Planning Scheme No.4

The Shire of Derby-West Kimberley Town Planning Scheme No.5 does not include land beyond the immediate surrounds of Derby town.

Shire of Derby-West Kimberley Local Planning Strategy

The Shire of Derby-West Kimberley has commenced preparation of a Local Planning Strategy over the full extent of the Shire area, including Jarlmadangah Burru. The proposed Strategy is some way off completion.

5. COMMUNITY ASPIRATIONS

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

There is an understanding that development of Jarlmadangah Burru is something that has taken time, and will continue to happen over many years.

The primary aspiration of the community is to continue to grow and develop in accordance with the Jarlmadangah Burru Aboriginal Corporation strategic plan.

The main aspirations noted are:

1. Aquaculture business
2. Redesign road network so that it doesn't go through buildings (workshop, House 31)
3. Transfer Lot 237 (Reserve 41497) from the Aboriginal Lands Trust to Jarlmadangah Burru Aboriginal Corporation.

6. DEVELOPMENT PROJECTS & REQUIRED IMPROVEMENTS

Design Summary

The future plans for Jarlmadangah Burru are based on visits to the community and advice from relevant government agencies, including the Remote Area Essential Services Program (RAESP) managers Parson Brinkerhoff, surveyors Sinclair Knight Merz, Shire of Derby-West Kimberley, Aboriginal Lands Trust, Global Groundwater, and the Departments for Housing & Works, Environment, Water and Indigenous Affairs.

The general design principles of the plan are:

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

The Jarlmadangah Burru Aboriginal Corporation has a clear and up-to-date Strategic plan that guides all development in and for the community. The Community Layout Plan has been developed to complement and support that plan.

The Jarlmadangah Burru Community Layout Plan No.2 shows all proposed improvements to the community.

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

Housing

Assuming continued population growth at Jarlmadangah Burru, the community may need to accommodate up to an additional 50 or 60 permanent residents over the next 5 to 10 or so years.

Based on a household of 5 people per dwelling, this means up to an additional 12 houses may be needed at Jarlmadangah Burru over the next 5 to 10 years.

There are more than 30 vacant house lots planned for in CLP1.

CLP No.2 plans for:

- ***32 vacant house lots.***

Land Title

A strong aspiration of the Jarlmadangah Burru community is to have the Lot 237 transferred from the Aboriginal Lands Trust to Jarlmadangah Burru Aboriginal Corporation.

The aspiration of the Jarlmadangah Burru community appears to accord with the Aboriginal Land Trust '*Transfer of ALT Land*' Policy and is supported as a recommendation of Amendment No.1.

CLP No.2 recommends that:

- ***Lot 237 (Reserve 41497) be transferred from the Aboriginal Lands Trust to the Jarlmadangah Burru Aboriginal Corporation.***

Road Layout

The road layout can be slightly modified to improve flow and efficiency.

CLP No.2 plans for:

- ***Kuralga Drive to go around the workshop.***
- ***A section of Karlbijagu Drive to be removed where it goes through the house on Lot 31.***

Electricity Supply

If the existing power station is replaced it should be moved further out of the community living area.

CLP No.2 plans for:

- ***A future power station site just north of the entrance gate to the community, south of the creek. The plan shows a 5625m² lot with a 200m buffer.***

This site was selected in December 2006 with the community Chairman William Watson and former community Chairman Anthony Watson.

Wastewater

If the septic and leach drain systems that are in place show signs of failing to perform evaporative sewerage ponds connected to the existing pipe network may be needed. Generally, a community would need to have at 200 permanent residents before sewerage ponds would become technically, environmentally and financially viable.

CLP No.12 plans for:

- ***A future sewerage ponds site west of the community, north of the creek. The plan shows a 2.25ha lot, the centre of which is 750m from the nearest existing or future house lot.***

This site was selected in December 2006 with the community Chairman William Watson and former community Chairman Anthony Watson.

The southeast corner of the lot is at the following latitude and longitude South18 00.741 East124 00.236. The site is lower than the community and the aquaculture area.

Water Supply

The existing water supply infrastructure at Jarlmadangah Burru is adequate for continued growth and development. The drinking water bore is located away from potential sources of contamination and the 'in-town' non-drinking water bore provides an adequate irrigation source for the community oval and other garden areas.

CLP No.2 plans for:

- ***A 1ha lot at bore JA1/02 shown for the use of 'utilities'.***
- ***A 300m radius buffer around bore JA1/02.***
- ***A 300m radius buffer around bore 1/88 (replacing the 50m buffer on CLP No.1), because this bore is being used for drinking water and it is important for servicing agencies in government and the community to be able to easily identify that this is a potential issue, as most of the community living area is within 300m of that bore.***

Rubbish Disposal

The existing rubbish tip at Jarlmadangah Burru is too close to the community living area and may cause future problems with groundwater contamination, odour and general health hazards.

CLP No.2 plans for:

- ***A future rubbish tip site west of the community, north of the creek. The plan shows a 2.25ha lot, the centre of which is 650m from the nearest existing or future house lot.***
This site was selected in January 2007 with the community Chairman William Watson and former community Chairman Anthony Watson.
- ***The southeast corner of the lot is at the following latitude and longitude South18 00.827 East124 00.273. The site is lower than the community and the aquaculture area.***

Community and Social Services

Community and social services at Jarlmadangah Burru have kept pace with the demands of the community. There is no aspiration or demand for any dramatic increase in community or social services. However, in reviewing the plan it was apparent that some improvement to lot configuration and orientation could be made with the visitor's accommodation land in the central part of the community living area.

CLP No.2 plans for:

- ***Expansion of the visitor's accommodation lot up to Ngarmagarti Way (taking up 2 vacant house lots shown on CLP No.1).***

Business and Commercial

CLP No.1 shows two business/commercial lots: a new office next to the entrance gate and the existing shop. Amendment No.1 shows both of these lots, and includes all of the new buildings that have been built since CLP No.1 was done.

The community intend to develop an aquaculture enterprise that would grow fish and cherrabun. The preferred area is northwest of the community living area based on the existing dam. This area could also be efficiently connected to power and water supplies from the existing (and proposed) community infrastructure.

CLP No.2 plans for:

- ***An aquaculture area northwest of the community living area. It is shown as a 9ha business / commercial lot.***

Lot Numbering and Street Names

Numbering the lots so that they match the existing house numbers and naming the streets, including proposed new streets is an important part of providing services to every house and building.

CLP No.2 plans for:

- ***Revised lot numbers to show rearranged lots that match recent developments.***
- ***All land uses and infrastructure to have a lot number.***

Industrial

CLP No.1 showed land next to the existing power station as industrial. The Amendment has slightly modified this part of the plan by deleting the “open space/recreation” buffer along Kuralga Drive and showing that land as Industrial. This reflects the existing situation.

Open Space / Recreation

The plan shows the existing football oval, basketball court and amphitheatre area as “open space / recreation”. As with CLP1, a proposed park in the southern area is shown as “open space / recreation”.

Open Space / Bush

The area of the community that are not intended to be used for any specific purpose are shown on the plan as “open space / bush”.

8. ENDORSEMENTS

Jarlmadangah Burru Aboriginal Corporation Endorsement

Jarlmadangah Burru Aboriginal Corporation:

PO Box 381

Derby WA 6728

The Jarlmadangah Burru Aboriginal Corporation hereby adopts the **Jarlmadangah Burru Community Layout Plan No.2** (February 2007) as a guide for the location of future developments within its boundaries. The CLP plans to improve the community's built environment and the resident's living standards.

The elected council acknowledges that the layout represents the community aspirations for future developments, and hereby adopts the plan, report and provisions at the meeting of Council held on:

The 1ST Day of MAY 2007

Adopted by the Jarlmadangah Burru Aboriginal Corporation:

(Please sign above name)

Council

Seal



WILLIAM JAMES WATSON



LEELA WATSON

Chairperson

Please print and sign name)

Councillor

(Please print and sign name)

Shire of Derby-West Kimberley Endorsement

Shire of Derby-West Kimberley
PO Box 94
Broome WA 6725

The Shire of Derby-West Kimberley hereby adopts the **Jarlmadangah Burru Community Layout Plan No.2** (February 2007) as a guide for the location of future developments within its boundaries. The CLP plans to improve the community's built environment and the resident's living standards.

The 8th Day of JUNE 2007

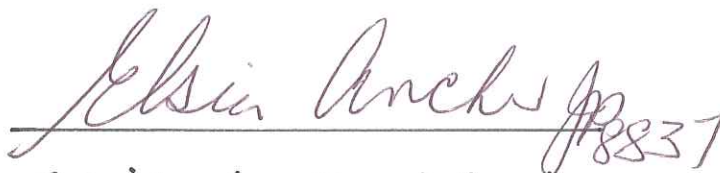
Endorsed by the Shire of Derby-West Kimberley Council:



CEO

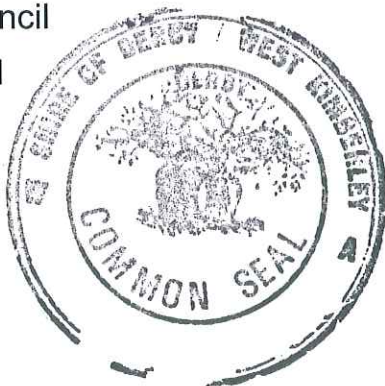


(Please print and sign name)


President: Elsie Archer

As delegated authority to grant planning approval for development that complies with the Community Layout Plan and with the Shire Councils resolution and adoption.

Council
Seal



Western Australian Planning Commission Endorsement

Western Australian Planning Commission
469 Wellington St
Perth WA 6000



86
The ~~Shire of~~ Western Australian Planning Commission hereby adopts the
Jarlmadangah Burru Community Layout Plan No.2 (February 2007) as a
guide for the location of future developments within its boundaries. The CLP plans
to improve the community's built environment and the resident's living standards.

The 24th Day of JULY 2007

Signed for and on behalf of the Western Australian Planning Commission

An officer of the Commission duly authorised by the Commission pursuant to the Planning and Development
Act 2005 for that purpose in the presence of

Witness

24 JUL 2007

Date

Nyikina Mangala Working Group Endorsement

Nyikina Mangala Working Group
C/- Kimberley Land Council
PO Box 2145
Broome WA 6725

The Nyikina Mangala Working Group hereby adopts the **Jarlmadangah Burru Community Layout Plan No.2** (February 2007) as a guide for the location of future developments within its boundaries. The CLP plans to improve the community's built environment and the resident's living standards.

The elected council acknowledges that the layout represents the community aspirations for future developments, and hereby adopts the plan, report and provisions at the meeting of Council held on:

TheDay of2007

Adopted by the Nyikina Mangala Working Group:
(Please sign above name)

_____	_____
_____	_____

Chairperson

Please print and sign name)

AMENDMENTS

Jarlmadangah Burru Community Layout Plan No.2

Amendment No.1

Reason for the Amendment

To include the proposed Kimberley Dreamtime Adventure Tours eco retreat.

Details of the Amendment

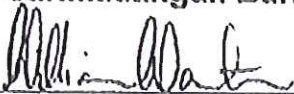
The intention is to modify the community layout plan endorsed by the WA Planning Commission on 24 July 2007 as follows:

Amendments made to CLP

1. Inclusion of 200m x 500m lot (Lot 81) for tourism purposes.
2. Lot numbers added for Lots 75-81.

Approved / Noted:

Jarlmadangah Burru Aboriginal Corporation



please sign and print name

WILLIAM WATSON

Date 3 / 12 / 2010

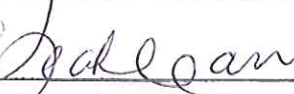
Shire of Derby / West Kimberley



please sign and print name

Date 17 / 6 / 2010

Western Australian Planning Commission



please sign and print name

LEAH CARR

Date 29 / 9 / 2010

Other Information:

This CLP does not constitute development approval.

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

To update the mapping, please forward details of amendment to

Western Australian Planning Commission, 469 Wellington Street, PERTH WA 6000

Attn: Thomas Della Vedova,

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

Jarlmadangah Burru Layout Plan 2

Amendment 2

Plan Date : 1 May 2007 WAPC Endorsed : 24 July 2007
Proponent : Department of Planning Requires : WAPC only – minor amendment
Endorsement

Reason for the Amendment

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

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

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

Approved

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

Western Australian Planning Commission



please sign and print name

Rosa Rigali
Planning Administration Team Leader
Perth, Peel Planning - Department of Planning

Date 12/9/2012

RESOLVED & RECORDED IN MINUTES
OF THE STATUTORY PLANNING
COMMITTEE MEETING

11 SEP 2012

Other Information:

This Layout Plan does not constitute development approval.

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

Proponent	: Department of Planning (DoP)
Date	: 25 February 2014

Reason for the Amendment

On 25 April 2012 an Aboriginal Heritage Survey (AHS) was undertaken at Jarlmadangah Burru by representatives selected by the Nyikina and Mangala Native Title Claim Group in partnership with the Kimberley Land Council (KLC). The AHS was requested by the Department of Housing to identify any heritage issues that may arise with respect to the development of land identified as SL-lots on the Jarlmadangah Burru Layout Plan 2. That AHS recommended amendments to the Layout Plan, namely: realignment and extension of a no-go exclusion boundary, and; removal of all SL-lots and SL-roads on the affected land.

Planning Bulletin 108/2013 provides that: *if an Aboriginal Heritage Survey has been prepared for part or whole of an Aboriginal settlement and the information held in that survey is pertinent to the identification of a 'no-go' exclusion boundary that is not shown on an endorsed Layout Plan the interpretation of that information in the form of a 'no-go' boundary may be prepared as a Layout Plan amendment. Such an amendment is generally considered to be minor in nature and may be completed without the application of provisions 6.9 to 6.12 of SPP3.2, other than the requirement for endorsement by the WAPC.*

The following changes are required to Jarlmadangah Burru Layout Plan No.2:

Issue / Proposal	Changes required to CLP
1. SL-lots 60, 62-73	Add no-go exclusion boundary as shown on the Aboriginal Heritage Survey. Delete SL-lots 60, 62 to 68 inclusive and 70 to 75 inclusive, the extent of Kilin Kilin Way and Diyadiya Street that are affected by the no-go exclusion boundary as shown on the Aboriginal Heritage Survey.

Endorsements:

In accordance with Planning Bulletin 108/2013, this amendment is minor as it is based on the outcomes of an Aboriginal Heritage Survey. 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>	 25/02/2014 Ashley Randell Planning Manager, Aboriginal Communities Regional Planning & Strategy PN: 15151.1
	17/11/2014 Ashley Randell Planning Manager, Aboriginal Communities Regional Planning & Strategy PN: 15151.1

Other Information:

This Layout Plan does not constitute development approval.

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

Proponent : Department of Planning, Lands and Heritage

Date : 4 January 2018


Reason for the Amendment

In December 2017 Global Groundwater completed the 'Jarlmadangah Burru Drinking Water Source Protection Plan' on behalf of the Department of Planning, Lands and Heritage. The report includes a range of findings and recommendations that require amendments to Jarlmadangah Burru Layout Plan 2. In addition, minor amendments to Jarlmadangah Burru Layout Plan 2 have been undertaken to improve accuracy and validity of the data illustrated on the map-set.

Land Identification		Amendment description
1.	Drinking Water Source Protection Area	Identify the drinking water protection area based on the location of the 'Jarlmadangah Burru Drinking Water Source Protection Plan' Priority 1 area.
2.	SL-lot 79	Shift the boundary of SL-lot 79 to match the location of the existing bore.
3.	Open space area between Jarlmadangah Burru Road and the Kimberley Dreamtime Adventure Tours camp area.	Create SL-road Fourth Street to match the location of the existing track that provides access to the Kimberley Dreamtime Adventure Tours camp area.
4.	All	General spatial upgrade to SL-lot and SL-road boundaries.

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> .	 15/01/2018 Ashley Randell Director, Regional Planning Policy Regional Planning PN: 15151
--	--

Other Information:

This Layout Plan does not constitute development approval.

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