

Kadjina

Layout Plan 1

Background Report

May 2010

Date endorsed by WAPC



Amendments

Amendment 1 - January 2011

Amendment 2 - September 2012

Amendment 3 - January 2018

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CONTACTS

| COMMUNITY CONTACTS | |
|-----------------------|---|
| Name | Kadjina Community Incorporated |
| Related Organisations | Wulungarra Community School & Millijidee Cattle Station |
| Office Contact | Ms. Maggie McGuiness (School Principal) |
| Chairperson | Michelle Kwilla |
| Vice-Chair | Xenith Laurel |
| Secretary | Kathy Wheeton |
| Tel | 08 9191 7402 |
| Fax | 08 9191 7617 |
| Postal Address | PO Box 162, Fitzroy Crossing, WA, 6765 |
| Email | wulungarra@bigpond.com [att: Kadjina Chairperson] |

| USEFUL CONTACTS | |
|---|--|
| SERVICE | CONTACT PEOPLE |
| <i>Shire of Derby/West Kimberley</i> | Tel: 9191 0999 Fax: 9191 0998 |
| Environmental Health Officer | Emma Catlin Tel: 9191 0955 Fax: 9191 0997 Mobile: 0429 880 833 ehoic@sdwk.wa.gov.au |
| <i>Dept. Housing and Works</i> | |
| Capital Works and Maintenance | Peter Smith. Tel: 9222 8128 / 0408 934 835 Peter.smith@dhw.wa.gov.au |
| Essential Services | David Carpenter. Tel: 9222 4817 david.carpenter@dhw.wa.gov.au |
| <i>Marra Worra Worra</i> | |
| Housing Services, Fitzroy Valley | Main Switchboard. Tel: 9191 5089 |
| <i>WA Department of Planning</i> | |
| Town Planning / Layout Plans | Simon Davis. Tel: 9264 7632 simon.davis@planning.wa.gov.au |
| Main Switchboard [Perth] | 9264 7777 |
| Department of Regional Development & Lands | |
| Pastoral Lands | Brian Lloyd. Tel: 9347 5121 brian.lloyd@dpi.wa.gov.au |
| State Land Services [Crown Land issues: Kimberley] | Tel: 08 9347 5151. Fax: 08 9347 5001 |
| <i>Parsons Brinckerhoff</i> | |
| Essential Services Program | Julia Carpenter. Tel: 9489 9700 jcarpenter@pb.com.au |
| Kimberley Regional Service Providers | |
| Essential Services Program [Broome] | Rob Imbre. Tel: 9192 1641. |

List of Acronyms used in this Report

| | |
|-------|--|
| AACAP | ATSIC Army Community Assistance Program |
| ALT | Aboriginal Lands Trust |
| ATSIC | Aboriginal and Torres Strait Islander Commission |
| CDEP | Community Development Employment Program |
| CLP | Community Layout Plan |
| DHW | Department of Housing and Works |
| DIA | Department of Indigenous Affairs |
| DPI | (former) Department for Planning and Infrastructure (now the Department of Planning) |
| EHNS | Environmental Needs Health Survey |
| ILUA | Indigenous Land Use Agreement (under the Native Title Act) |
| NNTT | National Native Title Tribunal |
| NTA | Native Title Act (Commonwealth) 1993 |
| KRSP | Kimberley Regional Service Providers |
| RAESP | Remote Area Essential Services Program |
| WAPC | Western Australia Planning Commission |

EXECUTIVE SUMMARY

The Kadjina Community Layout Plan No. 1 has been prepared over a twelve month period between 2008 and 2009. It is the first CLP for Kadjina.

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

| Infrastructure /service Indicator | Community Characteristics |
|---|--|
| Drinking water | Sufficient quantity. Quality believed to be ok, but problem with storage tank. One bore. About 2km from living area. |
| Native title | No registered native title claim over part or all of community living area or Millijiddee Station. |
| Secure land holding(s) | Living area on Unallocated Crown Land, considered not secure and inappropriate land tenure. |
| Flood / storm surge | Living area does not have proven or formal storm water drainage system. Flooding not considered to be an issue. |
| Emergency assistance | Nearest police and medical assistance at Fitzroy Crossing, approx 2 hours drive. |
| Education | Primary school in community. |
| Health | Clinic at community. No full or part-time staff at community. Nurse and flying doctor visit once a month. Nearest full time clinic at Noonkanbah approx 1 hours drive. |
| Governance | Incorporated community, meeting regulatory requirements. School acts as proxy admin support. |
| Employment and enterprise opportunities | Established job market at Fitzroy Crossing, greater than 2 hours travel. |
| Transport | Road access to community seasonally cut off for greater than two weeks. CASA code 1 airstrip at community, used by RFDS. |
| Food | Nearest store at Yungngora community and Fitzroy Crossing. |
| Electricity | Unregulated generation & distribution. Diesel generator operated by community with support from KRSP. |

The major purpose of the CLP is to guide the growth and development of Kadjina by providing a layout of future land uses in the community. The CLP has been prepared in

close consultation with the Kadjina Aboriginal Corporation, to ensure that the plan reflects the community's aspirations. Technical input from a number of government and non-government agencies responsible for providing services and infrastructure to the community has also been incorporated into the plan and this report.

This Community Layout Plan outlines a clear and straightforward way for Kadjina to grow in a safe and efficient manner.

Development at Kadjina

This Community Layout Plan recommends the following projects, development and works.

Within the next year:

1. Initiate Community Drinking Water Source Protection Assessment & Short Term Action Plan (Department of Housing)
2. Formally execute Section 83 Lease under the *Land Administration Act 1997 (WA)*, to secure tenure for living area (Kadjina Community Incorporated & Dept Regional Development & Lands).
3. Fit-out at least one existing house in community with facilities for elderly, including hand-railing (Department of Housing).
4. Upgrade portion of low-lying access road indicated on context plan so that it provides all-weather access to airstrip (Department of Housing & CAT).

Within the next 5 years:

1. Investigate feasibility of constructing all-weather crossing over river at Yungngora to facilitate year-round access to Koorabye and Kadjina (Department of Housing/FaHCSIA & ICC).
2. Enlarge fenced compound around power station, to protect diesel storage tank and empty diesel drums (Department of Housing & Parsons Brinckerhoff)
3. Seal and formalise internal road network (Department of Housing & CAT).
4. Investigate feasibility of re-establishing community store (Kadjina Community Incorporated & Leedal Pty Ltd & ICC).
5. Upgrade community housing, as required in light of future housing audits (Department of Housing).

Within the next 10 years:

1. Provide new houses to meet the ongoing needs of the community as the population grows (Department of Housing).

1 BACKGROUND

1.1 Location & Physical Geography

Kadjina community on Millijiddee Station lies south of the Fitzroy River, in the south-western corner of the St George Ranges. The community is in the Shire of Derby-West Kimberley, some 190kms south-west of Fitzroy Crossing and approximately 30kms south of Yungngorah community.

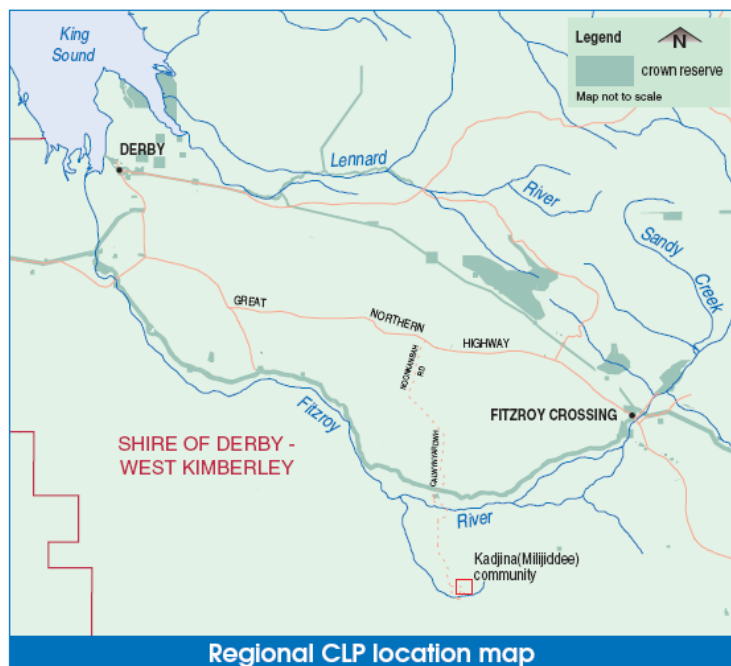


Figure 1 - Regional location of Kadjina community

Kadjina is accessed by unsealed road, either via Noonkanbah on the Northern side of the Fitzroy River or via Yakanara on the southern side of the Fitzroy River.

The community falls within the Dampierland bioregion, which stretches from Pardoo on the Pilbara coast to the south, to east of Fitzroy Crossing, and north to the Dampier Peninsula. The Fitzroy is the main river flowing through the Dampierland bioregion.

The community is in the South Fitzroy Plains, which is characterised as having sparse drainage (Lindsay & Commander 2005). Further south of the community lies the Great Sandy Desert.

1.2 Climate

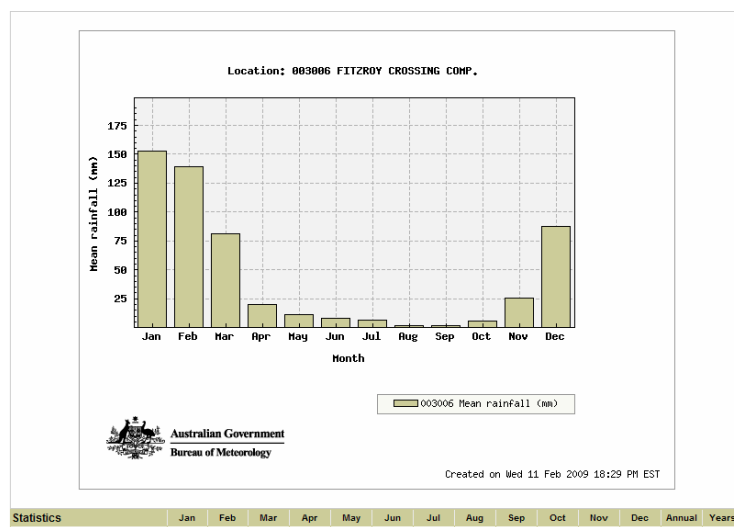


Figure 2 Mean rainfall (FX) by month. Source: BoM 2009

The local climate is characterised by a hot monsoonal wet and cooler but warm semi-arid dry seasons.

The wet season is from November to April and has high humidity and frequent thunderstorms. The average maximum temperature exceeds 35° C. Summer rainfall accounts for 90% of the annual rainfall. Flooding throughout the Fitzroy Valley is common and Kadjina can become isolated during these times.

The dry season is from May to October. The average maximum

temperature during the dry season is 30° C.

1.3 History

Notwithstanding those people who were removed to government or church-based institutions, Aboriginal people of the Fitzroy Valley were able to remain on their traditional lands after European settlement in the early 1900s by virtue of adapting to and working on the newly established pastoral stations. Aboriginal stockmen and station-hands became skilled and important to the pastoral economy in the Fitzroy Valley as throughout other parts of Western Australia (see eg. Jebb 2002; KLRC 1996; Berndt & Berndt 1996: 509-512; Sullivan 2005).

By the 1970s Aboriginal station workers in the Fitzroy Valley began leaving the stations (and their traditional homelands) in protest against poor management, low wages, and poor living conditions on the stations. Many stations in the Valley, including those known today as Noonkanbah and Millijiddee, declined during this period with the loss of a productive workforce (Hawke and Gallagher 1989; Jebb 2002).

Large numbers of former station workers and their dependant families migrated to the rapidly growing Fitzroy Crossing reserve and nearby areas along the Fitzroy River, which were not subject to formal town planning, resulting in informal dwellings, poor and oppressive living conditions and social problems (see Hawke and Gallagher 1989 for further details).



Hairpin Marner and Wadgie Thirkall, Fitzroy Crossing, 1979. This dwelling was home for Thirkall and his large family for ten years.

Figure 3 - Living conditions in Fitzroy Crossing as recent as 1979 (Hawke & Gallagher 1989)

Before the existence of Aboriginal land rights legislation in Western Australia or elsewhere in Australia¹, from 1972 Millijiddee outstation and the surrounding area near the St George Ranges was the focus of repeated requests by letter to state and federal government departments for the granting of appropriate tenure so as to return from Fitzroy Crossing to traditional country (Kolig 1990; Hawke & Gallagher 1989).

October 9, 1974: Still waiting to hear about the land Millijiddee Station, if you do hear more about this station could you please let me know as soon as possible. We want houses on our Reserve for our old pensioners and also for our own families we are still living in tents built under bough shelters and also sleeping against windbreaks, we do not like the way we are living (cited in Hawke & Gallagher 1989: 81).

It was under these conditions and during this recent past that members and forebears of the existing Kadjina community began political organisation in Fitzroy Crossing. The existence of Kadjina community (and Noonkanbah to the north) is therefore significant in the broader context of modern Australian politics because it represents one of the first documented and successful land rights claims prior to the existence of formal land rights legislation.

Millijiddee Station was originally part of the Noonkanbah lease. It was excised as a separate lease (originally held by Waratea P/L) in 1982 (transfer no. C359221). Yungngorah Association Inc acquired the northern Noonkanbah lease in 1986 and Kadjina Community Inc acquired the southern Millijiddee lease in 1988.

The location of the Kadjina community near the southern foothills of the St George Ranges is significant in terms of traditional associations with mythical ancestors connected to Walmatjarri and Nyigina Law (Kolig 1990; Hawke & Gallagher 1989).

The first houses at the community were constructed with assistance from the WA State Government in 1989.

1.4 Governance

The community is administered by Kadjina Community Incorporated. Decisions affecting the community are made on a consensual basis involving all community members willing to participate in the decision-making process. The community is headed by a Chairperson. Minutes of community meetings are taken by the community Secretary. The community also produces a newsletter.

At the time of preparing CLP No. 1, Kadjina Community Incorporated relied on school resources to administer broader community business, highlighting the need for a designated community office. Telephone, fax and email enquiries to the community are administered through the school office.

One of the community's main aspirations at the present time is for a designated community office to be located next to a future community store in the centre of the community. This aspiration is reflected on CLP No. 1.

¹ Formal Aboriginal land rights legislation in Australia includes the Northern Territory's *Aboriginal Land Rights Act 1976* and the Commonwealth *Native Title Act 1993*.

1.5 Previous CLP

This is Kadjina's first community layout plan. The physical design, including road and lot layout, is largely based on an existing as-constructed survey plan undertaken by Sinclair Knight Merz (SKM) in 1991². The community's essential service infrastructure, including reticulated water and electricity, was established around that survey and lot layout.

CLP No. 1 extends the 1991 SKM survey plan by creating additional future lots, allocating land use, and describes and analyses the existing situation and future aspirations of the community in a broader regional context. Importantly, CLP No. 1 establishes a prioritised program of works to be undertaken by various agencies.

2. EXISTING SITUATION

2.1 Land Tenure

The community living area and associated infrastructure is situated on a 1131ha parcel of Unallocated Crown Land (UCL), which was excised in November 2003 from the surrounding pastoral lease (Crown Lease 3114/1210) held by Kadjina Community Inc (see map below).

The 2003 excision was created specifically for the purpose of demarcating a community living area, separate from the pastoral lease, as a lease in perpetuity to Kadjina Community Incorporated under section 83 of the *Land Administration Act 1997 (WA)* (LAA 1997).

State Land Services at the Department of Regional Development and Lands has informed that the section 83 Lease document has not been executed by Kadjina Community Inc and the land parcel remains as Unallocated Crown Land.

The existing land tenure arrangement is therefore considered unsecured³.

The eastern end of the community's airstrip is bisected by cadastre so that it is partially located on unsecured UCL and partially on Crown Lease 3114/1210.

Ideally the entire airstrip and associated buffer would be contained within the one land holding, but given that Crown Lease 3114/1210 is vested to Kadjina Community Inc it is not considered a pressing need to rectify this in the immediate term.

It is otherwise considered that the existing parcel of UCL is large enough to contain the existing and planned future settlement and associated essential services infrastructure.

However, it is recommended here that as a matter of priority, Kadjina Community Incorporated formally execute a section 83 Lease under the Land Administration Act 1997 (WA) to secure tenure for their living area and associated infrastructure.

² SKM plan reference: B1-3070S Proposed Subdivision Layout 1:1000

³ Federal/State government partnership agreements for funding to Aboriginal communities generally require secure land tenure as a prerequisite to government investment in a given community.

| | |
|--|--------------------------------|
| <i>Crown Land Title</i> | Unallocated Crown Land |
| <i>Lot Details</i> | Lot 11, Deposited Plan 195311 |
| <i>Status Order / Interest</i> | N/A |
| <i>Primary Interest Holder</i> | The State of Western Australia |
| <i>Area</i> | 1131.47 |
| <i>Limitations/Interests/ Encumbrances/Notifications</i> | N/A |

2.2 Culture

Kadjina community members speak a combination of Walmajarri and English, with children being taught both languages at the community's independent Wulungarra school. In addition to English and numeracy skills, traditional culture is reinforced through the curriculum at the school.

The plan makes provision for single men's quarters on Lots 6 and 9, but there are no areas restricted to men or women to be marked on the plan.

Members of the Kadjina community assert that they have the authority to speak for the surrounding country.

Community members put forward that the living area is on 'clear country' and it is therefore not necessary to indicate no-go areas on the plan. This should be verified with legally recognised traditional owners once a native title claim covering the living area and surrounds is registered under the NTA 1993.

2.3 Native title issues affecting Kadjina

At the time of preparing CLP No. 1 there was no registered native title claim or determination area covering the community's living area or the surrounding Millijiddee Pastoral Station (see map above).

The Ngurrara determination area (WAD6077/98) abuts but does not include the south-western portion of Millijiddee Station. Native title rights and interests continue to exist within the Ngurrara determination area, which covers about 76'000sqkm of the Great Sandy Desert.

It is understood that a forthcoming Ngurrara (Part B) native title claim will encompass the Kadjina community (and surrounding stations on Walmajarri country), but was excluded from the original claim area because of issues relating to land tenure⁴. The initial Ngurrara (Part A) claim comprised only the unallocated Crown land to the south of Millijiddee Station.

As depicted in the map below, the Nyikina Mangala native title claim (Fed Court No. WAD6099/98) covers Kalyeeda Station (Crown Lease 3114/757) approximately 10km west of Kadjina's existing living area, and follows the lease boundary abutting Millijiddee Station. The Nyikina Mangala claim extends southward covering the western-most parcel of Millijiddee Station and beyond into the Great Sandy Desert. The Nyikina Mangala claim was registered with the NNTT in 1999 and remains active and is yet to be determined at the time of completing this report.

⁴ Personal communication with Kimberley Land Council anthropologist, April 2009.

Kadjina's living area (UCL) falls well outside of and is not subject to the Nyikina Mangala native title claim area.

To the north, Millijiddee Station is abutted by the Noonkanbah native title determination area (WAD6229/98).

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](#).

2.4 Heritage

No formal heritage assessment under the *Aboriginal Heritage Act 1972* has been undertaken as part of the preparation of CLP No. 1 – and this CLP does not represent clearance under that Act in any way.

It is expected that any future development of housing and other infrastructure be undertaken in consultation with the community and traditional owners and cleared in accordance with provisions of the 1972 Act, if necessary.

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

No-Go Area

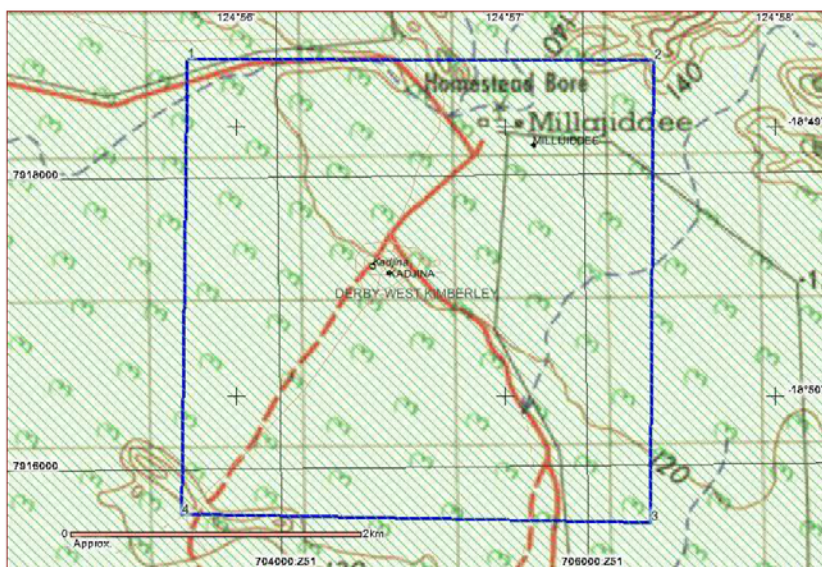
Community members stated that the living area is on clear country and that there is no need to indicate no-go areas on the living area plan.

Registered Sites

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

There are two registered sites in an area approximating the Unallocated Crown Land parcel within which the living area is situated.

The first is a repository of artefacts near Millijiddee Homestead. This is a closed site and the exact location is not disclosed on the register. The community's drinking water source is in this vicinity and any future ground disturbing works associated with the water bores in this area should be undertaken in consultation with the traditional owners and community and be sure to comply with the AHA 1972.



A second registered site within the UCL is a mythological site associated with Waldigee Hill. This is an open site, but the register notes that the co-ordinates of the site are unreliable.

Figure 5 - Blue area approximating UCL within which two registered sites are located

2.6 Population

Current Population

Estimating and predicting populations in Aboriginal communities is difficult because Aboriginal people tend to be mobile in terms of housing and living arrangements. Populations can increase and decrease quite rapidly based on family, cultural or administrative factors. The community members of Kadjina have close affiliations with other settlements in the region including:

- Noonkanbah/Yungngora
- Koorabye
- Fitzroy Crossing
- Bayulu

Although Kadjina is a permanent community, the population fluctuates depending on the time of year and the community's accessibility via the Fitzroy River. Population also fluctuates due to school enrolments because families from other communities choose to send their children to Wulungarra school at Kadjina, which has a good reputation and teaches children in Walmajarri and English languages. Therefore during those times of the year when school classes have finished and the Fitzroy River is not easily crossed by 4WD the community generally has a significantly lower population than the middle of the year.

The use of housing, infrastructure and resources at Kadjina should be seen in the context of the broader network of communities within which people move. At the time of preparing this report, researchers from the Australian National University's Centre for Aboriginal Economic Policy Research (CAEPR) are undertaking demographic research on the population of and migration between communities in the Fitzroy Valley. Such research will be a valuable reference for future updates to community layout plans in the region, including this one.

In the meantime, current population levels for Kadjina can be estimated from a range of sources, including Census Data from the Australian Bureau of Statistics and the Environmental Health Needs Survey undertaken by the Department of Indigenous Affairs.

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

| Population of Kadjina | 1997 | 2001 | 2004 | 2006 |
|------------------------------|-------------|-------------|-------------|------------------|
| Total persons | 75 | 71 | 55 | N/A ⁵ |
| Indigenous people | | 62 | | N/A |
| Indigenous males | | 40 | | N/A |
| Indigenous females | | 22 | | N/A |
| Source | EHNS | Census | EHNS | Census |

⁵ The ABS estimates that the population at Kadjina in 2006 was lower than that agency publishes data for. However it should be noted that the ABS has also conceded that it undercounted Indigenous populations in the Kimberley in 2006.

In addition to the above, a key source of population data is from the community itself. The community has advised that the current population of Kadjina is between 50-90 residents, including four staff and including those who may seasonally work elsewhere.

Based on the above, this report assumes that the current stable Indigenous population at Kadjina is approximately 50-60 people, but can grow by up to two to three families during the school year, depending on enrolments and other factors.

Design Population

At present there are several teenagers in the community who in the coming 5-10 years are likely to have their own partners and children. Members of the Kadjina community expect that their community will grow in the coming years for this reason. However, other factors, including migration to towns such as Derby and Fitzroy Crossing, must be considered in addition to natural increase.

Due to unreliable discrete population data for the Kadjina community, this report does not attempt to hypothesise a population growth rate based on the figures in the table above.

The Western Australian Planning Commission population projection for the whole Shire of Derby-West Kimberley is 2.59% over the next fifteen years (ie 2009-2024). It is suggested here that in the absence of reliable population data specifically for Kadjina community then a population growth rate of 2.59% also be assumed for Kadjina between 2009-2024.

This population projection for Kadjina should be reviewed within five years in light of results from the aforementioned ANU population study, when those results - which will have more direct relevance to Kadjina - become available.

Assuming a current population of 50-60 residents, then the population may be around 73-88 permanent residents by 2024, with a growth rate of 2.59% each year.

CLP No. 1 therefore adopts a design population of around 90 residents over the next 15 years.

Housing

Existing Housing

The first houses at the current site of the community were built in 1989. The last three houses were built by the Department of Defence in 2005 under the Army Aboriginal Community Assistance Program (AACAP⁶).

At the present time, there are 18 dwellings in the community comprising 13 community houses, a duplex of two units (single-men's accommodation),



Figure 6 - House constructed at Kadjina in 2005 by the Australian Army.

⁶ Further information about this Federal Government program can be found at <http://www.defence.gov.au/opEx/exercises/aacap/index.htm>

and three teacher's houses. In addition, there is a single transportable worker's accommodation, which is owned and used by KRSP when undertaking work at the community, located a few kilometres to the north-east at the homestead.

The 2008 Environmental Health Needs Survey notes that there are 14 indigenous dwellings at Kadjina (13 houses plus duplex), all of which are considered to be in satisfactory condition.

The Department of Housing notes that all houses in the community are 'intact and sound' and none are programmed for renovation in the coming financial year. This accords with input from community members in the preparation of this plan, who note that all dwellings in the community are habitable at present.

At present, there is no provision in the community for special needs accommodation for the elderly.

It is a community aspiration to have at least one house upgraded with hand rails etc to assist with elderly residents.

At the time of preparing this CLP there were four vacant houses in the community, which are reserved for visitors or for residents who return the community.

Assuming the current population is 60 residents and that there are 15 habitable community dwellings (excluding teaching staff housing), then the present density is around 4 people per house. Most houses in the community comprise three bedrooms.

Future Housing & Development of Lots

CLP No. 1 plans for an additional 23 future residential lots, which could be used for community, visitor, workers, and staff housing in the future. (A further 13 lots could be created in the southern portion reserved as 'future residential'.)

As noted above however, CLP No. 1 assumes a design population of around only 90 people in the next 10-15 years - and the provision of 23 future residential lots is considered sufficient for this design population.

The community's preference is for future housing to be built so as to complete the inner-loop around the future road reserve, ie. on Lots 1-14, 18-33. Developing these lots before other future lots depicted on CLP No. 1 would also utilise space and existing essential services infrastructure more efficiently.

As indicated on CLP No. 1, Lot 9 should be reserved for a second single-men's residence, next to the existing one on Lot 6.

Lot 18, next to the community garden, is the preferred location for an additional teacher's residence. Should a teacher's house be constructed on Lot 18, then it is the community's preference for the existing teacher's accommodation on Lot 40 to then be made available as accommodation for visiting workers.

The CLP provides additional areas of future residential development in the southern portion of the living area, which would provide a further 12 lots, if the community were to grow beyond the predicted design population during this period.

Construction of any future housing at the community, if undertaken by the State, is likely to be subject to an ILUA, in agreement with the community and traditional owners, to ensure native title rights and interests are protected.

2.5 Access & Dedicated Roads

The main access road to the community is from the north, via Kalyeeda road, linking Kadjina to Ngalapita/Koorabye (to the west), Yungngora/Noonkanbah (to the north) and Yakanarra and Bayulu (to the east). This is an informal access track and not a gazetted road.

This northern access road is unsealed, in reasonable condition and maintained by the Centre for Appropriate Technology (CAT), based in Derby, through Government funding. Access to Koorabye on the southern side of the Fitzroy River is usually possible during the wet season, but access from Yungngora on the northern side of the River is not possible for periods of a month or more each year when the river rises.



Figure 7 - Graded access road to community (2005)



Figure 8 - Seasonal river crossing at Yungngora during the dry months (August 2009)

Access to Yakanarra and Bayulu on the southern side of the Fitzroy River has several deep creek-bed crossings and while this route avoids having to cross the Fitzroy River, it is of a poorer quality than the road via Noonkanbah.

There are also informal, unsealed access tracks connecting the community to more remote outstations to the south and east. These were not inspected in the preparation of this report.

All of Kadjina's access roads are generally not suited to sedans during either the wet or the dry because of significant creek-bed crossings, which can be deep and are more easily made with a 4WD or other vehicle with sufficient ground clearance.

It is proposed that the feasibility of constructing an all-weather crossing over the existing site at Yungngora to facilitate year-round access to Koorabye and Kadjina is investigated in future by the relevant State and Federal authorities, subject to consultation with local communities and the Shire.

Road Layout

Kadjina's internal road is designed around a loop, off which is an access road south (to the airstrip) and north (to the rubbish tip and Great Northern Highway via Kalyeeda Road). The internal road, like the access road, is unsealed and not gazetted. For this reason, there are several additional informal tracks that cut through the loop road.

The proposed internal road layout largely follows existing semi-formal graded tracks.

The unsealed roads combined with a predominantly dry arid climate can cause occasional problems with dust. Both the 1997 and 2004 WA Environmental Health Needs Surveys undertaken by the State Government note that there are 'high' dust levels at Kadjina. However, in the preparation of this plan, community members stated that concerns about dust are more related to seasonal dust storms blown in from the desert than they are related to the roads not being sealed. Despite this, it is recommended that the internal road system be formalised and sealed in the medium term, particularly if population growth and increased vehicle use occur in the coming years. It is proposed that roads be named in the future when the internal network is formalised.

All existing and future residential lots are serviced by the proposed road network, with the exception of Lots 41 and 42.

Stormwater Drainage

There is no formal stormwater drainage at Kadjina, further underscoring the recommendation to seal and formalise the community's road layout. The living area however is not subject to serious inundation or flooding.

The southern access road to the airstrip is subject to seasonal inundation and ponding occurs in one lower lying section where the surface is predominantly clay, making it occasionally difficult to pass with 4WD. This area is indicated on the context plan. It is recommended that this section of the access road be improved (either raised or sealed) to ensure all-weather emergency access to the airstrip.

As noted with regard to access roads to the community, Kadjina is seasonally isolated from the Yungngora community (the nearest centre for food, fuel and medical services) for a month or more when the crossing at Fitzroy River cannot be passed.

Consideration might therefore be given to investigate the feasibility of constructing an all-weather crossing at Yungngora to ensure the communities of Koorabye and Kadjina, on the southern side of the river, are not seasonally isolated.

Community and Social Services

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

Store

Kadjina previously had a community store but it is no longer functioning due to administrative difficulties. Disused transportables are located in the centre of the community (Lot 47c), the site of the former store.



Figure 9 - Disused transportables (former store) in middle of community

Kadjina Community Store Aboriginal Corporation remains an incorporated organisation, and was registered in 1997 under the Aboriginal Councils and Associations Act 1976. The corporation has been exempt from reporting requirements of the CATSI Act 2006 for the past several years, because the store is not operational.

Store foods are currently purchased from either Fitzroy Crossing, Broome or Yungngora community. The school 4WD is used for this purpose. Food was previously bought at Koorabye community, which is accessible year-round from Kadjina, but that community no longer has a functioning store either.

During the preparation of CLP No. 1, Fitzroy Crossing's only supermarket, Tarunda, burnt down, with a make-shift store and petrol service stations being the only source of groceries for surrounding communities at the present time.

The lack of community store at Kadjina is identified by community members as the major impediment to growth because without a place to buy basic goods or services residents are considered more likely to relocate to other communities.

2008/2009 saw an extensive wet season when the community was isolated for a protracted period of about six weeks. A helicopter was flown in to Kadjina by the Fire and Emergency Service Authority of WA (FESA) on this occasion to deliver food from Fitzroy Crossing.

The community aspires to have its own store again, with the assistance of Leedal Pty Ltd, the company that owns and runs the Tarunda store at Fitzroy Crossing.

It is also a community aspiration to have their own fuel, which at present is purchased at either Yungngora or Fitzroy Crossing.

CLP No. 2 provides for a future store to be located in the centre of the community on either Lots 52 a or b.

It is considered that a store is critical to the long-term sustainability of the community and It is recommended here that Kadjina Community Inc, with the assistance of other agencies such as the Indigenous Coordination Centre, investigate the feasibility of re-establishing a store at the community.

School

The community has its own independent Wulungarra Community School, established in 1997. Wulungarra teaches students from Kindergarten to Year 10, and attracts children and their families from other communities. As at October 2008, the school had 21 students.

Lessons are taught in both English and Walmajarri, with the aim of strengthening Walmajarri language and culture while teaching standard English literacy and numeracy skills.

The school has one full time principal, two full time teachers, four full-time and two part-time Aboriginal education officers.

The school is generally well-equipped, including with internet, phone and fax access – however as there is no designated office in the community, school resources are also used for general community administrative purposes and is the point of contact for outside visitors. Consequently, Wulungarra forms the community hub and a place for community meetings.

Office

The community does not have a designated office space and it is an aspiration to have one. Community administration is undertaken at the school



Figure 10 - Wulungarra Independent School



Figure 11 - community medical clinic

Essential Services

Essential services refers to the provision of water, power and sewerage. The Department of Housing, through the Remote Area Essential Services Program (RAESP)⁷, has responsibility for the provision and maintenance of essential services to large, permanent, remote communities in Western Australia. Regional service providers (such as Kimberley Regional Service Providers KRSP) provide on-the-ground technical assistance for essential services to RAESP communities and are contracted directly by the Department of Housing and managed by Parsons Brinckerhoff on behalf of that Department.

Water Supply

Bore Location

Kadjina's drinking water bore field is located at the old homestead, approximately 2km north-east of the community living area. The bore field is on the same Unallocated Crown Land tenure parcel as the community.



Figure 13 - Location of drinking water bore in relation to living area

The bore field consists of five bores. Four of these bores are within 50 metres of each other and at least two have been decommissioned. The only production bore in use at the present time is KJ 1/02, which was drilled under the RAESP drilling program in 2002. The bore is fenced and is located approximately 570 metres east of the four previous bores.

Bore Capacity

A 2005 report by Arup Australia⁸ to the Department of Defence on Kadjina's water supply notes that a groundwater license was obtained as part of the drilling works for bore KJ 1/02 and the long term discharge rate of the bore is 432m³/day. The bore's electric pump capacity is 220m³/day.

A water audit undertaken in 2002 calculated that water consumption at Kadjina is 452 litres / person / day (Arup 2005)⁹.

Assuming a present population of 60 residents and the same consumption rates as in 2002, then the community's total water consumption per day is around 27m³/day, well within the bore KJ 1/02 and pump's capacity.

Water Quality

Kadjina's water supply is treated with a UV disinfection system, which is considered by KRSP (2007) to be in good condition.

⁷ This is a bilateral funding agreement between the Federal and WA State Governments for the provision and maintenance of services to remote Indigenous communities with a permanent population greater than fifty.

⁸ Arup Australia were the RAESP Program Managers on behalf of the Department of Housing prior to 2005.

⁹ This figure excludes water wastage (eg. through leaking pipes etc).

KRSP undertakes monthly testing of drinking water quality at Kadjina. The above mentioned 2005 Arup Australia report notes that water quality at the community is generally within acceptable limits of the Australian Drinking Water Guidelines, but that even though the colour and turbidity of the drinking water are also within aesthetic guidelines they are higher than normal.

During preparation of CLP No. 1 in 2009, community members reported several instances of stomach aches and complaints, which might be attributable to poor or hard water quality (see figure below). Microbiological bacteria levels exceeded Guidelines in August 2009 and community members were instructed by KRSP to boil their water. Subsequent testing of water quality by KRSP indicated levels had returned to normal, suggesting that the source of contamination was likely to be at the community's water storage tank.



Figure 14 - Discolouration of drinking water at Kadjina, August 2009

KRSP installed a new water filtration system at Kadjina in 2009. KRSP considers that while water quality at the testing point immediately following the newly installed filtration system is good, drinking water quality remains turbid at the household point of consumption.

KRSP surmise that the problem of discoloured, turbid water is therefore related to the water storage tank and reticulation system. A 2004 report by Global Groundwater to the Department of Defence also considered that the community's water supply tank is likely to be a source of contamination with levels of coliform bacteria detected at that time.

Water Storage

The community's water storage tank is located on Lot 51, in the vicinity of the living area. The tank has a 50 kilolitre capacity, which is below the capacity required by the Code of Practice for Housing and Environmental Infrastructure Development in Aboriginal Communities in Western Australia. The Code recommends a storage capacity of 1kl per person, meaning that an acceptable storage capacity for Kadjina at the present time would be in the vicinity of 60-90 kilolitres.

The tank stands at a height of 9.5 metres, which is below the 12 metre minimum head requirement of the Code of Practice. As such there are some issues with low water pressure at the community.

KRSP's 2007 Asset Condition Report considers that the water storage tank is in satisfactory condition; however, more recently in November 2009 KRSP has indicated that the storage tank may be a source of compromise to the community's water quality.

Water Reticulation

The 2005 Arup report to the Department of Defence on Kadjina's water supply notes that the community's existing reticulation system does not comply with Guidelines and Class 9 UPVC piping, while in good condition, should be replaced with Class 12 PVC piping and incorporate isolation valves as appropriate.

The community has expressed an aspiration to have public drinking fountains located in the centre of the community on Lot 47c. It is recommended here that these be incorporated at the same time that the existing reticulation system is replaced.

At the time of preparing this CLP, the Kadjina community expressed their concern that the issue of water quality and pressure be addressed.

It is recommended here that as a matter of priority, a Community Drinking Water Source Protection Assessment and Short Term Action Plan be initiated within the next 6 months to ensure long-term drinking water compliance with the 2004 Australian Drinking Water Guidelines.

Electricity Supply

The community's electricity supply is located on Lot 50a, approximately 200 metres east of the nearest residence. This distance is considered to be a sufficient buffer to mitigate against noise and fumes, in accordance with the draft WAPC (2008) Guidelines on Land Use Buffers.

Power is supplied via two diesel generators, with a total capacity of 110 kilowatts. Both generators are considered by KRSP (2007) to be in a satisfactory condition. The community also notes that although there are occasional power surges or blackouts, the generators are generally in working order. Because of the Kadjina's isolation during the wet, the community sometimes runs out of diesel fuel.

The generators are housed in a shipping container inside a fenced compound. There are two fuel storage tanks, one of which is located outside the fenced compound (see image below) and is therefore not appropriately protected.

Power is reticulated via overhead cable to the living area and the community drinking water bore.

It is recommended here that the fuel tank be relocated to within the fenced compound, or the fenced compound be enlarged to include the second fuel tank.

At the time of preparing CLP No. 1 during 2008/2009, empty diesel drums were stored adjacent to, but outside of, the fenced compound. Enlarging the fenced compound would have the dual advantage of creating a safer storage area for disused diesel drums and mitigate against potential groundwater pollution.

It is a community aspiration to receive basic training from KRSP to demonstrate how to properly switch over from fuel storage tank 1 to fuel storage tank 2, as the community has previously had to get assistance from KRSP to do this.

Kadjina is not currently earmarked as part of Horizon Power's regularisation program.



Figure 15 - Power station: fuel storage tank and empty diesel drums outside of generator compound

Wastewater

There is no reticulated sewerage system at Kadjina. Individual dwellings have their own septic leach drain system. Community members reported no problems with the system at the time of preparing this CLP, and noted that the system works effectively due to sandy soils at the community. Arup (2005) also considers that the system works effectively and is not likely to cause contamination to groundwater.

Rubbish Disposal

The community rubbish tip is located approximately 500 metres to the north-west of the living area and within the same Unallocated Crown Land parcel. The rubbish tip is not registered. The tip site comprises a trench and land-fill and is also incinerated on occasion. The tip compound is fenced and rubbish collection, disposal and maintenance is undertaken by the community. The community has previously received assistance from the Centre for Appropriate Technology, Derby, with tip site maintenance.

About half of the living area falls within a 500 metre radius of the tip site, which is considered to be too close. The 2008 WAPC draft Guidelines on Land Use Buffers for Aboriginal communities recommends a general 2000 metre buffer between Class 2 and 3 tip sites and incompatible land-uses such as residential and drinking water sources. In this instance however, relocation of the rubbish tip away from the living area by a distance of 2000 metres would likely mean that it fall outside of the existing land tenure. In addition, relocation further north would bring the rubbish tip close to an existing creek line, while relocation further south would bring it closer to the community's airstrip buffer.

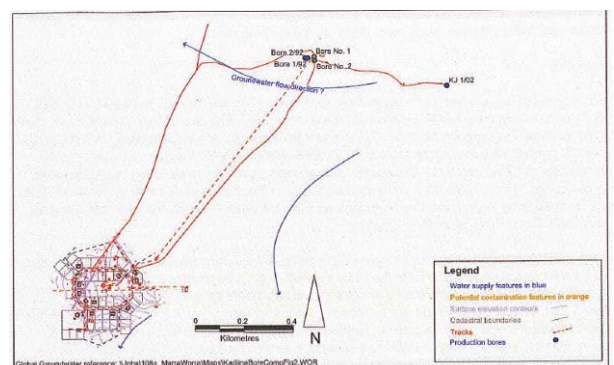


Figure 16 - Surmised groundwater flow (blue lines) from bores in east-west and north-south direction (Global Groundwater 2004)

Community members note that prevailing winds in a north-westerly direction generally limit any concern in the vicinity of the living area with regard to smell or smoke from the rubbish tip.

While no community drinking water source protection assessment or detailed hydrogeological study has been undertaken for Kadjina, a 2004 report by Global Groundwater surmises that groundwater flow is likely to be in the direction from east to west and north to south. That is, in a direction from the rubbish tip away from the community's drinking water bores. Further, as can be seen on the context plan, the community's drinking water bore buffers do not intersect with a nominal 500 metre rubbish tip buffer.

For the reasons outlined above, this CLP has not identified a site for a future rubbish tip and considers that, although the living area and drinking water bores fall within the specified 2000 metre tip buffer, the present rubbish tip site is satisfactory¹⁰.

Airstrip

Kadjina's airstrip is located approximately four kilometres south-west of the main living area. It is situated on the same Unallocated Crown Land as the living area. The access road to the airstrip is generally satisfactory however there is a low-lying area with black soil, as indicated on the context plan, that becomes boggy at times during the wet.

The community's airstrip was upgraded by the Australian Army under the AACAP program in 2005 to Royal Flying Doctors standard.

The airstrip is an all-weather CASA Code 1 airstrip, and receives a Royal Flying Doctors aircraft once per month. A mail plane also visits the community once a week.

There are no lights at the airstrip and it is therefore not suitable for night-time landings in the event of an emergency.

3. PLANNING FRAMEWORK

State Planning Policies

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

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

The following SPPs were given due regard in the preparation of CLP No.1:

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

¹⁰ This should be re-evaluated in light of a future community drinking water source protection assessment and plan, which CLP No. 1 recommends should be undertaken by the Department of Housing as a priority.

Land Use Buffers for Aboriginal Communities

In 2007, consultants Arup prepared the draft 'Land Use Buffers for Aboriginal Communities in Western Australia' report on behalf of the Department for Planning & Infrastructure (DPI). The report defines minimum separation distance buffers specifically suited to the range, scale and type of infrastructure typical of remote Aboriginal communities. All buffers specified in this CLP are based on that report.

Shire of Derby-West Kimberley Town Planning Scheme No. 5

The Shire of Derby-West Kimberley Town Planning Scheme No. 5 was gazetted on 25 September 2001. Clause 5.5 of the Scheme provides for the zoning of areas with endorsed CLPs as 'settlement'.

However Kadjina is located outside of the area covered by the Scheme Map, meaning that land use and development in the community has historically been unregulated.

Under the Scheme, Planning Approval is not required prior to new development or a change in land use, although a Building Licence is generally required.

The Shire is currently progressing an all-of-shire Interim Development Order (IDO) that will give the Shire development control over its entire municipality. An IDO is a temporary measure to control development while a town planning scheme is being developed.

The Shire does not have an operating Local Planning Strategy.

4. COMMUNITY ASPIRATIONS

Providing a sufficient standard of living for the current population of Kadjina 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.

The ideas for improvements to the facilities noted by Kadjina Community Incorporated when developing the Community Layout Plan have been written throughout this background report and are summarised below. Not all of these aspirations can be incorporated into a CLP, but have been noted as a record of a more general community improvement plan.

Aspirations were recorded as follows:

1. To have better drinking water quality (reduced turbidity) and pressure;
2. To have drinking water fountains in the centre of the community;
3. To have operational community store, that also sells diesel fuel;
4. To have a separate office facility in the future, located next to future community store;
5. To have a women's centre, located close to clinic;
6. To have a mechanical workshop, with training in auto mechanics;

7. To have recreational facilities, including recreation centre/community hall (located in centre of community) and football oval;
8. To upgrade at least one house in the community with facilities, such as hand rails, for aged residents;
9. To have training from KRSP in how to switch over to secondary fuel storage tank at power generator, so that the community is able to assist themselves when necessary;
10. For future housing development to be located within loop road before expanding to southern lots.

5. DESIGN PRINCIPLES AND LAND USES

Residential

The plan shows lots with the existing houses as "existing residential" and not-yet-existing houses as "future residential".

The CLP plans for:

- 17 existing residential lots (including one duplex)
- 23 future residential lots
- Designation of an additional area in the southern portion of living area as future residential (with a capacity of up to 13 lots), should population grow beyond that predicted.

Business / Commercial

The plan shows all existing and proposed shops and other non-industrial commercial uses as "*business/commercial*".

The CLP plans for:

- Future community office and store on Lots 52a & b

Industrial

The plan shows all existing and proposed industrial uses as "*industrial*".

The CLP plans for:

- A future industrial Lot 50b, located away from the living area.

Open Space / Recreation

The plan shows existing and proposed sports facilities and community open space (playground, basketball court, football oval and so on) as "*open space / recreation*".

The CLP plans for:

- A football oval next to the school on Lot 62

Community Purposes

The plan shows existing community type uses as "*community purposes*".

The CLP plans for:

- Future facilities, such as community hall/recreation centre, on Lots 47 c & d.

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. Because the existing land tenure and ownership arrangements at Kadjina do not match the location of buildings and roads, the lots and numbers on the CLP are defined as "future layout and lot number".

The CLP has assigned lot numbers to every designated land area in Kadjina to facilitate easy identification of places for administrative purposes and in case of emergency. One set of numbers has been used to avoid duplication. It should be noted that the future lot numbers are not formal in a land tenure or gazettal sense - they have been adopted to provide guidance only.

An interim road naming system has been used on CLP No. 3. (A1, B2, etc). It is recommended that the community assign street names and notify the WAPC by amending the plan, prior to the road network being sealed and formalised should that occur in the future.

Public Utility

A "*public utility*" is anything that provides an essential physical service to the community, things such as water bores, sewerage ponds, power station, and so on.

The CLP plans for:

- Power station and fuel storage on Lot 50a,
- telecommunications compound on Lot 47e,
- water storage tank on Lot 51.

Open Space / Bush

The areas of the community that are not intended to be used for any specific purpose are shown on the plan as "*open space / bush*". If development proposals should arise on this land, development could be considered subject to an amendment to the CLP.

Rural

The plan shows the community garden as "*rural*".

7. DEVELOPMENT PROCESS

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

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

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site.

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

Changes to the Plan

Things always change, and over time it may be necessary to change the plan too. If a development is proposed that does not fit in with the plan, the plan can be changed. However, before the plan is changed, people need to think about things like:

- how the change could affect other people or the lifestyle of Kadjina; or

- how the change could affect essential services like power lines, water pipes or telephone lines.

If the plan needs to be changed, this is how it should happen:

- Developer / builder speaks to Kadjina Community Inc about the change and why it is needed.

- Kadjina Community Inc agrees to change the plan, or not change the plan.

- If the plan is to be changed, the developer / builder should have this approved by the Shire of Derby-West Kimberley.

- If the change is agreed on, the Shire of Derby-West Kimberley must notify the DPI, so they can change the layout plan and give new copies to Kadjina Community Inc and the Shire of Derby-West Kimberley.

Reviewing the Plan

It is recommended that the plan be reviewed every 5 years.

The Community Layout Plan should be reviewed if there are any environmental health changes noted during monitoring of the impacts of surrounding land uses.

PLANS

1. Kadjina Community Layout Plan No.2 - Living Area
2. Kadjina Community Layout Plan No.2 - Context and Surrounds
3. Kadjina Community Layout Plan No.2 - Land Ownership

ENDORSEMENTS

Kadjina Community Incorporated

Kadjina Community Layout Plan No. 1

PO Box 162
Fitzroy Crossing
WA 6765

The Kadjina Community Incorporated hereby adopts the **Kadjina Community Layout Plan No. 1 (2009)** as a guide for future development within its boundaries.

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

The 27th Day of August 2009

Adopted by the Kadjina Community Incorporated:

LEIVITH LAUREL

Chairperson
[Please print and sign name]

ROSS MCLARTY
Leivith Laurel

Director

BENJAMIN LAUREL
Benjie Laurel

Director

Leivith Laurel

Director

ROSS MCLARTY

Director

Benjie Laurel

Director

Shire of Derby-West Kimberley Endorsement


Kadjina Community Layout Plan No. 1

PO Box 94
Derby WA 6728




Shire of Derby /
West Kimberley


The Shire of Derby-West Kimberley hereby adopts the **Kadjina Community Layout Plan No. 1 (2009)** as a basis for future growth and development within Kadjina community.

The^{25th}.....Day of^{February}.....¹⁰2009


Endorsed by the Shire of Derby-West Kimberley:


ELSIE ARCHER

Shire President
(Please print and sign name)
name)


Shane Buge

CEO
(Please print and sign

Council
Seal



Western Australian Planning Commission Endorsement



Kadjina Community Layout Plan No.1

469 Wellington Street
Perth WA 6000



The Western Australian Planning Commission hereby endorses the **Kadjina Community Layout Plan No. 1 (2009)** as a guide for development to ensure proper and orderly planning within the community area.

The11th.....Day ofMAY..... 2010

Signed for and on behalf of the Western Australian Planning Commission



an officer of the Commission duly authorised by the Commission pursuant to section 24 of the *Planning and Development Act 2005* in the presence of



Witness

21 MAY 2010 Date

REFERENCES

- Arup Australia 2005 'Kadjina Aboriginal Community: Water Supply Investigation Report'. Unpublished report to the Department of Defence. Available from Parson's Brinckerhoff/Department of Housing.
- Australian Bureau of Statistics (ABS) 2001 *Census Community Profile Series: Kadjina (Indigenous Location)*. Available at: www.abs.gov.au
- Department of Indigenous Affairs (DIA) 1997 *Environmental Health Needs Survey of Indigenous Communities in Western Australia*. Government of Western Australia. Available at: www.dia.wa.gov.au
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- Department of Indigenous Affairs (DIA) 2008 *Environmental Health Needs Survey of Indigenous Communities in Western Australia*. Government of Western Australia. Available at: www.dia.wa.gov.au
- Global Groundwater 2004 'Kadjina Site Visit Report for Department of Defence', unpublished report available from Parsons Brinckerhoff [not cited].
- Hawke, S. & M. Gallagher 1989 *Noonkanbah: Whose Land, Whose Law*. Fremantle Arts Centre Press, Fremantle, WA.
- Kolig, E. 1990 'Government policies and religious strategies: Fighting with myth at Noonkanbah', in Tonkinson, R. & M. Howard (eds) *Going it Alone? Prospects for Aboriginal Autonomy*. Aboriginal Studies Press: Canberra. Pp. 235-252.
- Kimberley Regional Service Providers (KRSP) 2007 'Kadjina Community Asset Condition Report', unpublished report to Parson's Brinckerhoff. Available from Parson's Brinckerhoff/Department of Housing.
- Lindsay, R. P. & D. P Commander 2005 *Hydrological Assessment of the Fitzroy Alluvium*. Hydrological Report Series No. 238. Department of Environment, Western Australia.

CONSULTATION SUMMARY

Preparation of this Community Layout Plan is the result of consultation with the community representatives and a range of agencies, authorities, non-government organisations from 2008-2009.

Formal meetings and correspondence held during this period are listed below.

| Organisation | Date |
|---|---|
| Kadjina Community Incorporated & Wulangarra School | Sept 2008, May 2009, Aug 2009 (site visits) Aug 2008, May & Sept 2009 |
| Kimberley Land Council | April 2009 |
| Australian Bureau of Statistics | Feb, Sept, Oct 2009 |
| State Land Services, Department of Regional Development & Lands | Nov 2009 |
| Department of Indigenous Affairs | Nov 2009 |
| Department of Housing | May, July, October 2009 |
| Centre for Aboriginal Economic Policy Research, ANU | July 2009 |
| Marra Worra Worra | May 2009 |
| NBC Aboriginal Corporation | Nov 2009 |
| Department of Health | July 2009 |
| Parsons Brinkerhoff (Remote Area Essential Services Program) | May, July, Oct, Nov 2009 |
| Kimberley Regional Service Providers | July, Oct, Nov 2009 |
| Landgate | April 2009 |
| Horizon Power | Sept 2008 |

AMENDMENTS

Kadjina Community Layout Plan No.1

Amendment No.1

Date: 19 January 2011

Reason for the Amendment

To show administrative changes to the plan.

Details of the Amendment

The intention is to modify the community layout plan endorsed by the WA Planning Commission on 9th May 2006.

| Amendments made to CLP |
|---|
| <ul style="list-style-type: none">- Renumber the following lot 40 'Community' to Lot 34 |

Approved / Noted:

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

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**

Plan Date : 27 August 2009 WAPC Endorsed : 11 May 2010
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 Kadjina Layout Plan 1.


Since the publication of that Policy in August 2000 all Layout Plan map-sets have been prepared using a variety of computer-aided-design (CAD) formats. All Layout Plan map-sets have now been converted to a common user geographic information systems (GIS) format, including the Kadjina Layout Plan 1.

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

Approved

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

Western Australian Planning Commission


please sign and print name

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

Date 12/9/2012

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.

SETTLEMENT LAYOUT NUMBERS

Kadjina Settlement Layout Lot Numbers

Layout Plan 1, Amendment 2

| SL-lot No. | Street Name (dedicated & settlement) | Land Use |
|------------|---|-------------|
| 1 | First Street | Residential |
| 2 | First Street | Residential |
| 3 | First Street | Residential |
| 4 | First Street | Residential |
| 5 | First Street | Residential |
| 6 | First Street | Residential |
| 7 | First Street | Residential |
| 8 | First Street | Residential |
| 9 | First Street | Residential |
| 10 | First Street | Residential |
| 11 | First Street | Residential |
| 12 | First Street | Residential |
| 13 | First Street | Residential |
| 14 | First Street | Residential |
| 15 | Fourth Street | Residential |
| 16 | Fourth Street | Residential |
| 17 | Fourth Street | Residential |
| 18 | First Street | Residential |
| 19 | First Street | Residential |
| 20 | First Street | Residential |
| 21 | First Street | Residential |
| 22 | First Street | Residential |
| 23 | First Street | Residential |

| SL-lot No. | Street Name (dedicated & settlement) | Land Use |
|------------|--------------------------------------|----------------|
| 24 | First Street | Residential |
| 25 | First Street | Community |
| 26 | First Street | Residential |
| 27 | First Street | Residential |
| 28 | First Street | Residential |
| 29 | First Street | Residential |
| 30 | First Street | Residential |
| 31 | First Street | Residential |
| 32 | First Street | Residential |
| 33 | First Street | Residential |
| 34 | First Street | Community |
| 35 | Fifth Street | Residential |
| 37 | Sixth Street | Residential |
| 37 | Sixth Street | Residential |
| 38 | Sixth Street | Residential |
| 39 | Sixth Street | Community |
| 40 | Eighth Street | Residential |
| 41 | Eighth Street | Residential |
| 42 | Eighth Street | Residential |
| 43 | Sixth Street | Residential |
| 44 | First Street | Residential |
| 45 | First Street | Residential |
| 46 | First Street | Rural |
| 47A | Second Street | Community |
| 47B | Second Street | Community |
| 47C | Second Street | Community |
| 47E | Second Street | Public Utility |
| 50A | Third Street | Public Utility |
| 50B | Third Street | Industrial |
| 50C | - | Public Utility |

| SL-lot No. | Street Name (dedicated & settlement) | Land Use |
|------------|---|----------------|
| 51 | - | Public Utility |
| 52A | First Street | Commercial |
| 52B | First Street | Commercial |
| 62 | Eigth Street | Recreation |
| 70 | Ninth Street | Community |
| 71 | Kadjina Road | Public Utility |

Proponent : Department of Planning, Lands and Heritage

Date : 16 January 2018

Reason for the Amendment

The Department of Planning Lands and Heritage (DPLH) has prepared Amendment 3 to Layout Plan 1 (LP1) in response to the identification of existing development and physical features that do not match the current SL-lot framework. The amendment also includes a spatial upgrade based on new aerial imagery.

| Land Identification | | Amendment description |
|---------------------|---|---|
| 1. | Kadjina Road, Kalyeeda Road, Ninth Street | Spatially updated to match 2017 air photo |
| 2. | Open space east of Ninth Street, approximately 1 kilometre south of Kadjina | Create SL-lot 75, land use classification 'Community, based on existing cemetery, as identified from 2017 air photo |
| 3. | Open space north of Millijidee homestead | Add land use 'Waterway' based on 2017 air photo |

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*.

Determination

Ashley Randell
Director, Regional Planning Policy
Regional Planning
PN: 15151

date

Other Information:

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