

Ngalingkadji

Layout Plan 1

Background Report

December 2010

Date endorsed by WAPC



Amendments

Amendment 1 - September 2012

Amendment 2 - January 2018



Department of
Planning



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CONTACTS

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List of Acronyms used in this Report

AACAP	ATSIC Army Community Assistance Program
ALT	Aboriginal Lands Trust
AHA	Aboriginal Heritage Act (WA) 1972
ATSIC	Aboriginal and Torres Strait Islander Commission
BOM	Bureau of Meteorology
CAT	Centre for Appropriate Technology
CDEP	Community Development Employment Program
CLP	Community Layout Plan
DHW	Department of Housing and Works
DIA	Department of Indigenous Affairs
DOH	Department of Housing
DOP	Department of Planning
DRDL	Dept. of Regional Development and Lands
EHNS	Environmental Needs Health Survey
ILUA	Indigenous Land Use Agreement (under the Native Title Act)
KLC	Kimberley Land Council
KRSP	Kimberley Regional Service Providers
MWW	Marra Worra Worra
NNTT	National Native Title Tribunal
NTA	Native Title Act (Commonwealth) 1993
NTRB	Native Title Representative Body
NCC	Ngalingkadji Community Council
PBC	Prescribed Body Corporate (under the NTA, representing traditional owners)
RAESP	Remote Area Essential Services Program
SDWK	Shire of Derby West Kimberley
WAPC	Western Australia Planning Commission

Community Layout Plans & the 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 the 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).

EXECUTIVE SUMMARY

Preamble

The Ngalingkadji Community Layout Plan No. 1 (CLP1) has been prepared over a 12 month period during 2009 and 2010. It is the first CLP prepared for the community. The table below summarises the main issues concerning the planning, development and provision of services within Ngalingkadji. These issues are covered in more detail in the body of this report.

Infrastructure/service Indicator	Community Characteristics
Drinking water	Bore No. 1/87 yields 86.4m ³ /day. Bore No. 2/87 yields 115.2 m ³ /day. Water quality requires attention to cure iron bacteria and high calcium levels. Disinfection system also requires upgrading. Furthermore the low water pressure and condition of the reticulation system requires review.
Native Title (NT)	The NT claim of the Traditional Owners from Ngalingkadji is included as part of the Gooniyandi NT claim which has yet to be determined. Traditional Owners are represented by the Kimberley Land Council (KLC).
Secure land holding(s)	The community is located on Lot 40 Crown Reserve 40568.
Emergency assistance	Emergency assistance (police and medical) is available from Fitzroy Crossing - approximately 0.5hrs by mostly sealed road.
Education	School students travel daily by bus to Fitzroy Crossing. Some high school students board in Broome.
Health	Community members must travel to Fitzroy Crossing for medical attention. The community does not have trained health workers.
Governance	The community is managed through its incorporated body, the Ngalingkadji Community Council (NCC).
Employment and enterprise opportunities	Employment opportunities exist in Fitzroy Crossing and locally through CDEP initiatives. Employment options are limited by the small size of the community.
Transport	A 9km section of the access road to the Gt. Northern Highway is unsealed and during the wet vehicles can become bogged.
Food	There is no community store; grocery purchases are made at Fitzroy Crossing.
Electricity	Two diesel gensets; fully automatic with synchronisation and load sharing. 40kw & 70kW generating capacity. Maintained by KRSP with monitoring by Community Infrastructure Officer.

Table 1 - Infrastructure and essential/social service characteristics at Ngalingkadji

CLP No. 1 plans for future expansion of the community, formalises existing infrastructure and land-uses and provides a future lot layout and road design. The major purpose of the CLP is to guide the growth and development of Ngalingkadji by providing a layout of future land uses in the community.

The CLP addresses future growth issues in the context of constraints to development including the poor quality of the water supply and potential for contamination, limited existing community facilities, and problems with dust and with the access road to Great Northern Highway.

The CLP has been prepared in consultation with the Ngalingkadji Community Council (NCC) 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 Ngalingkadji to grow in a co-ordinated and efficient manner.

Development at Ngalingkadji

The following initiatives, development and works are needed to implement CLP1:

Within the next year:

1. Implement road naming and lot numbering system. (NCC)
2. Relocate the rubbish pits to Lot 32 south of the community. (MWW)
3. Prepare a Drinking Water Source Protection Plan (DWSP) for Ngalingkadji. (DoH)
4. Upgrade the section of Cherrabun Road to allow for year round access to Great Northern Highway. (SDWK)
5. Investigate future development of a new multi-purpose centre incorporating church and youth centre facilities. (NCC)
6. Develop landscaping for the central public open space area. (NCC)
7. Relocate basketball court to central open space area. (NCC)

Within the next 5 years:

1. Develop new water source in accordance with the DWSP. (DoH)
2. Construct an additional community house on Lot 7. (DHW)
3. Investigate the replacement/upgrade of power station Genset 1. (DHW)
4. Rationalise the internal road layout and seal roads to control dust. (MWW)
5. Construct fencing around the community to control roaming stock and prevent damage to property. (NCC)
6. Relocation of rubbish tip outside the 500m bore buffer area. (MWW)

7. Amend crown reserve as indicated on land tenure plan to accommodate future rubbish tip. (DRDL & DoP)

Within the next 10 years:

1. Construct three additional community houses on Lots 8, 10 and 14 as identified on the CLP. (DHW)
2. Construct multi-purpose community centre on Lot 26. (NCC)
3. Upgrade power station in accordance with the Community's ongoing development. (DoH)

1 BACKGROUND

1.1 Location & Physical Geography

Ngalingkadji is located within the Kimberley area of Western Australia. It is located SE from Fitzroy Crossing; 54kms by the sealed Great Northern Highway and 9kms by the unsealed Cherrabun Road. During the wet season the unsealed section of road near the entrance to the community intermittently becomes unusable due to flooding and bogging.

The community is located within the Shire of Derby/West Kimberley; the administrative centre of the Shire is located in Derby which is approximately 3.5 hours by road from the community.

Ngalingkadji is within the South Fitzroy Floodplain physiographic region. The South Fitzroy Plains include the dissected anticlinal highlands of the St George Ranges and Poole Range (up to 190 m above plain level) and are largely rubble covered. (Lindsay and Commander, 2006).

The principle major wet season watercourse in the area is Christmas Creek which feeds into the Fitzroy River. A number of smaller watercourses, including Nipper Creek, are in close proximity to the community. The area is relatively flat and contains the pindan soils which are typical of the Kimberley. Low lying areas outside the community contain reactive black soils.

The flora in the transitional zone between the desert to the south and the wetter monsoon forests of the north Kimberley consist of mainly grassland and savanna vegetation types.

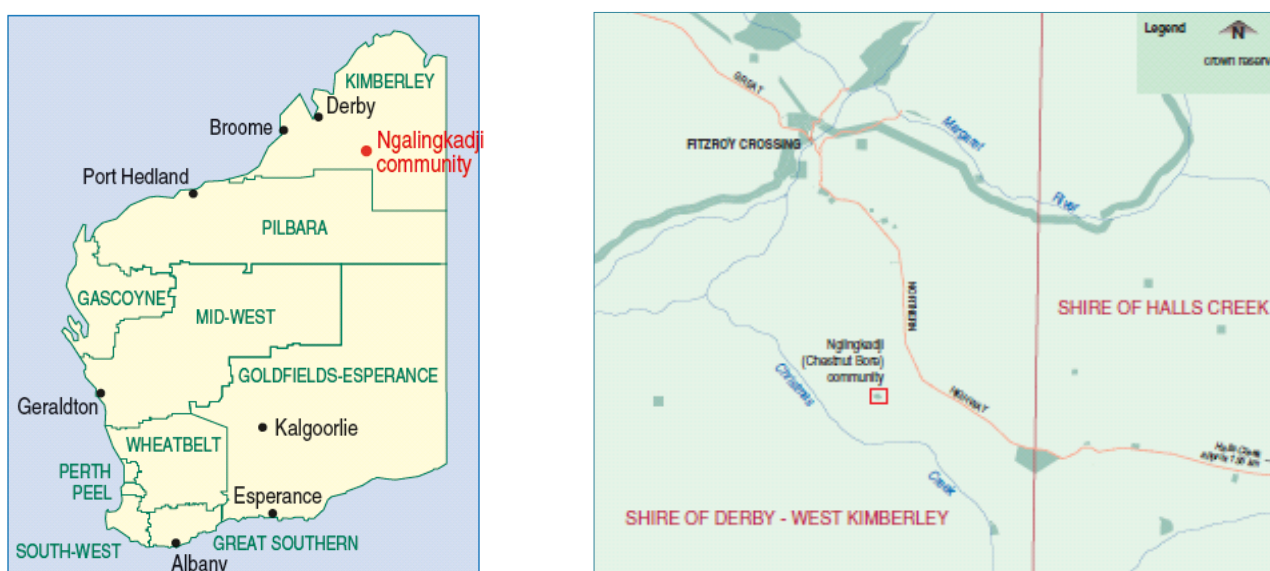


Figure 1 - Location of Ngalingkadji

1.2 Ngalingkadji Climate

The Bureau of Meteorology identifies Ngalingkadji as being within a subtropical climate region; being arid with mainly summer rains. The wet season usually from November to April and has high humidity and frequent thunderstorms, often resulting in the flooding of river systems of the Fitzroy Valley and its tributaries.

High-intensity rainfall resulting from cyclonic activity from the north and northwest and localised thunderstorms usually occur between this period followed by winters with little or no rainfall. Rainfall is highly variable, ranging from less than 180mm/mth in the wet season to less than 5mm/mth in the dry season.

The average maximum temperature exceeds 35° C.

The dry season usually extends from May to October and has an average maximum temperature of 30° C with prevailing winds at this time from the east, which can blow dust from the dry, sandy interior toward the community and presents the community with a number of issues.

The BOM does not have specific climate data for Ngalingkadji. The nearest location with recorded climate data is Cadjebut a field data station located on the Great Northern Highway approximately 26kms north of Ngalingkadji. Figures 2 and 3 chart average maximum temperature and rainfall for Cadjebut.

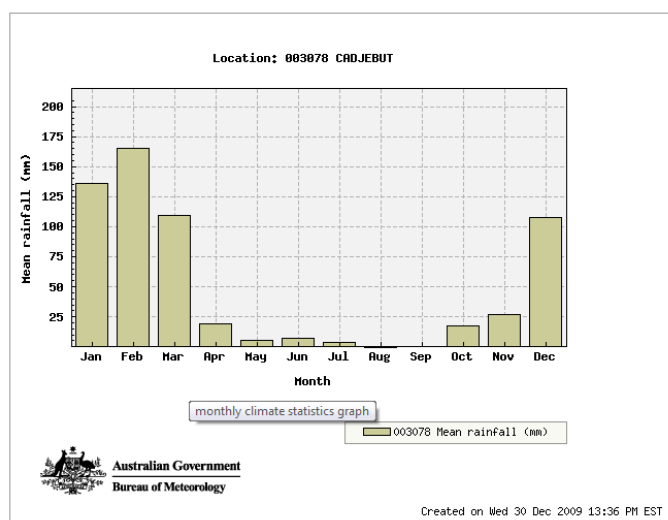
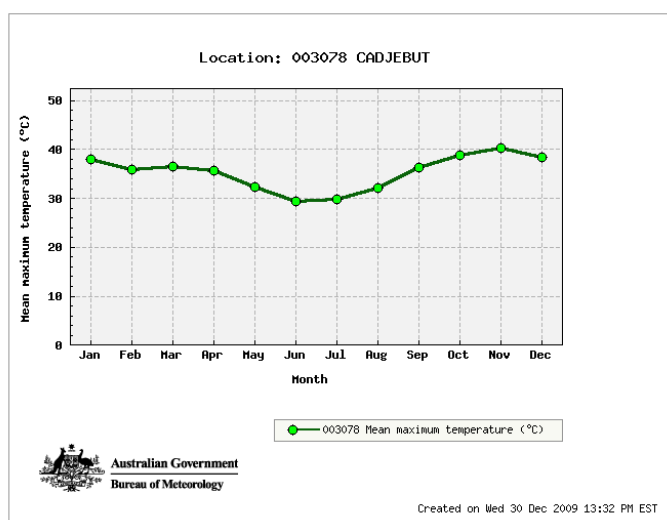


Figure 2 – Mean Maximum Temperature

Figure 3 – Mean Rainfall

1.3 History

Most of the people from the community are part of the Gooniyandi language group from the Fitzroy Valley region.

Ngalingkadji was established as a permanent Aboriginal community in the early 1980's by Gooniyandi people moving from Gogo Pastoral Station where many of the men had worked as stockmen. The community became incorporated in 1983.

The establishment of Ngalingkadji can generally be seen as part of the broader 'Homelands' movement that began in Western Australia in the late 1970s, which saw the permanent return to traditional country of Aboriginal peoples who had previously migrated to government institutions, missions, ration stations, pastoral stations and town camps.

1.4 CLP Status

This is the first CLP to be prepared for the Ngalingkadji Community. An 'as constructed plan' also exists and includes the current details of infrastructure and community buildings including dwellings, workshops and offices.

2. EXISTING SITUATION

2.1 Governance

The community is managed through its incorporated body, the Ngalingkadji Community Council (NCC). The NCC was incorporated under the Aboriginal Councils and Associations Act 1976 in June 1987.

Community members elect a Community Council each year. A Chairperson is elected at the Council's Annual General Meeting. The Council meets once a month and as matters arise that require attention.

Documents for the Ngalingkadji Aboriginal Corporation can be found on the website for the Office of the Register of Indigenous Corporations (www.oric.gov.au).

2.2 Land Tenure

The community is located on Lot 40 Crown Reserve 40568, containing an area of 100.96ha and was registered on 11 February 1994. The Lot was excised from the pastoral lease contained within Lot 74 Crown Reserve 3114/1257. Lot 40 is vested to the ALT for the "use and benefit of Aboriginal inhabitants", with the Reserve being formally leased to Ngalingkadji Aboriginal Corporation.

Details of the land title containing the community and adjoining land titles are set out below:

<i>Crown Land Title</i>	Reserve 40568
<i>Lot Details</i>	Lot 40
<i>Status Order / Interest</i>	State of Western Australia
<i>Primary Interest Holder</i>	Aboriginal Lands Trust
<i>Area</i>	100.96ha.
<i>Limitations/Interests/ Encumbrances/Notifications</i>	i) Reserve 40568 for the purposes of use and benefit of Aboriginal inhabitants ii) Lease to Ngalingkadji Aboriginal Corporation.

<i>Crown Land Title</i>	Pastoral Lease
<i>Lot Details</i>	Pt Lot 74
<i>Status Order / Interest</i>	n.a.
<i>Primary Interest Holder</i>	Klopper Holdings Pty Ltd.
<i>Area</i>	72,684.79 ha
<i>Limitations/Interests/ Encumbrances/Notifications</i>	n.a,

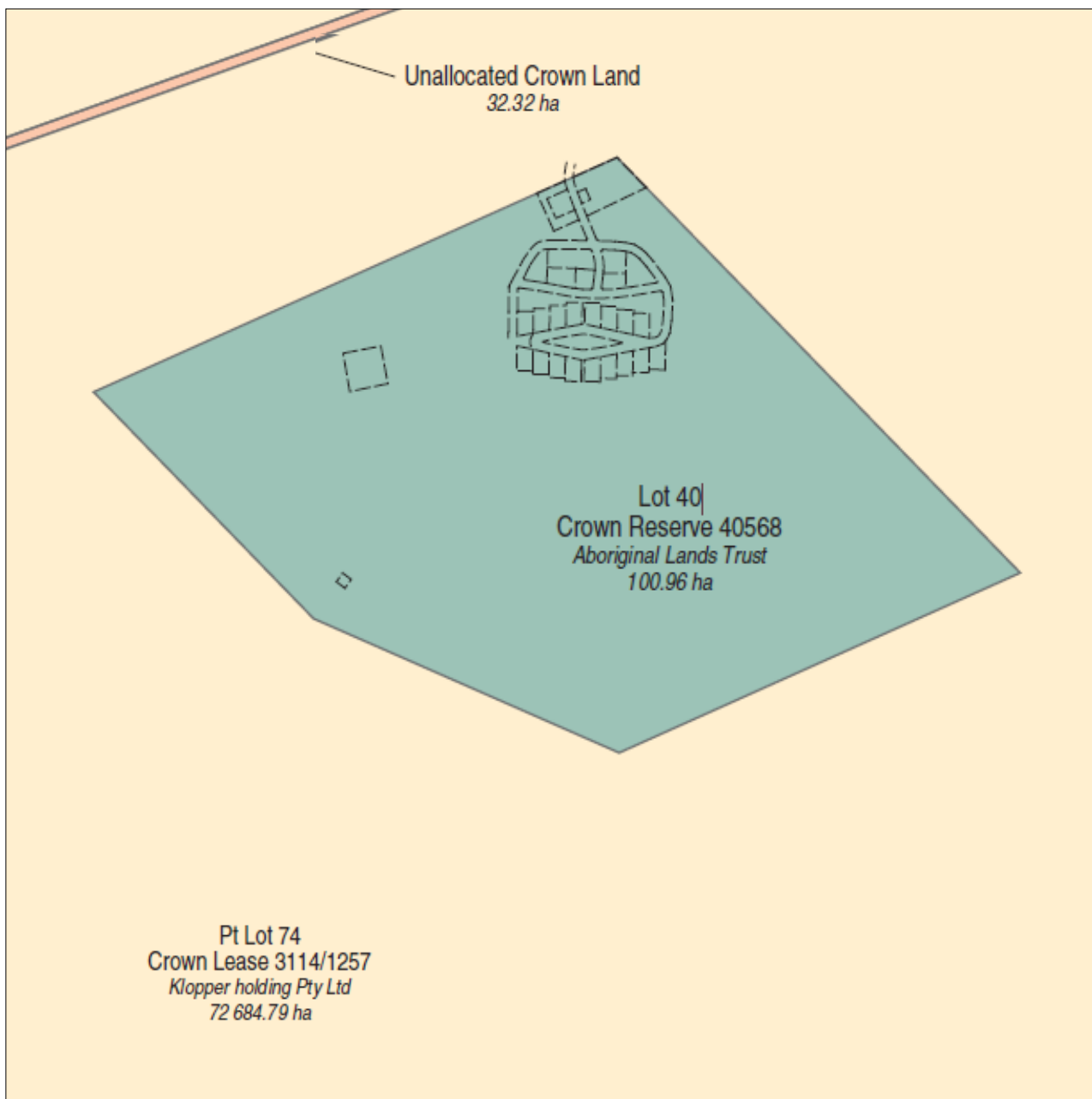


Figure 4. Land Tenure

Pastoral Lease

Crown Reserve 40568 is surrounded by a 72,684.79 ha pastoral lease; Lot 74 Crown Lease 3114/1257 which is leased to Klopper holding Pty Ltd.

Unallocated Crown Land

Unallocated Crown Land with an area of 32.32ha and containing Cherrabun Road is located to the north of Crown Reserve 40568.

The Record of Certificate for the Crown Land Titles is included in **Appendix 2**.

2.3 Native Title

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](#).

The Traditional Owners of the land within which the community is located on are represented by the Kimberley Land Council (KLC). The NT claim of the Traditional Owners from Ngalingkadji is included as part of the Gooniyandi NT claim (WC 00/10) for which a draft consent determination has been made. Traditional Owners are represented by the Kimberley Land Council (KLC).

There is no registered ILUA covering the Ngalingkadji community or surrounding area.

2.4 Culture

Most members of the Ngalingkadji community are part of the Gooniyandi cultural/language group. The community has a relatively small permanent population and many of the residents are related, there are no separate living areas within the community for different language groups.

The people who originally established the community were previously living at Gogo Station. A number of the traditional owners of the area live at the community; others have relocated to Fitzroy crossing to be closer to medical and other services.

Community administration and infrastructure maintenance are undertaken by members of the Ngalingkadji Community Council.

2.5 Aboriginal Heritage

Impact of Aboriginal Heritage on Urban Growth in Remote Aboriginal Communities

The *Aboriginal Heritage Act 1972* (AHA) was introduced in Western Australia to provide automatic protection for all places and objects in the State that are important to Aboriginal people because of connections to their culture. The Department of Indigenous Affairs maintains a Register of Aboriginal Sites as a record of places and objects of significance to which the AHA applies. It should be noted that unregistered sites of cultural significance to Aboriginal people are also protected under the State Government's *Aboriginal Heritage Act 1972*, but only registered sites are recorded on the Department's database and are generally included in the Aboriginal Heritage Inquiry System.

The presence of an Aboriginal site places restrictions on what can be done to the land. Under the AHA it is an offence for anyone to excavate, damage, destroy, conceal or in any way alter an Aboriginal site without obtaining the appropriate approvals. Anyone who wants to use land for development or any other cause must therefore investigate whether there is an Aboriginal heritage site on the land.

Contact should be made with the relevant Native Title Representative Body in the first instance.

No formal heritage assessment under the *Aboriginal Heritage Act 1972* has been undertaken as part of the preparation of CLP No. 1 and the CLP Background Report and CLP map-set do not represent clearance under that Act in any way. It is expected that any future development of housing and other infrastructure on the community be undertaken in consultation with the community and native title holders and cleared in accordance with the provisions of the AHA.

Notwithstanding the above, the following discussion of heritage matters derives from consultation with the community and a desk-top survey of sites registered under the AHA 1972 using the [Aboriginal Heritage Inquiry System](#).

The purpose of the following discussion is to foreshadow heritage constraints to development as they relate to the implementation of the CLP. These constraints to development must be addressed prior to construction of housing and other works.

Heritage / No-Go Area

There are no cultural 'no go' areas within the immediate community living area.

Registered Sites

The community living area of Ngalingkadji is located within a site of cultural significance which is on the Register of Aboriginal Sites for Western Australia. It should be noted that both registered and unregistered sites of cultural significance to Aboriginal people are protected under the State Government's *Aboriginal Heritage Act 1972*, but only registered sites are recorded on the Department of Indigenous Affairs' database.

The formally identified site, Nipper Creek (site No. K01143) is recognised as a mythological site and runs for approximately 45kms, following Nipper Creek. The creek itself is located approximately 2kms SW of Ngalingkadji, and therefore considered well outside of the community's future development area. (See **Appendix 3** for details of registered site search).

Traditional Owners should be consulted prior to the commencement of any housing or infrastructure development at the community to ensure compliance with the Aboriginal Heritage Act. It is beyond the scope of this CLP to identify the relevant traditional owners for such consultation. Government agencies should contact the community and the Kimberley Land Council in this regard.

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. Population based on family, cultural or administrative factors (see Taylor 2006 for a useful discussion of demographic trends of remote Indigenous populations).

The community members of Ngalingkadji have close affiliations with other settlements in the region including Broome, Fitzroy Crossing, Wangkatjungka, Yakanarra and Djugerari.

Population figures also vary depending on the time of year of enumeration, methods and sources by which data are collected. The population of the community is under the minimum size for which the Australian Bureau of Statistic (ABS) collects data, as such population information has been collected directly from the community and from the Environmental Health Needs Surveys undertaken by the Department of Indigenous Affairs.

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

Table 2 - Population figures by source 1997-2010

	1997	2004	2009	2010
Total persons	25	46	30	50
Non Indigenous people				0
Indigenous males				22
Indigenous females				28
Source	EHNS	EHNS	EHNS	Community

The acting community chairperson advised in 2010 that current population is approximately 50 people. The population varies between the wet and dry seasons and in accordance with cultural, family and work commitments elsewhere.

Based on the above, this report assumes that the usual permanent population of the community is 45 residents, it is noted that there are no non-Indigenous staff members living in the community.

Design Population & Estimated Housing Demand

The population of the community has fluctuated in recent years. Road access to Fitzroy Crossing is good and travelling time is approximately half an hour, mostly by sealed road, meaning that facilities and services in the town are within relatively easy access to the community.

The factors that may reduce population growth at the community include the lack of a store and school facilities, no medical staff or facilities and limited employment opportunities.

Community members have stated that the houses are not overcrowded. While there is a desire to have provision for future housing there is no urgent need for additional housing at this time.

The *Fitzroy Futures Town Plan* (WAPC 2005) estimates a five per cent annual growth rate for communities in Fitzroy Crossing while the population projections for the Shire of Derby/West Kimberley indicate a 5-6 per cent growth rate to 2016, and a five per cent annual growth rate has been estimated for Fitzroy Crossing.

The estimated design population over a 15-year period, based on a current population of 45 and an annual growth rate of 2 per cent, is 49 by 2014 (5 years), 54 residents by 2019 (10 years) and 59 residents by 2024 (15 years).

The table below outlines the estimated population growth over the next fifteen years with a constant annual growth of 2% per year. It is likely however that the population growth will not be constant over that period of time, and will be contingent on migration to and from the community as well as natural increase from births and deaths.

There are currently 13 dwellings within the community. It is estimated that to maintain the average current household density of 3.5 people that 4 new houses will have to be constructed by 2024, each requiring a new residential lot.

The actual population density per house will vary depending on a number of factors including extended-family obligations, household composition (number of adults and children living in the same house) and the number of bedrooms in the house.

Furthermore the existing poor water quality in Ngalingkadji and uncertainty over a future source of a sustainable supply of good quality water acts to constrain expectations on the future growth of the community.

Table 3 - Demand for additional housing assuming 2% population growth 2010-2024

Year	Population estimate (growth @ 2% p.a)	Housing density based on 13 existing houses (ie no additional houses)	No. additional houses needed to maintain existing housing density (3.5 persons /house)	Total housing stock needed (excluding staff housing)
2010	45	3.5	0	13
2011	47	3.6	0	13
2012	47	3.6	0	13
2013	48	3.7	1	14
2014	49	3.8	0	14
2015	50	3.8	0	14
2016	51	3.9	1	15
2017	52	4.8	0	15
2018	53	4.1	0	15
2019	54	4.2	0	15
2020	55	4.2	1	16
2021	56	4.3	0	16
2022	57	4.4	0	16
2023	58	4.5	1	17
2024	59	4.5	0	17

2.7 Housing

Residential Areas

The living area is located approximately 250m from Cherrabun Road within a relatively flat locality; the site slopes gently to the south east. The housing is clustered together within two adjacent sections of unpaved road; the dwellings are separated by a small area of public open space containing some basic recreation facilities. This CLP makes only minor modifications to the existing arrangement.

There are no administrative staff or other non-community members living in the community. All dwellings in the community are rented from the Department of Housing.

Number, Type and Quality of dwellings

There are 13 houses within the community. All the dwellings are constructed of corrugated iron with steel frames and are built on concrete pads. The houses have four bedrooms with the exception of two which have two bedrooms. All the housing is occupied and is not considered overcrowded.

All the dwellings appear to be in good condition. The DOH upgraded houses in 2008. These major upgrades included new laundries, bathrooms, toilets, kitchens and verandas.



Figure 5 – Typical House

Future Residential Development

The CLP provides for four future residential lots. Construction of future housing by the State is likely to be subject to an Indigenous Land Use Agreement ILUA. Furthermore, construction of all housing must be in accordance with the *Aboriginal Heritage Act 1972*.

A significant impediment to the future growth of the community is the uncertainty over a secure and sustainable supply of good quality water as discussed further below.

Minimal changes are proposed to the layout of the community. The future housing will provide for a minor consolidation of the dwellings and the reinforcement of the current street pattern.

2.8 Flooding & Drainage

The community does not experience flooding; the surrounding area is fairly flat and there is no build up of flood waters. The water that does collect after rain tends to drain away without significant pooling. Stormwater drains to the south west towards Nipper Creek which is approximately 1 km south of the community.

Problems do exist with stormwater affecting Cherrabun Road the access road to the community from Great Northern Highway, this is discussed further under the heading Access & Dedicated Roads.

2.9 Water Supply

Water for community use is obtained from two adjacent bores (1/87 and 2/87), they are located five metres apart within a fenced compound 660m south west of the community. Asset condition reports and water quality assessments are prepared by Kimberley Regional Service Provider (KRSP).

KRSP report dated 2006/07 advises that both the bores are producing brackish water with salinity levels of 670mg/L. It is reported that water quality requires urgent attention to cure iron bacteria and high calcium levels, also the disinfectant system requires upgrading and the low water pressure and condition of the reticulation requires urgent review. KRSP advises that funding is not currently allocated to undertake these works. KRSP report that water quality during 11 out of 31 months sampled between Dec 07 – Aug 09 were not compliant with Australian Drinking Water Guidelines.

It was reported that a new bore is proposed for the community but funding is yet to be approved. No Drinking Water Source Protection Assessment or Plan has been prepared for the community to date.

The water storage tank consists of a 100kL steel elevated tank on a 12m stand located on Lot 20. After water is pumped to the water storage tanks and treated it is distributed to the community by a gravity feed system assisted by a transfer pump. Chlorine gas is used for the water treatment.

It is noted that the water bores are located down gradient of the rubbish pits located 400m to the north. These two land uses are highly incompatible. This is within the 500m buffer recommended by the WAPC.

The above issues highlight the need for the prioritisation of a drilling program to locate and establish a new water source for the community. This should be undertaken before any significant expansion of housing at the community.



Figure 6 – Water Storage Tanks

2.10 Access & Dedicated Roads

Access to the community is via the Great Northern Highway to a turn off 54kms south east of Fitzroy Crossing and then 9kms along the unsealed Cherrabun Road. The road is graded by the Shire usually three times per year.

Cherrabun Road can at most times be accessed by 2WD vehicles except after heavy rains when access is only possible by 4WD vehicles. Wet season storm waters from Nipper Creek can cause vehicles to become bogged. It has been identified by community

members that additional road gravel in this locality would assist with vehicle movements during the wet and help reduce dust.



Figure 7 – Shire improvements to Cherrabun Road

The Shire advises that preliminary investigations are being carried out on the possibility of upgrading Cherrabun Road.

2.11 Internal Road Layout

The houses and other buildings within the community are located adjacent to a small network of connected local roads. The roads are graded but have not been formally constructed and have no drainage network. The community is located on a gently sloping site and this assists with stormwater runoff without significant damage to the road network.



Figure 8 – Internal road and central recreation area

The internal road and access roads not being sealed are a source of dust however they are not heavily trafficked; the community has not identified this as a significant concern.

2.12 Community and Social Services

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

Office

The community's administrative building on Lot 1 is in poor condition and requires upgrading. It is located on the entrance road into the community.



Figure 9 – The Office

Homemaker Centre

A small building on Lot 27 located opposite the office is used as a homemaker centre.



Figure 10 – The Homemaker Centre

Workshop

A workshop exists at the community on Lot 22 however the building is not equipped with any mechanical equipment.

Recreation Facilities

There is no recreation centre or football oval in the community. Public recreation facilities are limited to a basketball court on the NW edge of the community and swings with a shade structure which are located in the central open space area.

Store

There is no store in the community. A building previously used as the store exists but it is in poor condition and not in use. Community members must travel to Fitzroy Crossing for regular grocery supplies. A desire has been expressed for a small store to be established in the community that would stock a small number of essential items. The shed located on Lot 25 may be converted in for this purpose.



Figure 11 – The old Store

School

There is no school in the community. Students are taken by bus each day to school in Fitzroy Crossing. Some secondary school students go to boarding school in Broome to continue their studies.

Clinic

There is no clinic in the community. Community members travel to Fitzroy Crossing for regular medical treatment.

Cemetery

The cemetery is located within a fenced area in the SE corner of the community's Crown Reserve. The site is approximately one kilometre away from the nearest housing site.

2.13 Electricity Supply

Present Capacity & Location

The two diesel power generators are located at Lot 21 which is 80m north west of the office and 200m north of the nearest house adjacent to the entrance to the community. This location is consistent with the recommended buffer distance contained in the draft Planning for Aboriginal Communities Project Guidelines No.3 – Land Use Buffers (Draft Guideline No 3). The generators are located within a fenced compound which also accommodates a 27,000 litre raised fuel tank.

Refuelling trucks have adequate access to the diesel tank and there are no safety issues with regards to manoeuvring for refuelling trucks.

KRSP is responsible for servicing and fuelling of the power station and carries out inspections once a month. The Marra Worra Worra Essential Services officer based in Djugerari is responsible for day to day maintenance and monitoring. The KRSP Asset Condition Report from its inspection of 2006/2007 identifies power Genset 1 (40kW) as being in poor condition and in need of replacement. Genset 2 (70kW) is identified as being in good condition. Above ground power reticulation consists of a network of low voltage power lines.

The Essential Services officer reports that power from the generators is adequate. Any increase in housing stock would require a review and possibly an upgrade to the power generators.



Figure 12– The Diesel Power Generators

2.14 Wastewater

Houses are connected to individual septic tanks attached to each dwelling; the septic tanks are emptied once a year. The community members report that they do not have problems with the wastewater disposal system. There are no sewerage ponds.

The septic tanks are located outside the 500m buffer area of the two water bores however they are directly upstream of the bores. It has been noted previously that these bores have water quality problems, their general proximity to the septic tanks provides a further reason to find an alternative source of water supply for the community.

2.15 Rubbish Disposal

The rubbish disposal site is located 300m west of the nearest dwellings and 400m north of the water bores, access is via a graded track. No sorting of rubbish is undertaken; all domestic waste is disposed of in an open pit which is approximately 3.0m deep. The rubbish pit is contained within an unlocked fenced compound.

Rubbish collection and disposal is organised by the Marra Worra Worra Essential Services Officer. The rubbish tip is maintained by the Centre for Appropriate Technology (CAT) which is based in Derby. The tip was upgraded in late 2009.

Draft Guideline No. 3 recommends a generic buffer of 2000m for rubbish tips. The community's crown lease is not of a sufficient size to achieve this buffer however a relocation of the rubbish tip to the south east boundary of the lease will address concerns regards water supply contamination until a new water source is identified.

2.16 Airstrip

There is no airstrip at Ngalingkadji.

2.17 Outstations

There are no outstations associated with Ngalingkadji.

3. PLANNING FRAMEWORK

3.1 State Planning Policies

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

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

The following SPPs were given due regard in the preparation of the CLP:

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

3.2 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.

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

The Shire of Derby-West Kimberley Town Planning Scheme No. 5 (TPS 5) was gazetted on 25 September 2001. The community is not located within 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.

Settlement Zone

TPS5 includes provision for a Settlement Zone to accommodate remote Aboriginal communities. At the present time the land containing Ngalingkadjì is not zoned under TPS5.

The objectives of the Settlement Zone are:

- (a) To achieve the orderly and proper planning of Aboriginal Communities through the preparation and adoption of Community Layout Plans.*
- (b) To provide a framework for the planning of Communities and also to provide a basis for negotiation between the Council and Aboriginal Communities on the development of co-operative strategies to improve the general health, safety and amenity of these communities.*

The Settlement Zone also includes the following policies:

- (i) To require development to be consistent with a Community Layout plan endorsed by the Community and Council;*
- (ii) To provide in the Community Layout Plan for a mix of land uses on the one lot which may include residential, community, administration, rural, and health, and small business activities for the support of the community, where these are consistent with the enhancement of the residential amenity in the locality;*
- (iii) To ensure that services and community infrastructure is provided in conjunction with development of land within the zone and consistent with an adopted Layout Plan.*

The Ngalingkadji CLP provides for all community buildings, facilities and infrastructure to be included within a Settlement Zone which is identified on the CLP plans.

4. COMMUNITY ASPIRATIONS

Providing a sufficient standard of living for the current population of Ngalingkadji 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 the community is something that has taken time, and will happen over many years.

The ideas for improvements to the facilities noted by the Ngalingkadji Community Council when developing the Community Layout Plan are listed below (in no particular order). Due to constraints, not all of the community aspirations can be incorporated into a CLP, however have been noted as a record of a more general community improvement plan.

It should also be recognised that this plan looks ahead 10 to 15 years and as such a number of these aspirations will need a significant amount of further discussion and investigation before they can be developed.

1. Locate and establish a new source of water for the community. The current source is of poor quality and has raised concerns about possible adverse affect on the health of community members.
2. Upgrade Cherrabun Road to all weather standard to improve access to Great Northern Highway during the wet season.
3. The establishment of a multipurpose facility is proposed. The building is to accommodate meetings, indoor recreation, arts and crafts activities, homemaker courses and church meetings.
4. There is a desire to have additional housing to accommodate family members residing in Fitzroy Crossing.
5. Improve the internal road layout and seal roads to control the movement of vehicles and reduce dust.
6. Upgrade landscaping and fence the central public open space area to prevent access by stock, improve the amenity of the area and reduce dust.
7. Established a store that would stock a small number of essential items.
8. An extension to the lease to the south is sought to accommodate horse paddocks.

5. TRADITIONAL OWNER ASPIRATIONS

A number of Traditional Owners live at Ngalingkadji and were involved with the preparation of the Community Layout Plan. The Kimberley Land Council, on behalf of the Traditional Owners, supports the aspirations of Ngalingkadji Community Council in the development of the Community Layout Plan. The KLC recognises the importance of the CLP as a guide for the growth and development of Ngalingkadji by providing a layout of future land uses in the community.

6. DEVELOPMENT PROJECTS & REQUIRED IMPROVEMENTS

6.1 Design Summary

The future plans for the Ngalingkadji are based on visits to the community and advice from relevant government agencies, including the Remote Area Essential Services Program (RAESP) managers Parson Brinkerhoff, the Shire of Derby West Kimberley, Aboriginal Lands Trust, Main Roads WA, Global Groundwater, and the Departments for Planning, Housing, Environment and Conservation, Water and Indigenous Affairs.

The general design principles of the plan are:

1. Maintain adequate separation between incompatible uses.
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 Ngalingkadji Community Layout Plan No. 1. shows all proposed improvements to Ngalingkadji, as well as a layout for current and future land uses. The following provides a brief explanation of the design principles and required improvements that are shown on the plan.

6.2 Water Supply

There is an urgent need to resolve the water problems at the community. The current supply is of poor quality and the location of septic tanks, rubbish pit and wrecked motor vehicle storage area, upstream of the water bores is cause for concern. The rubbish pit along with a storage area for car bodies are also within the buffer area of the water bores.

Security of the water supply is fundamental to the future existence of the community. In the short term the rubbish pit can be re-located to minimise the potential for contamination and closer monitoring of water quality can be undertaken. It may also be possible that further treatment of the current water supply can be undertaken to improve water quality.

Securing the new source of potable water may be more problematic. It is understood that previous drilling programs have been unsuccessful in finding a source of good quality water within a reasonable distance of the community. However the initiation of a drilling program to locate and establish a new water source for the community remains a key priority. It is apparent that the future source of water may be outside the community's current Crown lease. If this is the case future negotiations may be required to extend the lease to these to include this site.

Without a secure supply of potable water within reasonable proximity of the community the future tenure of the community cannot be guaranteed. As such any future

development within the community should be placed on hold until a new water supply is secured.

6.3 Public Drinking Water Source Area

In order to ensure that the existing drinking water supply is appropriately protected, a groundwater source protection and management plan should be prepared by the KRSP in collaboration with MWW.

Such a plan would incorporate monitoring and maintenance requirements, estimates of groundwater flow directions, estimation of aquifer resources, likely zones of influence of production bores and an assessment of the potential for contaminants to impact water supplies.

A Public Drinking Water Source Area (PDWSA), as prescribed by State Planning Policy 2.7 – *Public Drinking Water Source*, is considered the most effective way of identifying and protecting a drinking water source. PDWSAs are defined areas of land within which land uses are restricted to protect drinking water that is harvested within that area. They are based on hydrological analysis of the particular circumstances of the water source and the settlement/s it serves. PDWSAs are enforced through a range of statutory implements.

Preparation of a PDWSA is a priority for the community to ensure appropriate protection of the community's existing drinking water supply.

6.4 Upgrade to the Power Station

The current location of the power station by the entrance to the community allows for good access by refuelling trucks without the vehicles encroaching on residential areas. The power station is also at a sufficient distance to avoid noise problems for residents. As such the current location of the power station is considered to be appropriate.

Expected power station upgrades are limited to Genset 1 which has been identified by KRSP as requiring replacement.

6.5 Housing

Future locations for housing have been identified on sites adjoining the existing dwellings. There are few physical constraints to the provision of future housing on these sites, however, the following prerequisites are required prior to the development of these sites:

- A new water supply source for the community to be established;
- The existing water bores to be protected by relocating the rubbish pit and car bodies outside the water buffer area;
- The power station to be upgraded ; and
- It is anticipated that the future housing will continue to utilise septic tanks for waste water disposal.

The provision of additional housing sites will require the extension of power and water infrastructure to the proposed new housing sites.

Based on the above, the CLP provides for future housing land as follows:

- Priority 1 (short to medium term) – Currently there are three vacant lots within the community with services in close proximity (Lots 7,8 and 14). Provision has been made for an additional site (Lot xx) for an additional house site on the SE edge of the community. A short extension of power and water infrastructure is required for this lot.
- Priority 2 (longer term) – While population levels will fluctuate over time there is no expectation at this time that it is desirable or expected that the community would grow substantially over time.

When the CLP is reviewed in five years it is anticipated that the water source issue will have been resolved. Once the status of the water supply is established the community can be more confident about the potential future growth of the Ngalingkadji and may wish to review the current growth expectations.

6.6 Road Layout

The road layout set out in the CLP builds on the existing road pattern and formalises access around the office, infrastructure and houses. The road layout also seeks to control vehicle movement around the housing area by reducing access points.

Internal roads only provide for local traffic and service a small number of dwellings and other facilities; as such road reserves are 15 metres in width.

With regards to prioritising the sealing of roads, the section of Cherrabun Road which provides for through traffic and passes close to the community should be upgraded initially with the internal local road following.

6.7 Stormwater Drainage

The community does not experience significant problems with stormwater drainage. Water pools for short periods after heavy rain but rapidly drains to the SW towards Nipper Creek.

6.8 Landscaping Buffer

The community is keen to landscape the central open space which currently provides rudimentary play equipment and recreation facilities and a community meeting space but lacks shade trees or other smaller plantings. Upgrading the landscaping of this area should be a priority as it will be highly visible and have an immediate positive effect on amenity and provide long term benefits for children and the community as a whole.

Landscaping along Cherrabun Road as it passes the community will assist with the control of dust.

6.9 Recommended Community Living Area

The existing land tenure arrangement provides a relatively confined accommodation of the community. While it is adequate for most functions it does not provide a sufficient area to contain a future water source. As such investigations will be required outside the lease boundary and provision may be required to extend the boundary once this future

new water source is identified. In the meantime it is proposed that the Community Living Area is defined by the boundary of Lot 40.

7. DESIGN PRINCIPLES AND LAND USES

7.1 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 Ngalingkadji do not always match the location of buildings and roads, the lots and numbers on the CLP are defined as "future layout and lot number".

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

7.2 Residential

The plan shows the existing houses as "existing residential" and required houses as "future residential".

The CLP plans for:

- 13 existing community houses; and
- 3 available vacant lots with adjacent services and 1 lot which requires short extensions to power and water services.

7.3 Business / Commercial

The plan shows the store and other non-industrial commercial uses as "business/commercial".

The CLP plans for:

- The community office (Lot 1); and
- A future small store (Lot 25).

7.4 Industrial

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

The CLP plans for:

- The workshop (Lot 22);
- The power station (Lot 21); and
- The water storage tanks (Lot 20).

7.5 Open Space / Recreation

The plan shows existing community open space (including the playground and relocated basketball court) as "open space / recreation".

The CLP plans for:

- Open space and basketball court (Lot 19).

7.6 Community Purposes

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

The CLP plans for:

- The homemaker centre (Lot 27);
- The future multipurpose centre (Lot 26) and
- The cemetery (Lot 29).

7.7 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:

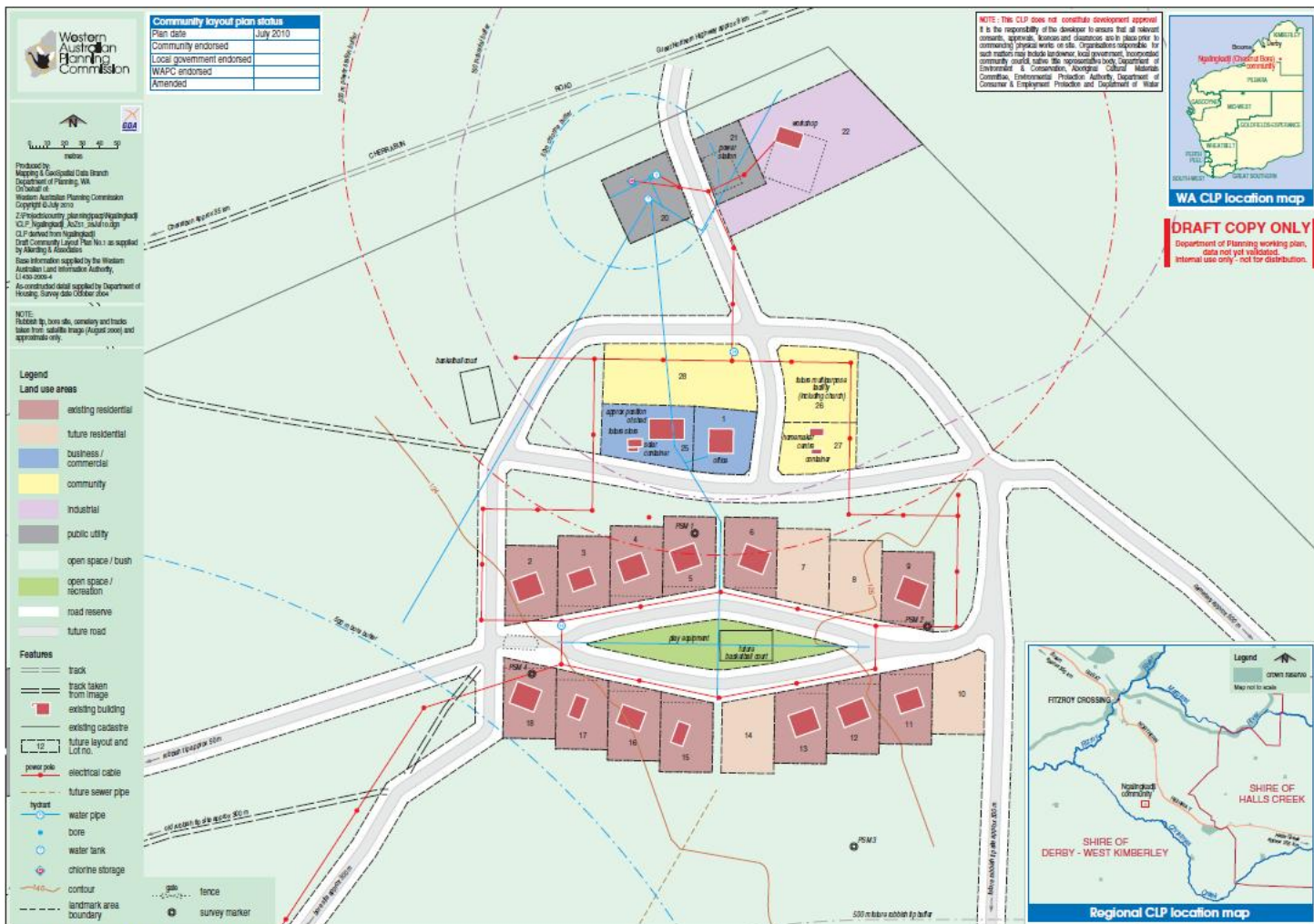
- The water tanks adjacent to the entrance to the community (Lot 20);
- The current water bores 1/87 and 2/87 (Lot 30);
- The power station (Lot 21);
- The workshop (Lot 22);
- The rubbish tip (Lot 31) and
- The future rubbish tip (Lot 32).

7.8 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.

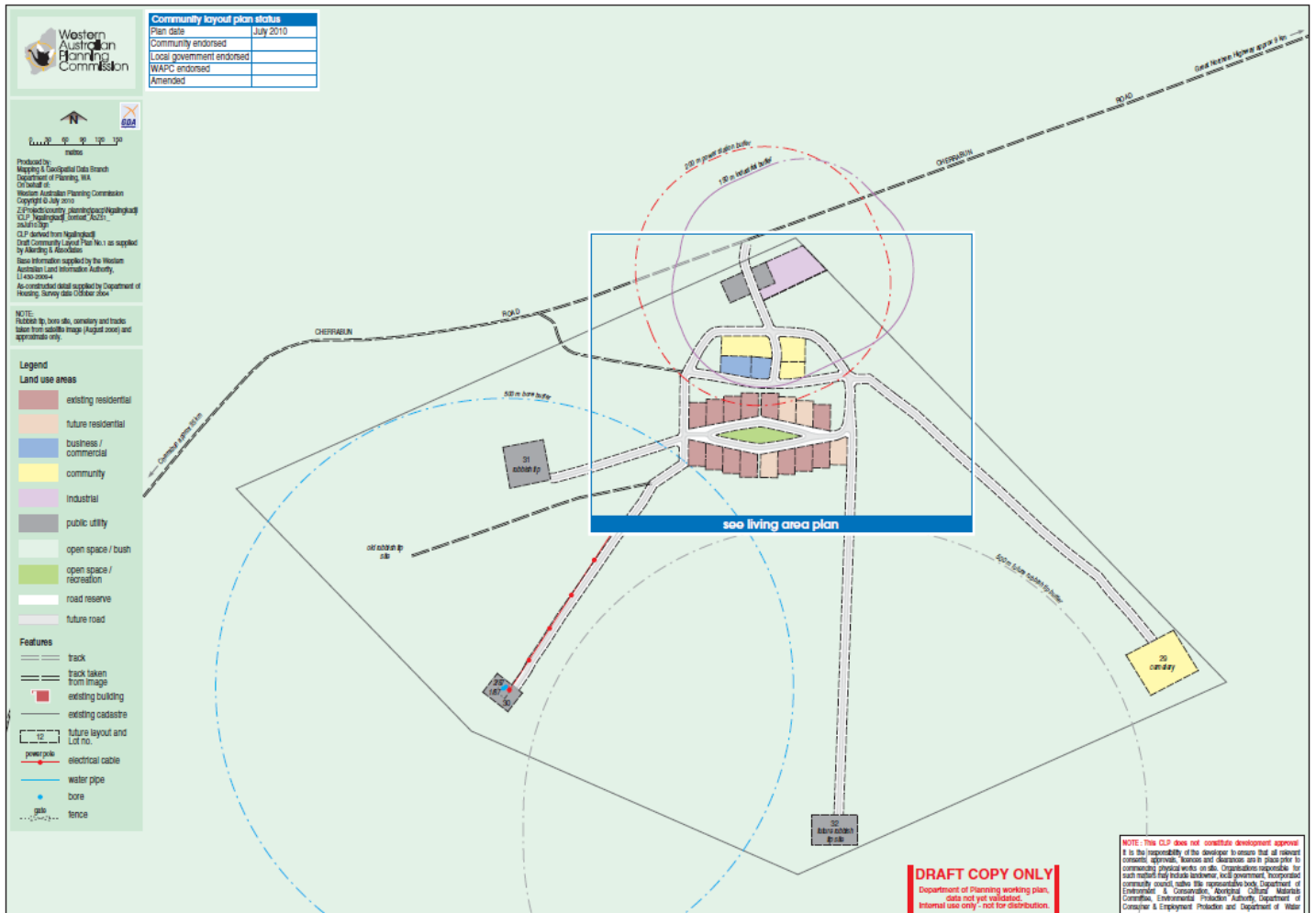
7. PLANS

- 1. Ngalingkadji Community Layout Plan No. 1 - Living Area**
- 2. Ngalingkadji Community Layout Plan No. 1 - Context and Surrounds**
- 3. Ngalingkadji Community Layout Plan No. 1 - Land Ownership**
- 4. Ngalingkadji Community Layout Plan No. 1 - Aerial**

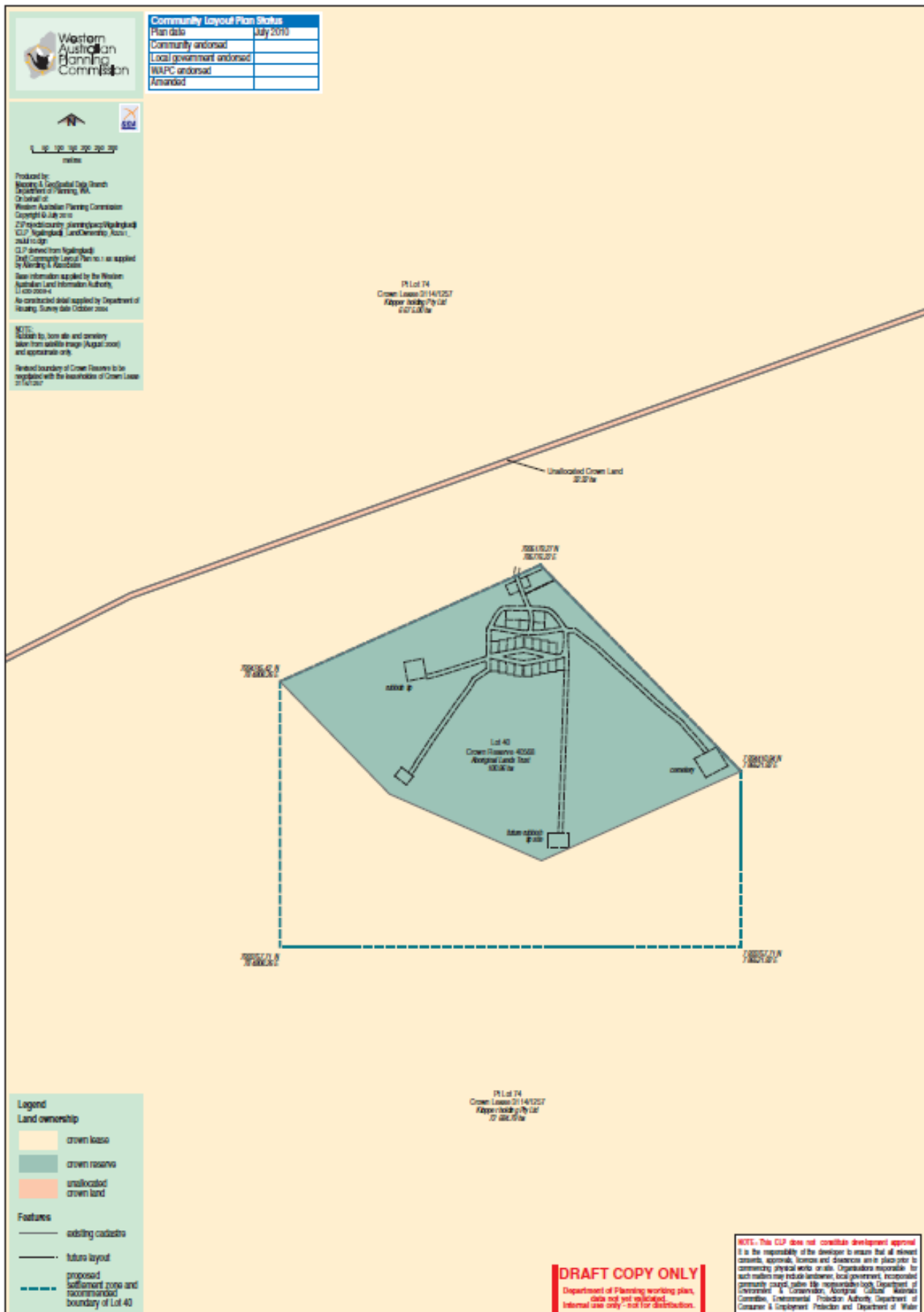


Planning for Aboriginal Communities

Ngalingkadji (Chestnut Bore) Community Layout Plan No. 1 - living area - Version 1 (26 July 2010)



Ngalingkadji (Chestnut Bore) Community Layout Plan No. 1 - context and surround - version 1 (28 July 2010)



Planning for Aboriginal Communities

Ngalingkadji community layout plan No.1 - land ownership - version 1 (28 July 2010)



Planning for Aboriginal Communities

Ngalingkadji Community Layout Plan No. 1 - image - version 1 (28 July 2010)

8. ENDORSEMENTS

Ngalingkadji Community Layout Plan No. 1

PO Box 5
Fitzroy Crossing
WA 6765

The Ngalingkadji Aboriginal Corporation hereby adopts the **Ngalingkadji Community Layout Plan No. 1 (2010)** 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:

The27th..... Day ofAugust.....2010

Adopted by the Ngalingkadji Aboriginal Corporation

Billy Chestnut

Billy Chestnut

Chairperson
[Please print and sign name]

TEDDY DICKENS

Teddy Dickens

Councillor

William Chestnut

Councillor

Apul Shukell

Councillor

Teddy Dickens

Councillor

STEVEN BILGIN

Councillor

AChestnut

TREVOR CHESTNUT

Kimberley Land Council Endorsement

Ngalingkadji Community Layout Plan No. 1

Kimberley Land Council
PO Box 2145
Broome WA 6725

The Kimberley Land Council (representing the traditional owners, the Gooniyandi People) hereby adopts the **Ngalingkadji Community Layout Plan No. 1 (2010)** 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 Day of 2010

Adopted by the Kimberley land Council:

Chairperson
[Please print and sign name]

Director
[Please print and sign name]

Director

Director

Director

Director

Shire of Derby-West Kimberley Endorsement

Ngalingkadji 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 **Ngalingkadji Community Layout Plan No. 1 (2010)** as a basis for future growth and development within Ngalingkadji community.

The 26th Day of August 2010

Endorsed by the Shire of Derby-West Kimberley:

Elsie Archer

Billy Chestnut

Billy Chestnut

Shire President
(Please print and sign name)

Elsie Archer

Shane Burge

Shane Burge

CEO
(Please print and sign name)

Council
Seal



Western Australian Planning Commission Endorsement



Ngalingkadji Community Layout Plan No.1

**469 Wellington Street
Perth WA 6000**

The Western Australian Planning Commission hereby endorses the **Ngalingkadji Community Layout Plan No. 1 (2010)** as a guide for development to ensure proper and orderly planning within the community area

The 14th Day of December 2010

Signed for and on behalf of the Western Australian Planning Commission

A handwritten signature in black ink, appearing to be "V. G. ...", written over a horizontal line.

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

V. G. ...

Witness

17/12/10 Date

REFERENCES & INFORMATION

Australian Bureau of Meteorology (BOM) 2009 *Climate Statistics for Australian Locations (Cadjebut)*. Available http://www.bom.gov.au/climate/averages/tables/cw_013007.shtml

Department of Indigenous Affairs (DIA) 2004 *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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Kimberley Regional Service Providers(KRSP), *Ngalingkadji Asset Condition Report 2006/07*.

Lindsay, R. P. & D. P Commander 2005 *Hydrological Assessment of the Fitzroy Alluvium*. Hydrological Report Series No. 238. Department of Environment, Western Australia.

Morphy, F. 2010 *Population, People and Place: The Fitzroy Valley Population Project* Centre for Aboriginal Economic Policy Research. CAEPR Working Paper No. 70/2010. ANU: Canberra.

APPENDICES

Appendix 1	Record of Certificate of Crown Land Titles
Appendix 2	Registered Aboriginal Heritage Sites proximate to Ngalingkadji

Appendix 1

Record of Certificate of Crown Land Titles

WESTERN



AUSTRALIA

REGISTER NUMBER
40/DP188547DUPLICATE
EDITION
N/ADATE DUPLICATE ISSUED
N/A

RECORD OF QUALIFIED CERTIFICATE OF CROWN LAND TITLE

VOLUME
LR3028FOLIO
233

UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997

NO DUPLICATE CREATED

The undermentioned land is Crown land in the name of the STATE of WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 40 ON DEPOSITED PLAN 188547

STATUS ORDER AND PRIMARY INTEREST HOLDER: (FIRST SCHEDULE)

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: ABORIGINAL LANDS TRUST
(XE F450489) REGISTERED 11 FEBRUARY 1994

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. F450489 RESERVE 40568 FOR THE PURPOSE OF USE AND BENEFIT OF ABORIGINAL INHABITANTS REGISTERED 11.2.1994.
F450489 MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM. REGISTERED 11.2.1994.

- Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.
(2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
(3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: LR3028-233 (40/DP188547).
PREVIOUS TITLE: This Title.
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA: SHIRE OF DERBY-WEST KIMBERLEY.

NOTE 1: A000001A CORRESPONDENCE FILE 3618/1986.

END OF PAGE 1 - CONTINUED OVER

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Jan 5 12:02:47 2010 JOB 33601174

ORIGINAL CERTIFICATE OF CROWN LAND TITLE
QUALIFIED

REGISTER NUMBER: 40/DP188547

VOLUME/FOLIO: LR3028-233

PAGE 2

NOTE 2: LAND PARCEL IDENTIFIER OF YURABI LOCATION 40 ON SUPERSEDED PAPER
CERTIFICATE OF CROWN LAND TITLE CHANGED TO LOT 40 ON DEPOSITED PLAN
188547 ON 19-AUG-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
NOTE 3: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE
OF TITLE.

Appendix 2

Registered Aboriginal Heritage Sites proximate to Ngalingkadji



Search Criteria

3 sites in a search box. The box is formed by these diagonally opposed corner points:

MGA Zone 51	
Northing	Easting
7930366	779629
7941710	792840

Disclaimer

Aboriginal sites exist that are not recorded on the Register of Aboriginal Sites, and some registered sites may no longer exist. Consultation with Aboriginal communities is on-going to identify additional sites. The AHA protects all Aboriginal sites in Western Australia whether or not they are registered.

Copyright

Copyright in the information contained herein is and shall remain the property of the State of Western Australia. All rights reserved. This includes, but is not limited to, information from the Register of Aboriginal Sites established and maintained under the Aboriginal Heritage Act 1972 (AHA).

Legend

Restriction	Access	Coordinate Accuracy
N No restriction	C Closed	Accuracy is shown as a code in brackets following the site coordinates.
M Male access only	O Open	[Reliable] The spatial information recorded in the site file is deemed to be reliable, due to methods of capture.
F Female access	V Vulnerable	[Unreliable] The spatial information recorded in the site file is deemed to be unreliable due to errors of spatial data capture and/or quality of spatial information reported.

Status

L Lodged	IR Insufficient Information (as assessed by Site Assessment Group)	Site Assessment Group (SAG) Sites lodged with the Department are assessed under the direction of the Registrar of Aboriginal Sites. These are not to be considered the final assessment. Final assessment will be determined by the Aboriginal Cultural Material Committee (ACMC).
I Insufficient Information	PR Permanent register (as assessed by Site Assessment Group)	
P Permanent register	SR Stored data (as assessed by Site Assessment Group)	
S Stored data		

Spatial Accuracy

Index coordinates are indicative locations and may not necessarily represent the centre of sites, especially for sites with an access code "closed" or "vulnerable". Map coordinates (Lat/Long) and (Easting/Northing) are based on the GDA 94 datum. The Easting / Northing map grid can be across one or more zones. The zone is indicated for each Easting on the map, i.e. '5000000.Z50' means Easting=5000000, Zone=50.

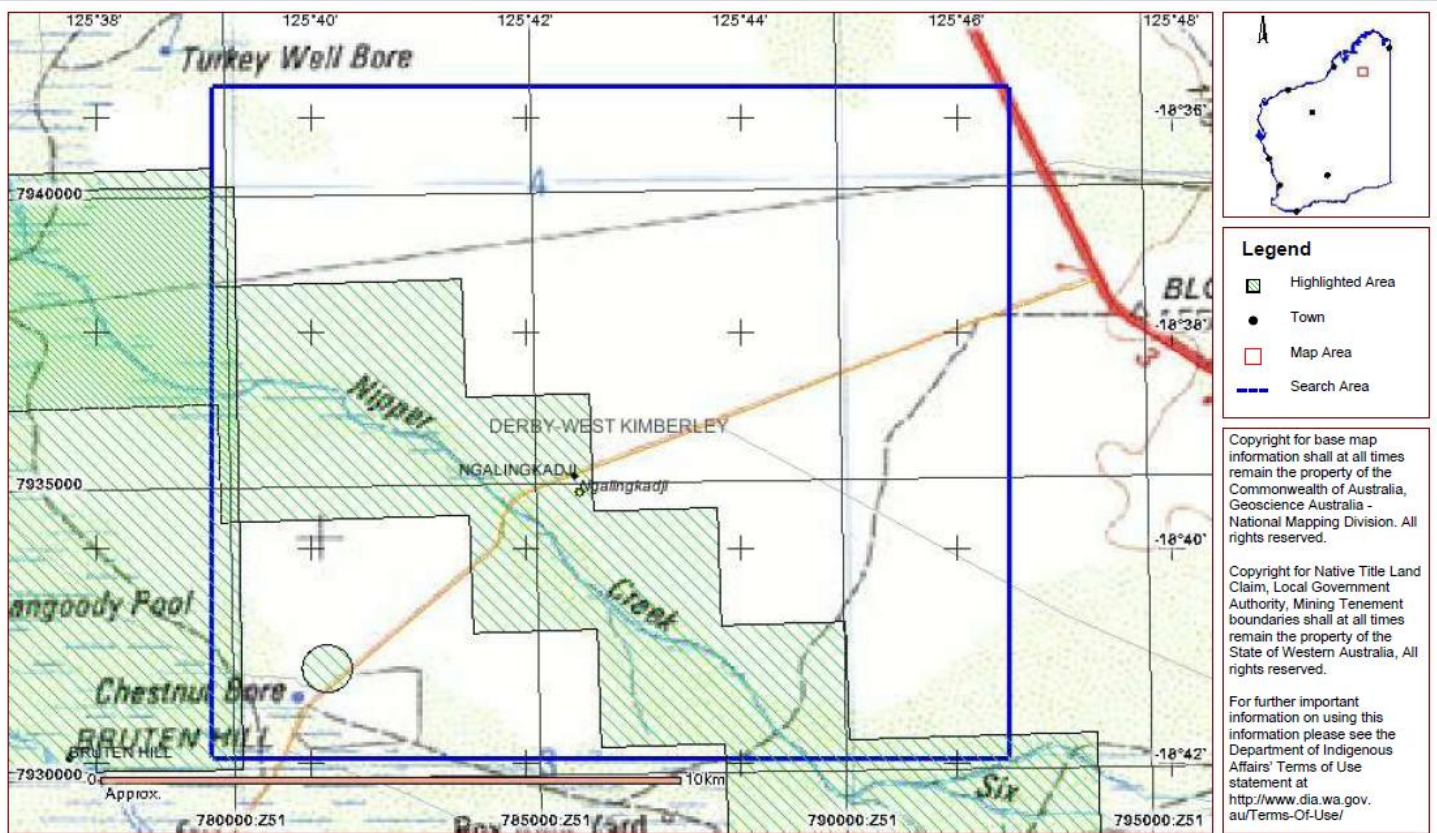


Aboriginal Heritage Inquiry System

Register of Aboriginal Sites



Site ID	Status	Access	Restriction	Site Name	Site Type	Additional Info	Informants	Coordinates	Site No.
13008	P	O	N	Chestnut Bore	Skeletal material/Burial			781537mE 7931881mN Zone 51 [Unreliable]	K02200
13438	P	O	N	Worrbirrba	Mythological, Quarry			775138mE 7935162mN Zone 51 [Unreliable]	K01721
13991	P	C	N	Nipper Creek	Mythological			Not available for closed sites	K01143



AMENDMENTS

Plan Date : 27 August 2010 WAPC Endorsed : 14 December 2012
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 Ngalingkadji 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 Ngalingkadji Layout Plan 1.

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

Approved

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

Western Australian Planning Commission


please sign and print name

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

Date 12/9/2012

Other Information:

This Layout Plan does not constitute development approval.

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

RESOLVED & RECORDED IN MINUTES
OF THE STATUTORY PLANNING
COMMITTEE MEETING

11 SEP 2012

Proponent : Department of Planning, Lands and Heritage

Date : 29 January 2018

Reason for the Amendment

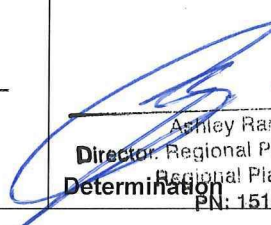
In December 2017 Global Groundwater completed the 'Ngalingkadji Drinking Water Source Protection Plan' on behalf of the Department of Planning, Lands and Heritage. The report includes a range of findings and recommendations that require amendments to Ngalingkadji Layout Plan 1.

Land Identification		Amendment description
1.	Drinking Water Source Protection Area	Identify the drinking water protection area based on the location of the 'Ngalingkadji Drinking Water Source Protection Plan' Priority 1 and 2 areas.

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*.

 29/01/2018
 Ashley Randell
 Director, Regional Planning Policy
 Determination PN: 15151 date

Other Information:

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