

Bayulu Layout Plan 1

Background Report

May 2002

Date endorsed by WAPC



Amendment

- Amendment 1 - October 2012
- Amendment 2 - October 2012
- Amendment 3 - October 2012
- Amendment 4 - October 2012
- Amendment 5 - October 2012
- Amendment 6 - September 2013
- Amendment 7 - May 2014
- Amendment 9 - November 2014
- Amendment 11 - August 2017



Department of
Planning



BAYULU LAYOUT PLAN 1

Bayulu Layout Plan 1 was prepared during the dry season in 2000 by consultants GHD and Planwest. The attached amendments are appurtenant to that Layout Plan.

The background report that was prepared at that time is now significantly out-of-date and has been effectively superseded by the report prepared in 2011 (attached).

AMENDMENTS

Bayulu Layout Plan 1

Background Report
Amendment 1

Includes Gillarong & Karnparni



April 2011

Prepared by the Department of Planning

Bayulu LP1 Amendment 1 - Report

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Community Contact Details

COMMUNITY CONTACTS	
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Chairperson	Mannick Surprise
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Layout Plans & the Development Process

Layout Plans provide a structure for future development. LP preparation includes with consultation with a range of relevant government authorities and agencies, but it is not 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, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

SUMMARY

LP1 was prepared in 2000 by GHD. The table below summarises the main issues concerning the planning, development and provision of services within Bayulu, covered in more detail in the body of this report.

Table 1: Population details

Existing Population	271
Design Population	538

Table 2: Infrastructure and essential/social service characteristics at Bayulu.

Infrastructure / service Indicator	Community Characteristics
Drinking water	Drinking water supply moderate in terms of yield and quality. A Drinking Water Source Protection Plan has been endorsed by the Department of Water.
Native title	Community is located within claim area of Gooniyandi Combined No.2 Registered NT claim. ILUA negotiations yet to commence.
Secure land holding(s)	All community housing and majority of infrastructure located on land with secure and appropriate tenure. Sewage treatment ponds partially located on GoGo Station.
Flood / storm surge	Subject to rare flooding events. Housing and Infrastructure at no immediate risk.
Emergency assistance	Police and medical assistance in Fitzroy Crossing, approx 15 minutes away by vehicle.
Education	Bayulu Community School at GoGo Station, approx 2 km away.
Health	Full time clinic.
Governance	Incorporated community (Bayulu Community Incorporated), meeting regulatory requirements. Administrative support through Marra Worra Worra.
Employment opportunities	Established job market at Fitzroy Crossing.
Transport	Reliable road access to Fitzroy Crossing via Great Northern Highway.
Food	Store located at community. Shops in Fitzroy Crossing.
Electricity	Community located within Fitzroy Crossing electricity licence area and serviced by Horizon Power.

1 COMMUNITY PROFILE

1.1 Population

Current Population

Estimating and predicting populations in aboriginal settlements is difficult because Aboriginal people tend to be mobile in terms of housing and living arrangements. Populations can increase and decrease quite rapidly based on family, cultural or administrative factors (see Taylor 2006 for a useful discussion of demographic trends of remote Indigenous populations). The community members of Bayulu have close affiliations with other settlements in the region and there are regular movements of people between Bayulu, Fitzroy Crossing and the wider Fitzroy Valley.

Current population levels can be estimated from a range of sources. A summary of recent population data from these sources is as follows:

Population	2001	2004	2006	2008	2009	2010
Total	245	150	259	223	271	212
Source	Census	EHNS	Census	MWW	(Morphy 2010)	MWW

Marra Worra Worra (MWW) Aboriginal Corporation is an Indigenous resource agency based in Fitzroy Crossing that provides support services to communities in the Fitzroy Valley area. MWW advised that in 2008 there were 223 "householders" (described as a person for whom rent is charged, which includes children) in Bayulu. As of June 2010, MWW advises that the householder population is 212, however, that up to 20 adults and 100 children may be unaccounted for; predicting a more accurate figure to be around 300 persons in total.

In addition to the above, a key source of population data is provided by Morphy (2010) which advises, the usual permanent population of Bayulu is approximately 271.

Design Population

One of the objectives of the LP is to ensure that community residents are provided with an appropriate level of services and housing throughout the 15 year time frame of the LP, by coordinating infrastructure provision with population growth. The following section provides various population growth scenarios as a means of estimating the regular maximum demand on services (known as the "design population").

The Western Australian Planning Commission's *Fitzroy Futures Town Plan* (WAPC 2005) estimates a five per cent annual growth rate for communities in Fitzroy Crossing. Based on a current population of 300 and a constant growth rate of 5%, the population of Bayulu is projected to be 331 residents by 2015, 422 residents by 2020 and 538 residents by 2025. However, it is likely

that population growth will not be constant over that period of time, but rather will be contingent on migration to and from the community as well as natural increase from births and deaths.

MWW have advised that a number of families often move to and from these settlements, which in turn makes it difficult to determine accurate population statistics. Since Bayulu was established, it has had a steady core population which has endured small, however sustained growth. In periods of flooding numbers of residents at the community generally increase with out stations moving towards the higher ground that is provided for at Bayulu. The community has not provided an aspirational population for Bayulu. However with its desirable location and service provision it is likely that the sustained growth at the community will continue.

Based on the 5% growth rate, its population is estimated to grow to 538 residents by 2025. The design population for Bayulu is 538.

1.2 Governance

The community is managed through its incorporated body, Bayulu Community Incorporated (BCI). The BCI was incorporated under the *Associations Incorporation Act 1987* on 5 November 1975.

1.3 Land Tenure

All housing and most community infrastructure associated with Bayulu is located on two crown land titles. Although the majority of infrastructure is located on land with secure and appropriate tenure, the sewage treatment ponds are partially situated on the surrounding pastoral station (GoGo Station), which is Crown Land subject to a pastoral lease to GoGo Station Pty. Ltd.

Register Number	Lot 14 on Deposited Plan 183081
Volume / Folio	LR 3123/496
Status Order / Interest	Reserve Under Management Order
Primary Interest Holder	Aboriginal Lands Trust
Area	10.05ha
Limitations/Interests/ Encumbrances/Notifications	(H888431) Part Reserve 35197 for the purpose of use and benefit of Aboriginal inhabitants. (J362504) Lease to Bayulu Community.

<i>Register Number</i>	Lot 12 on Deposited Plan 182544
<i>Volume / Folio</i>	LR 3123/495
<i>Status Order / Interest</i>	Reserve Under Management Order
<i>Primary Interest Holder</i>	Aboriginal Lands Trust
<i>Area</i>	226.23ha
<i>Limitations/Interests/ Encumbrances/Notifications</i>	(H888431) Part Reserve 35197 for the purpose of use and benefit of Aboriginal inhabitants. (J362504) Lease to Bayulu Community. - Sublease to Gillarong Aboriginal Corporation (J362505). - Sublease to Garndoowa Gooniyandi Aboriginal Corporation (J876700).

1.4 Culture

Bayulu is located on the western periphery of Goonyandi country. There is a strong influence of both Walmajarri and Goonyandi speakers (see figure 1) in the community. Due to its proximity to Fitzroy Crossing, Bayulu also accommodates a number of additional visitors (from other language groups) who visit the settlement for its provision of services.

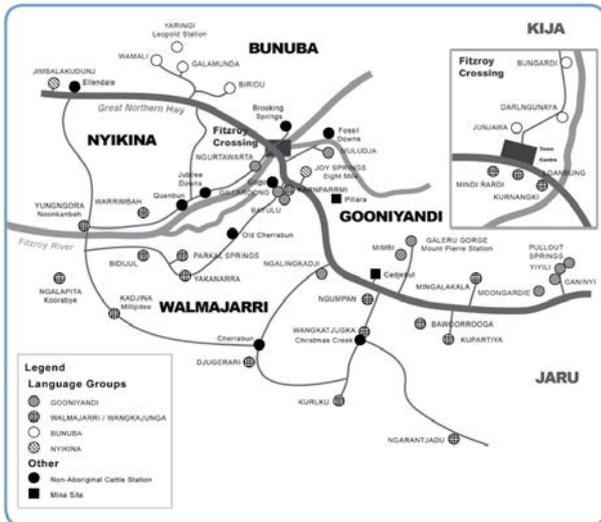


Figure 1 - Location of Bayulu in the Fitzroy Valley Area (Morphy 2010)

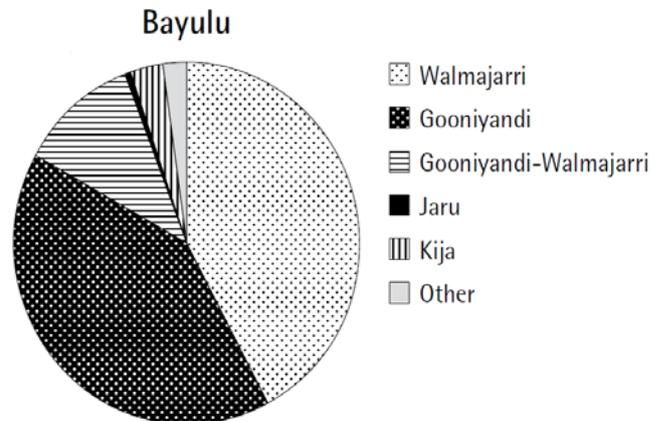


Figure 2 - Break down of languages in Bayulu (Morphy 2010)

A survey conducted by the Australian National University found that there was an equal spread of Walmajarri and Goonyandi speakers within the settlement and that the settlement was classified more so with the Goonyandi people as it is located on their land (figure 2) (Morphy 2010).

1.5 Native Title

Bayulu is on land subject to the Goonyandi Combined No.2 Registered Native Title Claim (WAD 6008/00, WC 00/10). The claim area is approximately 11,209km². The Kimberley Land Council (KLC) is the Native Title Representative Body that represents the claimants. The claim is currently in mediation with the National Native Title Tribunal.

1.6 Culturally Sensitive Areas

It is critical that the Layout Plan respects the knowledge and incorporates the aspirations of the Traditional Owners. In March 2011 Goonyandi representatives were engaged by the KLC and Department of Housing to conduct a heritage survey that provided native title clearance over the central community living area (CLA) (The area bounded by Jilliyardie Loop and Lamey Ave) and all residential lots outside this area CLA identified in the map set for amendment 1. Signed off heritage clearance maps are provided as an attachment to this report.

A law ground is believed to exist to the south of Jilliyardie Loop (beyond the area that has been identified for future residential expansion). This site has been identified as a 'no go area' on the

map-set. A confidential Heritage report has been prepared by the KLC in relation to the survey conducted on 30 March 2011.

Native title clearance is required prior to development on any new residential lots proposed outside of the central CLA post Amendment 1.

Registered Sites

A number of registered Aboriginal heritage sites exist in close proximity to the Bayulu community living area. These sites are mythological, ceremonial and archaeological, including burial sites. The sites are variously open for viewing by the general public and closed to the general public.

1.7 Housing

There are currently 45 houses currently at Bayulu, although at the time of writing the Amendment 1 Report many houses were in the process of being either demolished, rebuilt or refurbished. All dwellings in the community are rented from the Department of Housing (DoH). Marra Worra Worra (MWW) is responsible for the maintenance of these houses and provides administrative assistance in terms of rent collection. The majority of the houses at Bayulu have three bedrooms with one dedicated single persons quarters located on Lot 29 (to be relocated on Lot 30).

The Department of Housing has advised that in 2010 - 2011 there are to be 14 new houses constructed and 14 refurbishments; and in 2011-2012, there are to be 16 new houses constructed. The LP has made provision for a total of 99 'residential' lots. Assuming the same ratio of people per dwelling is held (6 persons per household) the community would be able to cater for a total of 594 people with the current lot system. No further residential lots are required to house the design population of 538 residents by 2025.

1.8 Flooding & Drainage

Bayulu is located approximately 7km east of the Fitzroy River and on the edge of its flood plains. The settlement is located on a primarily flat site which gently slopes from a peak in the north-east to the south-west. Bayulu does not undergo regular flooding, but extreme flood events can affect the community with pooling occurring over the area north of Lot 107 and access to Fitzroy Crossing being cut for periods of up to 1 week.

1.9 Access and Road Layout

Road access to Bayulu is via Great Northern Highway. By road, the community is approximately 12km from Fitzroy Crossing. The Highway provides reliable year round vehicular access to the community and is maintained by Main Roads Western Australia. A sealed and bituminised access road approximately extends for 1.2kms from the Great Northern Highway to the community living area.

Internal Road Layout

The Community is serviced by an internal ring road (Jillyardie Loop and Lamey Ave) which is sealed. All other internal roads to the dwellings are also sealed and kerbed.

1.10 Essential Services

Power

Bayulu is located within Horizon Power's 'Fitzroy Crossing Electricity Licence Area'. Horizon Power is responsible for the generation, distribution and retail of electricity to Bayulu.

Drinking Water

The Department of Housing, through the Remote Area Essential Services Program (RAESP), has operational responsibility for water quality at Bayulu. Bayulu and Gillarong receive their drinking water supply from two production bores (Bore 13 and Bore 14) located approximately 3km east of the community on GoGo Station leasehold land. Groundwater from the bores is pumped into two elevated water tanks located on a hilltop between Bayulu and Gillarong. Water from the tanks is gravity fed into the community reticulation system. Disinfection occurs via a gas chlorination disinfection system at the bores.

Drinking Water Source Protection Plan

The Department of Housing has commissioned Parsons Brinckerhoff to prepare Drinking Water Source Protection Plans (DWSP) for Bayulu. The DWSPA provides information on Bayulu's drinking water source including quality and quantity of drinking water, sampling data, a hydrogeological analysis and an assessment on the current and future risks of contamination.

The drinking water source protection plan has identified an area 3 km to the east of the community living area over the two current production bores 13 and 14 (DWSP 2010)

The primary barrier for the protection of the quality of the drinking water supply is the effective management of the catchment. This means controlling human activity in the catchment area and avoiding establishment of high risk land uses proximate to the drinking water source area.

The draft Planning for Aboriginal Communities, Guideline No.2: Land Use Buffers for Aboriginal Communities in Western Australia (June 2009) ("draft Guideline No. 2") recommends a 500m buffer for groundwater drinking sources. Given the distance between the operational bores and Bayulu community, the risk of contamination to the drinking water supply from incompatible land uses is significantly reduced. The DWSP found that the major threat to water quality is animal excretion directly polluting the head of the bore. Therefore the DWSP recommend that initiatives

be undertaken to further protect the wellhead from potential contamination from stock. This recommendation, and also the further implementation of the DWSPP is included in Amendment 1.

Wastewater Disposal

Bayulu has a reticulated, gravity fed deep sewerage system. Wastewater is disposed into evaporative sewage treatment ponds located approximately 550m south of Jilliyardie Loop.

The cadastral boundary between Lot 14 and the surrounding GoGo Station pastoral lease runs through the sewage treatment ponds.

Draft Guideline No. 3 recommends that a 500m generic buffer be provided for wastewater treatment ponds. In the case of Bayulu, the nearest house to the sewage treatment ponds is approximately 560m away.

1.11 Community Services and Infrastructure

Rubbish Tip

Bayulu's rubbish tip was constructed by the Centre for Appropriate Technologies. Waste at the tip facility is predominantly comprised of household rubbish and would generally be consistent with the Department of Environment and Conservation's Landfill Class II classification (putrescible, non-hazardous and nonbiodegradable inert waste). The rubbish tip is not licensed by the Department of Environment and Conservation. The existing sewerage ponds (which were previously used as the tip) were filled in May 2009. As of July 2009 a new fenced tip, with two pits has been constructed (figure 3). The pit and other municipal services are managed by a part time Municipal Services Officer (situated in Bayulu) and also a full time officer who is part of a roaming work crew.



Figure 3 - New Tip Site (June 2010)



Figure 4 - Bayulu Store

Office

Bayulu Community Incorporated has an office which is located between the store and lot 59. The office is currently used by the community for general community dealings. It is intended that the

former clinic located on Lot 70 will become a second office area after the new clinic is constructed on Lot 71.

Store

The community store is significant in size (compared to surrounding settlements) and provides essential goods to residents. It also attracts a number of visitors from surrounding settlements.

Community Hall

The community hall is continually used for meetings and general dealings. It is currently also utilised for the 'homemakers program'.

Workshops

The workshops have not been used since 2009 due to a shortage of skilled staff to operate them.

Clinic



Bayulu currently has a full time clinic located on Lot 70. A new health clinic is to be constructed on Lot 71.

The former clinic is to be refurbished and will be used as both a quiet / mental health room and as a potential community office.

Figure 5 - Former Bayulu Clinic

Women's Centre

The women's centre provides essential services and information to the Community's residents and is continually used. It is currently located on Lot 6.

Bayulu Remote Community School

Bayulu Remote Community School is a public school situated on the Gogo homestead. The first LP for Bayulu introduced the idea of relocating the school from Gogo Station to the community, however, no further action has been done to implement this. The earlier proposed site for the future school was located on a former landfill site which would have required significant rehabilitation

prior to construction works. Amendment 1 identifies a proposed future school site That is more suitably located off of the former landfill site.

Community Garden

The community garden in the centre of the settlement (between lot 4 and the basketball courts) has been replaced due to lack of use by a central meeting area. The community orchard/garden is now located on the south-eastern entrance to the settlement.

Future Youth and Day Care Centres

In accordance with the community's aspirations, two lots have been created for a future day care centre (Lot 41) and youth centre (119) in the centre of the settlement.

1.12 Community Aspirations

The community aspirations of Bayulu were conveyed in a meeting with the Chairperson, conducted in 2008 and at the time of the heritage survey conducted in March 2011. The ideas for improvements to the facilities noted when developing Layout Plan No.1 Amendment 1 are listed below. Not all of these aspirations can be incorporated into a LP, but have been noted as a record of a more general community improvement plan.

1. Women's centre within the community.
2. Day care centre, play ground and a youth centre.
3. School
4. A light and water source (tap) to be provided at the entrance to the community.
5. Laundromat

2 RECOMMENDATIONS

2.1 Design Summary

The LP1 Amendment 1 map-set for Bayulu is based on visits to the community and advice from a number of agencies, including Kimberley Land Council, Gooniyandi Combined No.2 Native Title working group, Department of Housing, RAESP managers Parson Brinkerhoff, surveyors Sinclair Knight Merz, the Shire of Derby-West Kimberley, Aboriginal Lands Trust, Kimberley Land Council, AACAP, Main Roads WA, Department of Water, and the Departments of 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 maps show all proposed improvements to Bayulu, 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.

2.2 Public Drinking Water Source Area

A DWSPP for Bayulu has been prepared by Parsens Brinckeroff in 2009. The DWSPP and its initiatives to protect the community's water supply are to be endorsed and further implemented by the LP. This will include the establishment of a wellhead protection zone, to stop any potential contamination issues associated with stock infiltrating the wellhead buffer zone. The DWSPP has been assessed and endorsed by the Department of Water. The DWSPP includes a well-head protection zone which has been included in this LP.

2.3 Housing

99 residential lots have been shown on the LP to cater for the design population of 538 people in 2025. Of these, 45 currently have houses and 54 are for future 'residential' with 1 large lot set aside for long term residential and 1 for grouped single person dwellings. All current residential lots were cleared in the heritage survey undertaken 30th March 2011.

It is recommended that the development of housing at Bayulu occurs in the following manner:

- Short term - The most cost effective manner to develop housing is within the existing settlement due to the provision of services. These lots are immediately ready for the construction of a serviced house.
- Medium term - The LP identifies an area to the north-west and an area to the east of the settlement that is for future 'residential' use. The community's aspiration is for housing to be provided in these areas. It has been suggested that teacher's accommodation be provided for in the North West future 'residential' area.
- Long term - The LP sets aside 1 area to the south to meet the long term housing needs of the community. This site appears to be free from physical constraints and adequately removed from incompatible land uses. However, the specific site characteristics should be confirmed prior to any development.

Amendment 1 proposes the single persons accommodation be moved to Lot 30 to allow for families with children to move into the housing on Lot 29.

2.4 Road Layout

The road layout depicted in the LP generally reflects the simple road system that currently exists at the community. Currently, the majority of roads are bituminised and kerbed. With any potential expansion in the future 'residential' area, it is recommended that such access roads are constructed to a similar standard.

2.5 Relocation of Rubbish Tip

A new rubbish tip has been created slightly north-east of the existing site. The new tip has two pits and is still contained within the crown reserve.

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 LP No.1 Amd 1:

- SPP 3 Urban Growth and Management;
- SPP3.2 Aboriginal Settlements
- SPP2.7 Public Drinking Water Source

3.2 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. Bayulu 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.

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.

3.3 Development Process

When new development is proposed, the following should happen:

1. developer / builder gets a copy of the plan;
2. developer / builder chooses site in consultation with Bayulu community;
3. Bayulu approves or refuses development site and design of building;

4. If approved developer / builder seeks planning / building / environmental health approval through the Shire of Derby/West Kimberley ¹;
5. Development can occur.

All new houses must be connected to essential services.

Once development is complete, the developer / builder must survey the location of the new building and essential service connections and supply to Department of Planning. This will keep an accurate record of development and services at Bayulu.

3.4 Amendment Process

As outlined in SPP 3.2 this Layout Plan may be amended from time to time at the request of any interested party by advising the WAPC of amendments required. Prior to requesting an amendment, consultation is to be undertaken with the resident community, traditional owners, local government and relevant key agencies and stakeholders in the preparation of Layout Plans.

Amendments to Layout Plans will remain in draft format until community endorsement is received. It is the responsibility of the interested party that requests an amendment to seek this endorsement. All works that take place at a settlement must be in accordance with the latest endorsed plan.

After an amendment is endorsed, the background report and the map-set are required to be updated outlining the date and description of the amendment. The amendment report explaining the changes is to be attached to section 9 of this report.

If an amendment is considered to be minor in nature e.g. change of lot number etc. it may be completed by WAPC without the requirement for community endorsement. The date and description of a minor amendment are still included in the map-set and report.

¹ fees apply for planning and building approvals lodged with the Shire of Derby/West Kimberley

4 REFERENCES & CONSULTATION

Australian Bureau of Meteorology (BOM), 2009. *Climate Statistics for Australian Locations (Balgo Hills)*. Available at:

http://www.bom.gov.au/climate/averages/tables/cw_013007.shtml

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

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

Department of Indigenous Affairs (DIA), *Aboriginal Heritage Inquiry System*. Available at <http://www.dia.wa.gov.au/AHIS/>

Global Groundwater Australian Bore Consultants Pty. Ltd., 2004. *Jimbalakudunj Community Preliminary Groundwater Appraisal 2004*.

Kimberley Regional Service Providers, 2007. *Jimbalakudunj Community Asset Condition Report*.

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

Moizo, B. R. 1991. *We All One Mob But Different. Groups, Grouping and Identity in a Kimberley Aboriginal Village*. Australian National University.

Morphy, F. 2010. *Population, People and Place: The Fitzroy Valley Population Project*. Centre for Aboriginal Economic Policy Research 70/10. Australian National University

Consultation

Preparation of this Layout Plan is the result of consultation with the community representatives and a range of agencies, authorities and non-government organisations. Formal consultations occurred with the following agencies:

Organisation	Date
Aboriginal Corporation	11 August 2008
	8 May 2009
	26 August 2009
Heritage Survey with KLC	30 March 2011
Shire of Derby - West Kimberley	4 September 2009
Department of Housing	30 March 2011
Marra Worra Worra	7 May 2009
Parsons Brinkerhoff (Remote Area Essential Services Program)	27 February 2009
Kimberley Aboriginal Medical Services Council	1 May 2009
Country Health WA	1 May 2009

5 GILLARONG AND KARNPARNMI

When the Bayulu LP1 was prepared in 2000 it focused discretely on the Bayulu living area, without reference to the proximate and integrated living areas known as Gillarong and Karnparnmi. Living area plans for those places are now included under the auspices of Bayulu LP1.

6 ENDORSEMENT – AMENDMENT 1

Gilarong Aboriginal Corporation Endorsement

Gillarong Layout Plan No. 1

Gillaroong Community,
PO Box 306,
FITZROY CROSSING WA 6765

The Gilarong Aboriginal Corporation hereby adopts the **Gillarong Layout Plan No. 1 (2011)** 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 NINETEENTH.....Day of MAY.....2011

Adopted by the Gilarong Aboriginal Corporation:

Laurie Shaw

ROSITA SHAW - VICE CHAIR

Laurie Shaw

Rosita Shaw

Chairperson
[Please print and sign name]

Councillor

Councillor

Councillor

Councillor

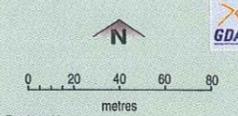
Councillor

30/3/11



Version	
Plan Date	10 July 2003
Amendment 1	

Endorsement	
Community	10 July 2003
Local government	30 July 2003
WAPC	23 September 2003



Produced by:
Mapping & GeoSpatial Data Branch
Department of Planning, WA
On behalf of:
Western Australian Planning Commission
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Z:\Projects\country_planning\pacp\Bayulu\CLP_Bayulu_A3251_Ver3_23Mar11.dgn
CLP derived from Bayulu Draft Community Layout Plan No.2 as supplied by Planwest and G.H.D.
Base information supplied by the Western Australian Land Information Authority, LI 430-2009-2
As-constructed detail supplied by Sinclair Knight Merz. Survey date October 2007
Location future building outline on Lot 12, 14, 21, 23, 31 and 32 approximately only.

- Legend**
- Land use areas**
- existing residential
 - future residential
 - business / commercial
 - community
 - industrial
 - public utility
 - open space / bush
 - open space / recreation
 - rural
 - drainage
 - road reserve
 - road
 - pedestrian access
- Features**
- track
 - existing building
 - existing cadastre
 - future layout and Lot no.
 - power pole
 - sewer pipe
 - Telstra cable
 - Telstra fibre optic cable
 - water pipe
 - future water pipe
 - bore
 - drainage line
 - contour
 - sub-lease boundary
 - landmark area boundary
 - ridge line or levee
 - bottom of ridge
 - aerial or mast
 - survey marker
 - fence
 - tree

Mannick Surprise

April Jones

To be removed changed to open space

22y Smir

Patricia Cox
ANWA Draft
Catherine

R. W. Harrison
ROGER HARRISON DOH.

Phillip De Krom

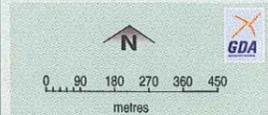
NOTE: This CLP does not constitute development approval
It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, 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

DRAFT
AMENDMENT: 1
VERSION: 3
DATE: 23 March 2011

30/3/11

Version	
Plan Date	10 July 2003
Amendment 1	

Endorsement	
Community	10 July 2003
Local government	30 July 2003
WAPC	23 September 2003



Produced by:
Mapping & GeoSpatial Data Branch
Department of Planning, WA
On behalf of:
Western Australian Planning Commission
Copyright © March 2011
Z:\Projects\country_planning\pac\community
ICLP_Bayulu_Gillarong_Karnparmi
Context_A3z51_Ver3_23Mar11.dgn
CLP derived from Bayulu
Draft Community Layout Plan No.2
as supplied by DoP
Base information supplied by the Western
Australian Land Information Authority,
LI 430-2009-4
As-constructed detail supplied by Sinclair
Knight Merz. Survey date January 2009
Proposed water reserve detail supplied by
Parsons Brinckerhoff

Note:
Creeks, some tracks and roads are
derived from satellite image
(June 2009) and are approximate only

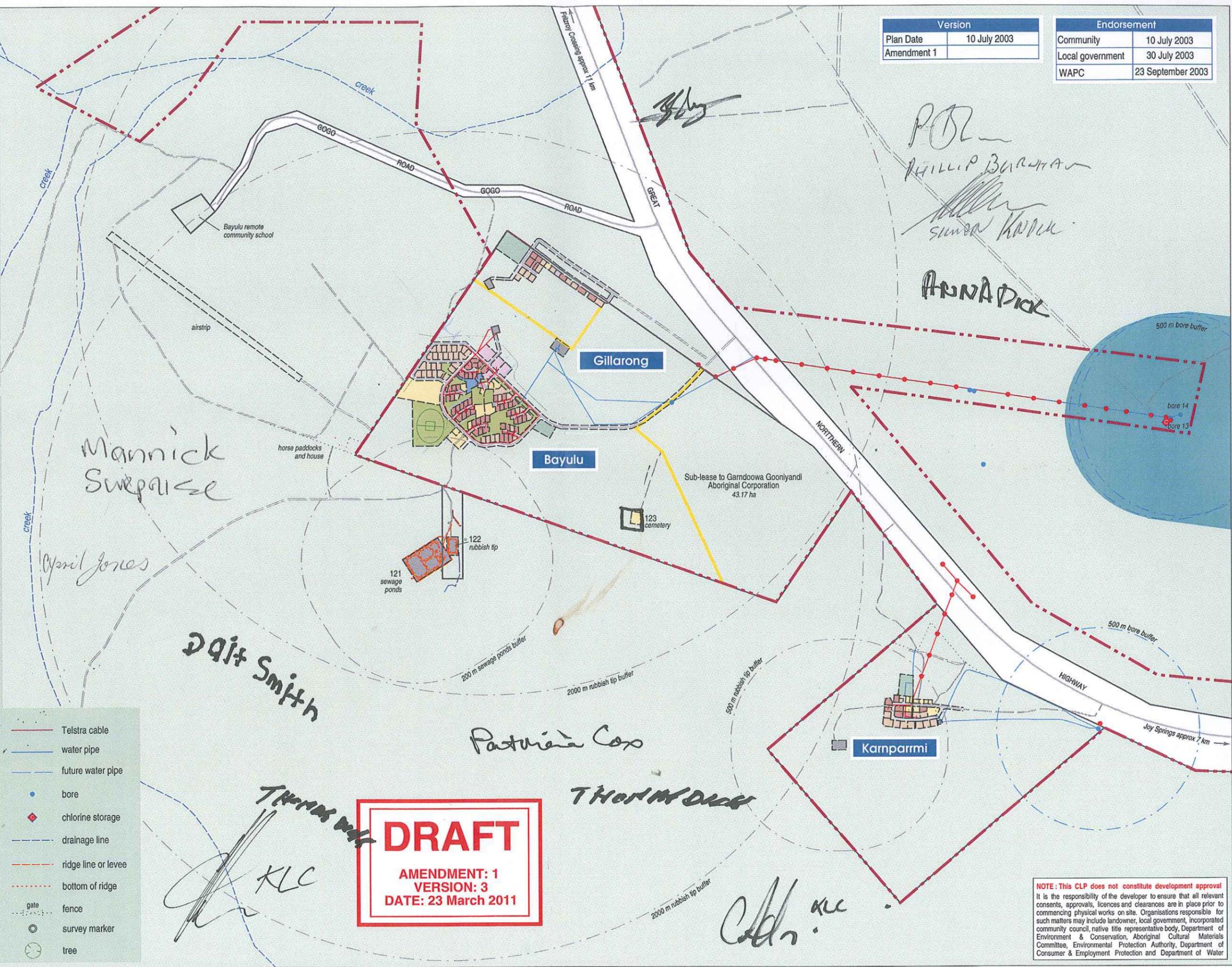
Legend

Land use areas

- existing residential
- future residential
- business / commercial
- community
- industrial
- public utility
- open space / bush
- open space / recreation
- rural
- drainage
- drinking water source protection area
- road reserve
- road
- future road
- pedestrian access

Features

- track
- existing building
- existing cadastre
- Aboriginal Lands Trust lease
- future layout and Lot no.
- power pole
- electrical cable
- electricity licence area
- sewer pipe
- Telstra cable
- water pipe
- future water pipe
- bore
- chlorine storage
- drainage line
- ridge line or levee
- bottom of ridge
- gate
- fence
- survey marker
- tree



DRAFT
AMENDMENT: 1
VERSION: 3
DATE: 23 March 2011

NOTE: This CLP does not constitute development approval
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Bayulu Community Layout Plan No. 1

PO Box 34, Fitzroy Crossing WA 6765

The Bayulu Community Incorporated hereby adopts the **Bayulu Community Layout Plan No.1 Amendment 1 (2011)** 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 30 Day of March 2011

Adopted by the Bayulu Community Incorporated:

- Add community lots 118 + 119
 - Amend lot 71 to be future health clinic (extend boundary)
 - Addition of Drinking Water source protection area
 - Amend boundary of future youth centre lot
 - Add recreation lot for play equipment adjacent to Lot 119
 - Add future residential area opposite lot 110
 - Amend lot 70 to reflect use as office
 - Add in Road for trucks to get to the store.
 - Move future school site
 - ~~add no go area south of community~~
- | | |
|---|---------------------------------------|
| Chairperson
[Please print and sign name] | Staff
[Please print and sign name] |
|---|---------------------------------------|
- add future Res site adjacent to lot 50
 - add road to provide access to Lots 77, 76, 75 + 22
 - add community lot adjacent to Lot 74
 - extend boundaries of cemetery.
 - No go area on context plan.

Councillor

Councillor

Mannick Surprise

Councillor

Councillor

Western Australian Planning Commission Endorsement



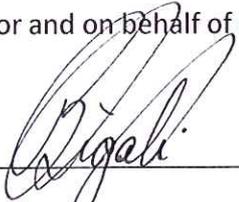
Bayulu Layout Plan No.1 – Amendment 1

140 William Street
Perth WA 6000

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

The 9th.....Day of October..... 2012

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

P Schwanke

Witness

10-10-2012 Date



AMENDMENT 2

Bayulu Community Layout Plan No.1

Amendment No.2

Date : WAPC : 23 December 2003
Endorsed
Officer : Brianna Sharp Requires : Yes
Endorsement

Reason for the Amendment

Update to improve clarity regards lot numbers, future lot layout and road network to assist in the development of houses and infrastructure by the Australian Army.

Development Intention	Changes required to CLP
1. Lots removed	1. Remove Lots 2, 7, 11, 13, 18, 25, 38, 50 & 59
2. New lots	1. Add Lots 2, 7, 11, 17, 21, 25, 38, 50, 133, 134 & 135
3. Boundary amendments	1. Amend boundaries of Lots 1, 3, 4, 5, 6, 8, 14, 9, 10, 12, 15, 16, 17, 19, 20, 21, 26, 24, 27, 28, 29, 77, 76, 75, 37, 39, 40, 47, 46, 45, 43, 48, 49, 55, 54, 53, 58, 57, 56

Approved:

Bayulu Community Incorporated

J. H. ...

please sign and print name

Date 15 / 6 / 2011

Shire of Derby West Kimberley

Date / / 2011

please sign and print name

Western Australian Planning Commission

B. ...

please sign and print name

Date 10 / 10 / 2011

RESOLVED & RECORDED IN MINUTES
OF THE STATUTORY PLANNING
COMMITTEE MEETING
9 OCT 2012

AMENDMENT 3

Bayulu Layout Plan No.1

Amendment No.3

Date : 4 October 2011 WAPC : 14 May 2002
Officer : Margaret Gunn Endorsed
Requies : Yes
Endorsement

Reason for the Amendment

Amendment required to Bayulu Layout Plan at Department of Housing request for residential purposes.

Development Intention	Changes required to LP
1. Lot 35 Change of Land Use	1. Lot 35 Change of Land Use, from Recreation to be Residential.
2. Layout Plan Set	1. Update mapping specifications.

Approved:

Bayulu Community Incorporated.



please sign and print name

Date 20 / 10 / 2011

Shire of Derby/West Kimberley

please sign and print name

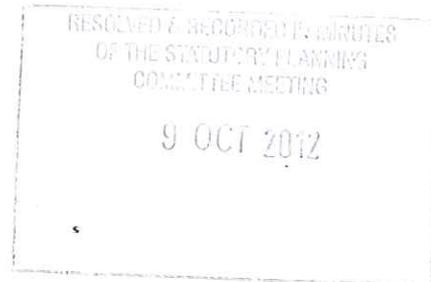
Date / / 2011

Western Australian Planning Commission



please sign and print name

Date 10 / 10 / 2012



AMENDMENT 4

AMENDMENT 5

Bayulu Layout Plan No.1

Amendment No.5

Plan Date : 17 May 2011 **WAPC** : 14 May 2002
Proponent : Department of Planning **Endorsed**
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 Bayulu Layout Plan No.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 Bayulu Layout Plan No.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

Date 10 / 10 / 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.



AMENDMENT 6

Bayulu Layout Plan No.1

Amendment No.6

Plan Date : 17 May 2011 **WAPC** : 14 May 2002
Endorsed
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 Bayulu Layout Plan No.1.

In October 2012 Amendment 5 to the Bayulu Layout Plan 1 was endorsed by the WAPC. That amendment essentially confirmed the version of the layout plan that was an outcome of the conversion of the geo-spatial data from a computer-aided-design (CAD) formats to a common user geographic information systems (GIS) format.

At that time the Gillarong and Karnparnmi Layout Plans 1 map-sets was similarly converted. However, those layout plans were neither endorsed, nor ratified, as they were considered to be a part of Bayulu. Gillarong and Karnparnmi effectively form a part of Bayulu, but are separately identified. In terms of service delivery and land use planning Gillarong and Karnparnmi are considered to be 'neighbourhoods' of Bayulu.

The purpose of this amendment is to formally integrate Gillarong and Karnparnmi into the Bayulu Layout Plan 1 for the purposes of ensuring effective service delivery to those places. It will not adversely or otherwise affect the continued ability of Gillarong and Karnparnmi to identify as separate, but will ensure efficient service delivery to those places.

This change does not manifestly change any land use planning or associated outcomes relevant to the Layout Plan, and as such is considered to be a minor amendment.

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


Ashley Randell
Planning Manager, Aboriginal Communities
Regional Planning & Strategy
PN: 15151.1

Date 02/09/2013

Other Information:

This Layout Plan does not constitute development approval.

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

AMENDMENT 7

Bayulu Layout Plan No.1

Amendment No.7

Proponent : Goonyandi Aboriginal Corporation (RNTBC)
Date : 27 November 2013

Reason for the Amendment

The Goonyandi Aboriginal Corporation (RNTBC) (Goonyandi AC) is the Prescribed Body Corporate that represents the native title rights and interests of Goonyandi people.

Garndoowa Goonyandi Aboriginal Corporation (Garndoowa AC) currently hold a sub-lease over portion of Lot 12 (Crown Reserve 35197) that addresses the Great Northern Highway. Goonyandi AC will also shortly be applying to transfer the sublease over the portion of Lot 12 (Crown Reserve 35197) from Garndoowa AC to Goonyandi AC. Goonyandi AC have agreed with Garndoowa AC to use that land to develop premises for Goonyandi AC and the Goonyandi Rangers and associated uses that support the activities of the PBC and Goonyandi Rangers.

	Proposal	Changes required to CLP
1.	Goonyandi PBC office & Ranger Base	Add a new SL-lot 200 addressing the Great Northern Highway within the existing leasehold area approximately 1.2km east of the Bayulu living area.

Endorsements:

Garndoowa Goonyandi Aboriginal Corporation Signed: <u><i>Vanessa Smith</i></u> Name: <u>VANESSA SMITH</u> Director, Garndoowa Goonyandi Aboriginal Corporation Date: <u>20.02.14</u>		Signed: <u><i>Kaye Cox</i></u> Name: <u>KAYE COX</u> Director, Garndoowa Goonyandi Aboriginal Corporation Date: <u>20.02.14</u>	
Goonyandi Aboriginal Corporation (RNTBC) Signed: <u><i>Lillian Chestnut</i></u> Name: <u>Lillian Chestnut</u> Director, Goonyandi Aboriginal Corporation Date: <u>20.02.14</u>		Signed: <u><i>Lynette Shaw</i></u> Name: <u>Lynette Shaw</u> Director, Goonyandi Aboriginal Corporation Date: <u>20.02.14</u>	
Shire of Derby West Kimberley <u><i>Stephen Gash</i></u> STEPHEN GASH CEO [please sign and print name]		Date: <u>6-5-2014</u>	
Western Australian Planning Commission <u><i>Ashley Randell</i></u> [please sign and print name]		Date: <u>6/5/2014</u>	

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.

AMENDMENT 9

007

Bayulu Layout Plan No.1

Amendment No.9

Proponent	: Department of Housing (DoH)
Date	: 11 March 2014

Reason for the Amendment

DoH proposes to build a number of houses at Bayulu. Some housing sites have been selected that do not comply with the current Layout Plan, but are viable in terms of efficient use of existing essential and municipal services.

The following changes are required to Bayulu Layout Plan No.1:

Issue / Proposal		Changes required to GLP
1.	SL-lot 115	Land use to change from 'Residential' to 'Recreation'.
2.	SL-lot 30	Subdivide SL-lot 30 into SL-lot 30 and SL-lot 157. Realign eastern boundary of SL-lot 30.
3.	SL-lot 118	Realign the western boundary of SL-lot 118 and change western portion of the lot from 'Residential' to 'Community' land use.
4.	SL-lot 1	Realign the western boundary of SL-lot 1.
5.	SL-lot 3	Realign eastern and western boundary of SL-lot 3 to allow for proposed SL-lot 158.
6.	SL-lot 4	Realign eastern boundary of SL-lot 4.
7.	Between SL-lot 1 and SL-lot 3	Create new SL-lot 158 between SL-lot 1 and SL-lot 3. Change land use of proposed SL-lot 158 from 'Residential' to 'Open Space'.
8.	Create new residential SL-lots	Create SL-lots 155 and 156. Change land use of SL-lots 155 and 156 from 'Open Space' to 'Residential'.
9.	SL-lot 72	Change land use of SL-lot 72 from 'Residential' to 'Community'.

Endorsements:

Bayulu Community Incorporated	
please sign and print name	<i>ANTHONY SMITH</i> Date: 29/4/14
Gooniyandi Aboriginal Corporation	
please sign and print name	Date:
Shire of Derby West Kimberley	
please sign and print name	<i>Stephen Gash</i> Date: 13/10/14
Western Australian Planning Commission	
please sign and print name	<i>Ashley Randell</i> Date: 05/11/2014

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.

Ashley Randell
Planning Manager, Aboriginal Communities
Regional Planning & Strategy
PN: 251511

Proponent : Department of Planning, Lands and Heritage (DPLH)

Date : 8 August 2017

Reason for the Amendment

Following liaison with the Water Corporation, DPLH has identified several changes that are required to be made to the Bayulu Layout Plan 1 (LP1) in order to ensure its consistency with existing and planned development. These changes include ensuring that water infrastructure is appropriately identified on LP1.

Land Identification		Amendment description
1.	SL-road reserves Third Street, Fourth Street and Fifth Street and SL-lots 78-90 and 124-131	Amalgamate and subdivide SL-road reserves Third Street, Fourth Street and Fifth Street and SL-lots 78-90 and 124-131 to create SL-lot 160 to be classified as 'Residential' and SL-lot 161 to be classified as 'Public Utility'.
2.	SL-lot 136	Realign the boundaries of SL-lot 136 to the north-west to ensure that this SL-lot does not include existing water infrastructure.
3.	SL-lot 200	Extend the western and northern boundaries of SL-lot 200 and change the land use classification of the new portion of SL-lot 200 from 'Open Space' to 'Commercial'.
4.	Water main	Subdivide the area classified 'Open Space' surrounding SL-lot 120 to create SL-lot 161. Change land use classification from 'Open Space' to 'Public Utility'.

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 date

9/8/2017
 Ashley Handell
 Director, Regional Planning Policy
 Regional Planning
 PN: 15151

Other Information:

This Layout Plan does not constitute development approval.

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