

# Joy Springs (Eight Mile) Layout Plan 1

## Background Report

January 2009

Date endorsed by WAPC



## Amendments

Amendment 1 - September 2011

Amendment 2 - November 2012

Amendment 3 - November 2014

Amendment 4 - November 2014

Amendment 5 - July 2016



Department of  
Planning



# Table of Contents

1	INTRODUCTION TO JOY SPRINGS (Eight Mile)	1
1.1	The need for this plan	1
1.2	Settlement Pattern	2
1.3	Land Tenure	2
1.3.1	Native Title	2
1.4	Population	3
1.5	Design Population	4
1.6	Housing	4
1.7	Over-crowding	5
1.8	Human Services	6
1.8.1	Education	6
1.8.2	Health	7
1.8.3	Environmental Health	7
1.8.4	Community Facilities and Recreation	7
1.8.5	Business and commercial facilities	7
1.9	Heritage and Culture Considerations	8
1.10	Natural environment and climate	8
1.10.1	Soil	8
1.10.2	Roads and Access	8
1.10.3	Air	9
1.11	Essential Services	9
1.11.1	Water storage and reticulation	9
1.11.2	Power supply & distribution	10
1.11.3	Wastewater Disposal	11
1.11.4	Refuse Disposal Site	11
1.11.5	Flooding and drainage	11
1.11.6	Telecommunications	11
1.11.7	Infrastructure maintenance	12
2	THE JOY SPRINGS COMMUNITY LAYOUT PLAN	12
2.1	Community Initiatives and priorities	12
2.2	Housing	13
2.3	Essential Services	13
2.4	Development Process	13
2.5	Changing the Plan	13
3	PLANNING BACKGROUND	15
3.1	Planning Context	15
3.2	How a CLP is prepared	15
3.3	Community Consultation	15
3.4	Wider Consultation	16
3.5	References	16

<b>COMMUNITY CONTACTS</b>	
Name	Eight Mile Aboriginal Corporation
Related Organisations	Marra Worra Worra [housing management, CDEP] Tel: 9191 5089
Office Contact	Lynette Shaw
Chairperson	Brendan Shaw
Tel	9191 7151
Fax	9191 7211
Postal Address	PO Box 66, Fitzroy Crossing WA 6765

<b>USEFUL CONTACTS</b>	
<b>SERVICE</b>	<b>CONTACT PEOPLE</b>
<i>Shire of Derby/West Kimberley</i>	Tel: 9191 0999 Fax: 9191 0998
Environmental Health Officer	Warren Fryer. Tel: 9191 0999 <a href="mailto:ehoic@sdwk.wa.gov.au">ehoic@sdwk.wa.gov.au</a>
Town Planner	Noel Myers. Tel: 9443 8273 <a href="mailto:planner@sdwk.wa.gov.au">planner@sdwk.wa.gov.au</a>
<i>Dept. Housing and Works</i>	
Capital Works and Maintenance	Peter Smith. Tel: 9222 8128. Mob: 0408 934 835 <a href="mailto:peter.smith@dhw.wa.gov.au">peter.smith@dhw.wa.gov.au</a>
Essential Services	David Carpenter. Tel: 9222 4817 <a href="mailto:david.kelly@dhw.wa.gov.au">david.kelly@dhw.wa.gov.au</a>
<i>Dept. Planning and Infrastructure</i>	Planning Switchboard Tel: 9264 7777
Town Planning / Layout Plans	Simon Davis. Tel: 9264 7632. <a href="mailto:Simon.L.Davis@dpi.wa.gov.au">Simon.L.Davis@dpi.wa.gov.au</a>
Land Ownership issues [Kununurra]	Jennifer Ninnette. Tel: 9168 0255. Fax: 6168 0600 <a href="mailto:Jennifer.Ninnette@dpi.wa.gov.au">Jennifer.Ninnette@dpi.wa.gov.au</a>
Pastoral Lands [Perth]	Brian Lloyd. Tel: 9347 5121. Mob: 0448 894 642 <a href="mailto:brian.lloyd@dpi.wa.gov.au">brian.lloyd@dpi.wa.gov.au</a>
<i>Sinclair Knight Merz</i>	
Surveys and 'As Constructed' Plans	Adrian Day. Tel: 9268 4542 <a href="mailto:aday@skm.com.au">aday@skm.com.au</a>
<i>Parsons Brinckerhoff</i>	
Essential Services Program	Sergio Soares. Tel: 9489 9700 <a href="mailto:ssoares@pb.com.au">ssoares@pb.com.au</a>

## List of Acronyms used in this Report

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

# Development Priorities Identified in CLP No. 1

The Joy Springs Community Layout Plan No. 1 has been prepared over a three-year period between 2005-2008. The Joy Springs community is rapidly growing and residential overcrowding has increased as a primary community concern during this period.

Development and land-use planning priorities and community aspirations centre on reducing overcrowding and identifying suitable future growth areas and infrastructure requirements.

Based on community aspirations and the land use needs for the settlement, the following projects have been identified as development priorities:

Within the next year:

- Allocate five additional residential lots to address overcrowding;
- Build five new residential dwellings to address overcrowding;
- Improve existing housing stock;
- Establish a second potable drinking water source outside the living area, preferably within the land holding of the Eight Mile Community;
- Increase the size of the Eight Mile Community landholding in consultation with GoGo Pastoral Station so that infrastructure, including future water source, tip and residential areas, can be accommodated.

Within the next five years:

- Determine suitable future growth areas, subject to enlarged landholding and further technical investigation;
- Undertake assessment of current power supply and increase its capacity, if necessary, to supply future growth area;
- Identify suitable area for market gardening, subject to available water source(s) and designated future growth area;
- Improve existing drainage infrastructure;
- Relocate the rubbish tip so that its buffer does not encroach on community living area or drinking water source;
- Establish sewerage ponds and connect to housing via reticulation;
- Bitumenise road layout within living area to reduce health problems associated with dust.

Within the next ten years:

- Build additional housing to accommodate design population;
- Relocate workshop away from living area

## **1 INTRODUCTION TO JOY SPRINGS (Eight Mile)**

Joy Springs is located approximately 30km east of Fitzroy Crossing in the Shire of Derby-West Kimberley. The community is positioned on the eastern side of the Great Northern Highway and surrounded by the GoGo pastoral lease.

The community was established in 1987, as part of the broader outstation movement, by the late Mr. Jock Shandley, a Gooniandi man who had worked and lived on GoGo Station.

Prior to establishing Joy Springs, Mr. Shandley would often camp at the site of the existing windmill at 8 Mile Well, on GoGo Station. The outstation was initially referred to as 'Jock Shandley's Camp'.

The Joy Springs community today is located close to the 8 Mile Well and has an estimated 128 residents, most of whom are Gooniandi speakers and who are descended from Mr. Shandley.

### **1.1 The need for this plan**

This plan has been prepared to identify appropriate land for additional housing lots within the community. Overcrowding was identified as a critical issue during an environmental health needs survey (EHNS) in 2003, with an average of 7-8 occupants per house at that time.

Overcrowding has become a greater problem since that time because the population has grown by some 44 people but no additional housing has been built since the 2003 survey. As a result of overcrowding, many community members who would otherwise live in the community have effectively been forced to relocate to other towns or communities, either on a part-time or permanent basis.

Another important land-use planning issue is that the existing community drinking water source is located within the living area and is at risk of contamination from septic household wastewater. This plan has been prepared to identify possible sites and options for a new drinking water source, located away from the living area .

The plan has been prepared in consultation with GoGo Station to identify a suitable area to be excised from the station lease for amalgamation with the Joy Springs landholding. This will enable future expansion of the community living area and will enable existing infrastructure such as the rubbish tip to be contained within the Joy Springs landholding, which at present is located on the GoGo lease.

It is intended that this plan be used to assist in the orderly and efficient growth and development of Joy Springs, specifically in the delivery of much needed housing, and in informing negotiations for possible future Indigenous Land Use Agreements (ILUAs) and land tenure arrangements.

## **1.2 Settlement Pattern**

The road layout is a two-loop system around centrally located open space and community facilities.

The settlement consists of 11 formal dwellings, an administrative office, former store, a workshop and a community hall. At the time of community consultation in August 2008, the community store and community office-buildings were being used as informal residential dwellings as a means of alleviating overcrowding.

Areas for future settlement should have primary regard to the location and capacity of existing and future drinking water sources. At present, no test drilling for new sources has been undertaken and therefore the location of a future bore remains unknown.

Future residential areas should be located in proximity to the existing power cable, as indicated on the plan, to minimize costs of establishing new infrastructure.

More detailed lot configuration and road layout within the future residential area should be worked out after an additional drinking water source has been secured.

Should future housing be located in the area as indicated on the plan then the existing rubbish tip will need to be moved so that the settlement is outside of its associated buffer.

## **1.3 Land Tenure**

Joy Springs is located on Crown Reserve 40569 (12ha) vested to the Aboriginal Lands Trust (ALT). The reserve is leased to Eight Mile Aboriginal Corporation (lease expires 30-Sep-2087).

Eight Mile Aboriginal Corporation was incorporated on 22 November 1988.

The existing infrastructure for Joy Springs is not fully contained within the Joy Springs crown reserve; the community's rubbish tip, cemetery, and several informal shelters are located on the abutting GoGo lease (Crown Lease 398/801). An amendment to cadastral is required to contain this existing infrastructure.

A cadastral amendment is also necessary for establishing a future living area, which will be required as soon as practicable to alleviate over-crowding.

Importantly, a new drinking water source is required for the community and this will need to be secured either by increasing the landholding of the community via cadastral amendment or by formalizing an easement right over a source such as the 8 Mile Well on the abutting GoGo Station.

The GoGo Station lessee has indicated in-principle support for excising a portion of the existing pastoral lease for the purpose of amalgamating with the Joy Springs reserve.

A proposed suitable area for excision from the GoGo lease and amalgamation with the Joy Springs reserve, as discussed with both parties during preparation of this plan, is indicated on the CLP as the 'suggested cadastral amendment area'.

### **1.3.1 Native Title**

Crown Reserve 4059 and Crown Lease 398/801 fall within the Gooniyandi Combined #2 native title claim, registered with the National Native Title Tribunal in 2001 (WC00/10). Registered claims and claimants have the right to negotiate with other land users, under the Native Title Act.

The claim is currently active and yet-to-be-determined.

#### 1.4 Population

Populations in Aboriginal communities often vary because people can be mobile with changing housing and living arrangements. Populations can increase or decrease quite rapidly based on family, cultural and administrative factors. Population figures change based on the time of year of enumeration, methods and sources by which data are collected. Population figures can also vary due to changing census boundaries over time.

Australian Bureau of Statistics (ABS) census boundaries changed at the collection district (CD) level for Joy Springs between 2001 and 2006<sup>1</sup>. The CD for Joy Springs is not comparable during this period due to an amalgamation of three or more CDs.

ABS census data for Joy Springs in 2006 record the population as 70 on the day of enumeration, 65 of which were Aboriginal people. This figure seems too low and could possibly be explained by, for example, community members attending a funeral or other significant event at the time of enumeration.

Further, these figures are problematic because ABS data for that year also record that there were 14 dwellings, which means that either the boundaries for the CD are larger than those of the Joy Springs community or that informal shelters, the workshop and administrative offices had been miscalculated as formal dwellings.

For these reasons, ABS data for Joy Springs are considered here as being unreliable.

An Environmental Health Needs Survey (EHNS) undertaken by the Shire of Derby-West Kimberley's Environmental Health Officer in 2003 recorded the resident Indigenous population as 84. This figure included 4 children and 4 adults living in an informal shelter without walls. This population figure of 84 was reported by the Shire's EHO to the then Minister for Housing<sup>2</sup>.

The estimated population for December 2005, based on persons enumerated in a letter sent by the Chair of Joy Springs to the Department of Housing and Works, is 105 residents. This figure is derived from those persons named in the letter as living in overcrowded dwellings (house numbers 2, 3, 5, 6, 7, 8, 9, 10) plus the number of people living in remaining houses (as enumerated in the 2003 EHNS) plus the family members recorded as living in the make-shift shelter, as outlined in the letter.

The community Chairperson enumerates the usual resident population (as at July 2008) as 128 residents, with approximately 100 residents currently in the community. It was explained by the community that up to 28 family members have been forced to leave Joy Springs to nearby communities including Junjuwa and Bayulu, Fitzroy Crossing, or as far away as Derby, to alleviate overcrowding.

It is anticipated that community members will return to Joy Springs once additional housing has been built and the issue of overcrowding has been ameliorated.

---

<sup>1</sup> The ABS Collection District identification number for Joy Springs at the 2001 census was 5010309 while in 2006 this had changed to 5010335, with a comparability change code of '8' between the two periods. See ABS website for a further explanation of comparability change codes.

<sup>2</sup> The Shire EHO's letter to the then Minister for Housing outlined the situation of overcrowding and asked for additional housing to be built to ameliorate the problem.

The Shire's Environmental Health Officer has informed that overcrowding remains an issue for the Joy Springs community at the present time.

Based on the above, this report assumes that the Joy Springs resident population has grown by about 36-44 people, from 84 to 120-128, in the period between 2003 – 2008.

### 1.5 Design Population

The Western Australian Planning Commission's *Fitzroy Futures Town Plan* (WAPC 2005) estimates a 5 per cent annual growth rate for communities in Fitzroy Crossing.

The estimated design population for Joy Springs over a 15-year period, based on a current population of 120 and an annual growth rate of 5 per cent, is 195 residents by 2018 (10 years) and **250 residents** by 2023 (15 years).

This is considered a conservative estimate, given that the current population may be as high as 128 residents, which would result in a population of 266 residents by 2023 if growth increased by 5 per cent per year.

Growth of the Joy Springs community should be seen within the broader regional context of the Kimberley. The *State Planning Strategy* (WAPC 1997) anticipates that centres within the Kimberley region will expand and offer a range of services to the growing population.

This conservative estimate of 250 residents in 15 years based on an annual growth rate of 5 per cent does not consider that communities such as Joy Springs, located close to the regional centre of Fitzroy Crossing, might experience additional growth due to immigration from more remote communities as the price of fuel and diesel increase during that same period.

### 1.6 Housing



There are currently eleven State-owned single houses at the community. The Department of Housing and Works has responsibility for the construction and maintenance of these dwellings. There are no privately owned houses.

Three houses in the community were constructed in 1999 and are made from colour-bond steel. The remaining eight houses, constructed prior to 1999, are made from rammed earth.

**Figure 1 - Single house at Joy Springs**

In February 2003, an assessment of the housing stock in the community was undertaken by the Shire of Derby-West Kimberley in response to concerns by the community of overcrowding. The assessment concluded that, while housing was looked after by community members, extremes in weather combined with poor housing design and

overcrowding required the need for additional housing and repairs to older housing stock.

The Shire's EHO found evidence of termite activity at the community office in 2003 and it is possible that this building has suffered structural damage as a result.



**Figure 2 - Buckled cornice & water damage to ceiling in kitchen area due to housing design/construction and environmental conditions (source: Shire EHO 2003)**

At the time of the most recent site visit in August 2008, prior to the preparation of this report, no additional housing had been built since 2003 and dwellings still required repairs and renovation.

Four new houses have been programmed by DHW for completion in the forthcoming year, subject to native title issues.

### 1.7 Over-crowding

In the period between 2003-2008, make-shift shelters without walls, toilets or running water had variously been used to accommodate families of up to 8 people, though none were being used as dwellings as at August 2008.



As a means of alleviating over-crowding, part of the administration office is currently being used to house 2 adults and the former community store is currently being used to house 2 families consisting of 9 people.

The table below illustrates the situation of over-crowding as it existed at the time of the EHNS in 2003.

**Figure 3 - Site of former make-shift shelter used to accommodate residents**

House Number	Adults	Children	Total
1	1	2	3
2	5	4	9
3	3	2	5
4	2	2	4
5	2	1	3
6	5	2	7
7	5	4	9
8	3	1	4
Shelter	4	4	8
10	7	2	9
11	5	6	11
12	5	7	12
	47	37	84

**Table 1 - Joy Spring population survey 11/02/03, undertaken by Shire EHO**

There was an average of seven to eight occupants per house in 2003.

This situation has worsened since that time, with the population now at around 120, which translates to an average of about 11 people per formal house in the community.

An additional 5 houses are required to reduce current levels of over-crowding to the level as it existed in 2003.

An additional 9 houses are required to reduce the level to six occupants per house.

An additional 30 houses will be required by 2023, when the population is anticipated to reach 250, if housing is to accommodate around 6 people per dwelling.

The size of the living area at present only allows for five additional housing lots.

## **1.8 Human Services**

### **1.8.1 Education**

Most children of Joy Springs attend school at Bayulu Remote Community School, situated on Gogo Station, just off the Great Northern Highway. The trip to the school takes approximately 10 minutes by car on an all-weather road.

Bayulu Community School is a Class 3 public primary school for Kindergarten to Year 7. The school has around 120 students from nearby communities. Kriol is students' first language with Gooniyandi and Walmajarri also being spoken. Standard Australian English is students' second language.

The school has a Principal and 9 teachers who are assisted by 7 local Education Assistants.

### **1.8.2 Health**

Overcrowding in houses not only places stress on housing hardware, but may increase the risk of infection and the spread of infectious disease between occupants. In addition to this, over-crowding reduces opportunities for young families to be afforded privacy and sufficient space to look after young children.

The community also has a problem with dust from the surrounding landscape and unsealed roads. Many children in the community suffer from asthma and some have required hospitalization overnight so that breathing can be assisted with ventolin.

In 2007 the community's only water source became contaminated after a bird was trapped and died inside the water storage tower, resulting in complaints of gastro problems and giardiasis. Residents had to boil their water for several weeks thereafter.

This issue highlights the importance of securing a second drinking water source for the community to ensure adequate standards of public health are maintained.

There is no medical clinic at Joy Springs. There is a medical clinic at Bayulu community, which also services the 8 Mile community. Residents also use medical facilities at Fitzroy Crossing, which is a 20 minute drive by car.

### **1.8.3 Environmental Health**

The Shire 's EHO and field support officers visit the community every 4-6 weeks. They undertake general checks on infrastructure including store fridges/freezers, effluent ponds, rubbish dump, fuel tanks and other primary contaminant points.

### **1.8.4 Community Facilities and Recreation**

Two large public open space areas are located in the middle of the community, which include a playset and swings. A creek line runs through the bottom open space area, which is at times inundated with water.

### **1.8.5 Business and commercial facilities**

A workshop is located in the northern area of the community on Lot 21.

The Community Development Employment Program is the primary means of employment. Some residents have been able to get work with the surrounding mines, at Marra Worra Worra resource centre, Gogo school and other jobs in the townsite.

At the time of community consultation in August 2008, one of the surrounding mines had recently closed resulting in employment uncertainty for some community members.

The community hopes to establish horticultural gardens an area north of the proposed future residential area, however this will require more water resources available than at present. It is anticipated that the current water source might be used for horticultural

purposes if a second drinking water source, such as the 8 Mile Well on GoGo Station, is secured in the future.

### **1.9 Heritage and Culture Considerations**

While the community has not identified any “no go” areas within the living and surrounding area, there is a registered Aboriginal heritage site to the north and a cemetery located 200m to the south of the community, both of which are indicated on CLP No. 1.

Mr Thomas Dick (who lives at Bayulu) and Mr Jimmy Shandley (who lives at Gillarong, adjacent to Bayulu) were acknowledged by the 8 Mile community at the time of consultation in August 2008 as men to be consulted with regarding local heritage and cultural matters.

These men should be consulted with, in addition to Joy Springs community members, as part of standard heritage clearances under the Aboriginal Heritage Act 1972 (WA) regarding the location of future housing and other works to ensure that the area is 'clear'.

The future expansion of the community's infrastructure will also be subject to native title considerations, and consultation with the relevant traditional Gooniyandi owners must occur to ensure that native title is not extinguished in the act of establishing, eg. future housing.

It is beyond the scope of this CLP to identify the relevant traditional owners for such consultation. Government agencies should contact the Kimberley Land Council (KLC) in that regard.

### **1.10 Natural environment and climate**

Joy Springs is subject to a dry winter and a wet summer.

Average annual rainfall is approximately 537mm with an average of 49 rain days. Most of this rainfall is recorded in the months from December to March. During this time localised flooding is common and access to Fitzroy Crossing can be cut off during this time.

From May to October, days are warm and dry and nights cool whilst December to March in most years, tropical storms are common. The average maximum temperature is 35.7 degrees C and the average minimum temperature is 19.2 degrees C. The variations in rainfall and temperature result in high levels of humidity.

#### **1.10.1 Soil**

The soil type is predominantly a mix of 'pindan' or red brown sand clay in addition to areas of hard rock.

#### **1.10.2 Roads and Access**

Access to the community is provided via a diversion road from the Great Northern Highway, 24km from Fitzroy Crossing.

The internal road layout involves two looped unsealed roads around two open space areas.

### 1.10.3 Air

Dust has been identified as an issue in the community mainly due to the surrounding environment combined with unsealed roads.

## 1.11 Essential Services

### 1.11.1 Water storage and reticulation

Drinking water is stored in a water tank located on Lot 15 to the south-west of the townsite. The existing water tank is elevated and stands 2.4m tall with a 7.7m diameter.



**Figure 4 - Water tank and bore, located on Lot 15**

While the quantity and quality of water supply is adequate to meet current demand, the location of this source in close proximity to household septic sewerage systems means that there is a high risk of contamination.

Further, the drinking water source on Lot 15 falls within a 500m zone of the community's current rubbish tip, which should be located 2km away from water sources and living areas.

A 300m protection zone has been placed around the existing drinking water well head on advice from consultants Global Groundwater, pending technical investigation of Joy Spring's aquifer. However, standard drinking water sources should generally have a 500m protection buffer in un-sewered communities and a 300m protection buffer in sewered communities.

The 300m drinking water protection buffer encroaches on most of the community living area and affects four of the five proposed residential lots. A 500m drinking water protection buffer around the present location at Lot 15 would encroach on all of the community living area.

There is a need to secure a second drinking water source for the community, either as a new source within the proposed cadastre amendment area or through the creation of an easement under the Land Administration Act 1997 or other right of usufruct over the existing source at 8 Mile Well on the GoGo lease.

A new drinking water source for the community will require test drilling for a suitable location. There has been no recent test drilling in the area and none has been programmed by the Department of Housing and Works for the next financial year meaning that, when coupled with difficulties in sourcing drilling rigs, establishing a new drinking water source is not a likely immediate option.

Should test drilling occur, community members have identified a possible source of ground water through local knowledge of the location of paperbark trees. This area has been recorded on the CLP. This area is currently on GoGo Station and outside of

the proposed cadastre amendment. An easement or right of usufruct would therefore be required for the Joy Springs community to draw from this source, if it were ascertained to be a viable option after test drilling.

The quality and quantity of this source is unknown.



**Figure 5 - 8 Mile Well on GoGo Station (left); Paperbark trees signaling the presence of groundwater (right).**

An existing second drinking water source is located at the 8 Mile Well, approximately 500 metres immediately north of the Joy Springs living area, on GoGo Station. The GoGo Station leasee has indicated the possibility of an easement arrangement so that the Joy Springs community might draw from this source.

The location of this source is ideally situated in close proximity to the community but far enough away to ensure an adequate 500 meter drinking water protection zone without encroaching on incompatible land-uses.

Testing is required to ascertain the quality and quantity of this drinking water source. This should be programmed as a priority by the relevant agency because other planning matters for the community are contingent on securing a second drinking water source.

### **1.11.2 Power supply & distribution**

Western Power supplies a high-voltage power cable to Joy Springs via a diesel-fuelled power station located in Fitzroy Crossing.

The capacity of the community's power supply cable needs to be tested to ensure it will meet long-term future housing requirements, including four new houses that have been programmed by DHW for completion within the next year.

While the Remote Area Essential Service Provider's report for Joy Springs notes that the condition of the power supply to Joy Springs is 'good', community members have reported that at times the power supply to the community has surged or been inconsistent.

### 1.11.3 Wastewater Disposal

Wastewater is disposed of via a gravity-operated sewerage system, linking household septic tanks.

Houses are situated on low ground, subject to soil inundation during the rainy season. Consequently, normal leach drain disposal has at times failed. Though there are problems with septic systems, there is no evidence of contamination from this source.

The typical waste water systems are not as effective due to the hard rock beneath the surface. Five of the houses in Joy Springs have been fitted with wastewater garden treatment units including four with inverted leach drains for wet season operation.

The CLP indicates an area south of the community living area for the possible location of future sewerage ponds and associated 500m buffer, subject to technical investigation. The location of future ponds should be assessed only after a second drinking water source has been secured.

### 1.11.4 Refuse Disposal Site

The rubbish tip is situated to the south of the settlement, on the GoGo lease. This site is approximately 300m south of the nearest house. The tip is managed by the community, with help and advice from the Shire's Environmental Health Officer.

Seven living area lots and the proposed future residential area fall within 500m of the existing refuse site. It is recommended that the refuse site be re-located at a site at least 2km from the community and future possible drinking water source sites to ensure adequate distance from recommended buffers.



### 1.11.5 Flooding and drainage

Three creek / drainage lines transect Joy Springs town site. The existing houses have been constructed between 142 and 144m AHD.

Two small culverts have been constructed but have not stopped ponding, particularly in the southern portion of the community. Additional culverts and maintenance to existing drainage infrastructure is required to address flooding within the community.

Figure 6 - Drainage culvert at southern loop, looking east to open space area.

### 1.11.6 Telecommunications

Telecommunications compound is located in the north-west corner of the townsite and provide services office, community houses. This provides for telephone, fax and Internet services.

There is no mobile phone service in Joy Springs.

A radio mast is positioned on Crown Reserve 45630, adjacent to the Great Northern Highway.

### **1.11.7 Infrastructure maintenance**

KRSP are contracted under the Remote Area Essential Services Program (RAESP) for planned maintenance (on a 6 week cycle) to service all infrastructure outside of the designated property boundaries (fence line or reasonable residential yard). They attend breakdown and emergency repairs as needed.

Everyday operation and maintenance within houses and lot boundaries is the responsibility of the community. Training programs have been undertaken to ensure ESOP's (Essential Service Operators Program) from the community have the skills and possible on-going employment as part of the CDEP. This may also be done by hired tradesmen.

## **2 THE JOY SPRINGS COMMUNITY LAYOUT PLAN**

This next section describes the community layout plan, and provides information and justification for the plan. The layout plan is included at the back of this report.

### **2.1 Community Initiatives and priorities**

Based on community aspirations and the land use needs for the settlement, the following projects have been identified as development priorities:

Within the next year:

- Allocate five additional residential lots to address overcrowding;
- Build five new residential dwellings to address overcrowding;
- Improve existing housing stock;
- Establish a second potable drinking water source outside the living area, preferably within the land holding of the Eight Mile Community;
- Increase the size of the Eight Mile Community landholding in consultation with GoGo Pastoral Station so that infrastructure, including future water source, tip and residential areas, can be accommodated.

Within the next five years:

- Determine suitable future growth areas, subject to enlarged landholding and further technical investigation;
- Undertake assessment of current power supply and increase its capacity, if necessary, to supply future growth area;
- Identify suitable area for market gardening, subject to available water source(s) and designated future growth area;
- Improve existing drainage infrastructure;
- Relocate the rubbish tip so that its buffer does not encroach on community living area or drinking water source;
- Establish sewerage ponds and connect to housing via reticulation;

- Bitumenise road layout within living area to reduce health problems associated with dust.

Though the CLP has allocated land for these purposes where required, delivery of these projects is the subject of other programs and agencies.

## 2.2 Housing

The CLP provides for 5 new housing blocks which are positioned to consolidate the settlement and utilise existing infrastructure services.

To accommodate for future growth, adjustments are required to the existing lease boundary, to include the land approximately 550m east of the settlement and south, as far as the muster setback from the Great Northern Highway. It is noted that prior to pursuing boundary changes, the suitability of this land for development should be determined, particularly in relation to ground water sources and soil types.

## 2.3 Essential Services

Services at Joy Springs are generally well located. With the exception of the existing drinking water source and tip site, there are adequate buffers between essential services and existing and proposed houses.

It is recommended that the future tip be located in the southern most corner of the future lease area, if not 2km away, to ensure an adequate buffer from living areas and the future drinking water source. However the south-east corner of the future cadastre amendment area may not prove a suitable site for the tip if the new drinking water source is located near the existing paperbark trees, as indicated on the plan.

## 2.4 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 Joy Springs community;
3. Joy Springs 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 <sup>3</sup>;
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 Sinclair Knight Merz. This will keep an accurate record of development and services at Joy Springs.

## 2.5 Changing the Plan

Over time it may be necessary to change the plan to suit community needs or specific proposals. If a development is proposed that does not fit in with the plan, the plan can be changed. However, before the plan is changed, people need to think about things like:

---

<sup>3</sup> fees apply for planning and building approvals lodged with the Shire of Derby/West Kimberley

- how the change could affect other people or the lifestyle of Joy Springs; or
- how the change could affect essential services like power lines, water pipes or telephone lines.

If the plan needs to be changed, this is process that should be followed:

1. Developer / builder speaks to Joy Springs about the change and why it is needed;
2. Joy Springs agrees to change the plan, or not change the plan;
3. If the plan is to be changed, the developer / builder should have this approved by the Shire of Derby/West Kimberley;
4. If the change is agreed on, the Shire of Derby/West Kimberley must notify the DPI, so they can change the layout plan and give new copies to Joy Springs and the Shire.

## 3 PLANNING BACKGROUND

### 3.1 Planning Context

This document was prepared by the Department for Planning and Infrastructure, under the Western Australian Planning Commission's (WAPC) Planning for Aboriginal Communities Project.

Planning for Aboriginal communities is given policy direction from:

- The State Planning Strategy; and
- Statement of Planning Policy No. 3.2 - Planning for Aboriginal communities, prepared under Part 3 of the *Planning and Development Act 2005*.

Joy Springs community is not currently covered by a town planning scheme or interim development order (IDO). However, the Shire is currently progressing an all-of-shire 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.

### 3.2 How a CLP is prepared

A CLP provides a land use planning structure for future development in a settlement. It has a 5-10 year outlook taking into account existing conditions, demographics and the community's aspirations. It also aims to co-ordinate development and provide a means of implementing the plan.

The basic process is:

- prepare plan in collaboration with community and stakeholders, including landowner (usually DIA/ALT), local government, DPI, service providers, RAESP managers and developers.
- seek endorsement of community council as the accepted development plan for the community.
- seek local government endorsement.
- seek landowner endorsement where there are land tenure matters that require resolution (currently informal requirement that may become a formal requirement)
- seek WAPC endorsement

Regular reviews should be conducted subsequent to this at times of large planned capital works or as monitoring of the existing conditions on a community highlights the need for further planning work eg. major population expansion.

### 3.3 Community Consultation

The plan was developed in consultation with the community via a series of community meetings and site visits. This also involved discussions with community administrators and school staff.

Meetings were conducted on:

- 2 May 2005
- 14 June 2005
- 24 August 2005
- 13 August 2008

### **3.4 Wider Consultation**

This plan and report was developed between 2005-2008 in discussion and consultation with the Shire of Derby/West Kimberley, RAESP managers, Department of Housing and Works, Department of Indigenous Affairs and a range of organisations that work at Joy Springs.

### **3.5 References**

Western Australian Planning Commission (WAPC) 2005 *Fitzroy Futures Town Plan - Draft December 2004*. WAPC: Perth.

## Eight Mile Aboriginal Corporation Endorsement

Joy Springs  
Eight Mile Aboriginal Corporation:  
PO Box 46  
Via Fitzroy Crossing  
WA 6765

---

---

The Eight Mile Aboriginal Corporation community council hereby adopts the **Joy Springs Community Layout Plan** (August 2008) as a guide for future development within the community. The CLP aims to improve the community's built environment and the resident's living standards.

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

The Thursday 16<sup>th</sup> Day of October 2008

Adopted by the Eight Mile Aboriginal Corporation Council:  
(Please sign above or next to printed name)

Brandon Shaw  

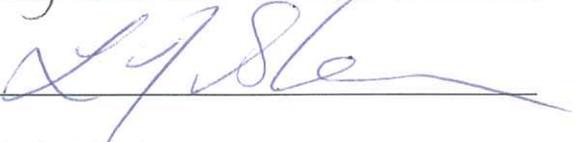

Chairperson  
(Please print and sign name)

Graham Shandley

Councillor

Wesley Shandley

Councillor

Lynette Shaw  


Administrator  
(Please print and sign name)

Leanne Shandley

Councillor

Joanne Shandley

Councillor

# Shire Endorsement

Shire of Derby West Kimberley  
PO Box 94  
Derby  
WA 6728

**SHIRE OF  
DERBY/WEST KIMBERLEY**



The elected council of the Shire of Derby / West Kimberley hereby adopts the **Joy Springs Community Layout Plan** (August 2008) as a guide for future development within the community, at the meeting of council held on:

The 5<sup>th</sup>.....day of December..... 2008

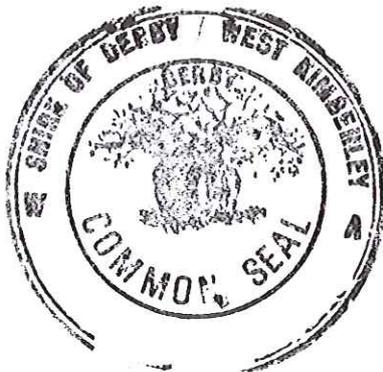
Endorsed by the Shire of Derby / West Kimberley Council:

Elvin Archer  
JP8837

Shire President  
(Please print name and sign)

Shane Burge  
A/ Chief Executive Officer  
(Please print name and sign)

Council  
Seal



ATT. Simon

Joy Springs Community Layout Plan No. 1 - AUG 2008

### Pastoral Leasee Endorsement

GoGo Pastoral Station Pty Ltd  
PO Box 57  
Fitzroy Crossing  
WA 6765

The GoGo Pastoral Station leasee is Mr. Malcolm Harris. Negotiations to establish the appropriate land tenure arrangements to the general satisfactions of Joy Springs, GoGo Station, and the Crown are in progress and will be informed by the Community Layout Plan.

The GoGo Pastoral leasee, Malcolm Harris, hereby endorses the **Joy Springs Community Layout Plan** (August 2008) as a guide for future development Joy Springs (8 Mile) Aboriginal Community, subject to the following:

1. Endorsement of the CLP should not be construed as consent to excision of any land from GoGo Pastoral Lease and amalgamation of that land to Crown Reserve 40569 (Joy Springs).
2. In regard to land requirements for the Joy Springs community, the GoGo Pastoral Leasee offers in-principle support to land excisions for the required land areas only - not the taking of land to meet buffer or non-specific requirements. Utilities should be fenced as appropriate, however access tracks should remain unfenced.

The 4<sup>th</sup> Day of April, ~~2008~~ 2009

Adopted by the GoGo Pastoral Leasee (Crown Lease 398/810):  
(Please sign above or next to printed name)

  
\_\_\_\_\_

M. Harris  
\_\_\_\_\_

Leasee  
(Please print and sign name)

# Western Australian Planning Commission Endorsement



Western Australian Planning Commission  
469 Wellington St  
Perth WA 6000

---

---

The Western Australian Planning Commission hereby endorses the **Joy Springs Community Layout Plan** (September 2008) as a guide for the future development of the community.

The .....13.....Day of .....January..... 2008/9

Signed for and on behalf of the Western Australian Planning Commission:

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

Witness

16 JAN 2009

Date

## AMENDMENTS

---



Approved  
Eight Mile Aboriginal Corporation

*[Signature]*  
please sign and print name

Date 30/3/2011

Shire of Derby / West Kimberley

please sign and print name

Date / /

Western Australian Planning Commission

*[Signature]* KEATH CARL  
please sign and print name

Date 29/9/2011

**Other Information:**

This CLP does not constitute development approval.

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

*[Handwritten note in English, partially illegible]*

# Joy Springs

Layout Plan 1 Amendment 1  
Background Report

September 2011

Prepared by the Department of Planning



---

# Joy Springs CLP1 Amendment 1 - Report

---

**SUMMARY ..... 2**

**1 DEVELOPMENT PRIORITIES ..... 3**

**2 COMMUNITY PROFILE ..... 4**

    2.1 Population ..... 4

    2.2 Governance ..... 5

    2.3 Land Tenure ..... 6

    2.4 Native Title ..... 6

    2.5 Heritage ..... 6

**3 EXISTING INFRASTRUCTURE AND SERVICES ..... 7**

    3.1 Housing ..... 7

    3.2 Flooding and Drainage ..... 8

    3.3 Water ..... 8

    3.4 Roads ..... 10

    3.5 Electricity ..... 10

    3.6 Rubbish Disposal ..... 10

    3.7 Community Services ..... 10

**4 RECOMENDATIONS ..... 12**

    4.1 Future Housing ..... 12

    4.2 Essential Services ..... 12

    4.3 Suggested Cadastre Amendment Area ..... 12

    4.4 Development Process ..... 12

    4.5 Amendments to the Layout Plan ..... 13

**5 REFERENCES ..... 14**

**6 ENDORSEMENTS ..... 15**

**7 ATTACHMENTS ..... 16**

## Community Contacts

Name	:	Eight Mile Aboriginal Corporation
Related Organisations	:	Marra Worra Worra [housing management, CDEP] Tel: 9191 5089
Office Contact	:	Lynette Shaw
Chairperson	:	Andrew Shandley
Tel	:	9191 7151
Fax	:	9191 7211
Postal Address	:	PO Box 66, Fitzroy Crossing WA 6765

---

## SUMMARY

---

The Joy Springs Community Layout Plan No.1 Amendment 1 addresses the revised updates of the plan for the community, including: the regularisation of lots, inclusion of drinking water source exploration areas, sewage pond location, identification of a 'no go area' and heritage clearance of lots for residential growth.

The table below summarises the main issues concerning the planning, development and provision of services within Joy Springs.

<b>Infrastructure/service Indicator</b>	<b>Community Characteristics</b>
Drinking water	Unregulated water supply. 8 Mile Bore located north of the community living area. Quality and quantity meets current needs.
Native Title	Community is located within the registered Gooniyandi Combined #2 Native title Claim.
Secure land holding(s)	Settlement is located on Crown Reserve 40569 vested to the ALT (Leased to Eight Mile Aboriginal Corporation (EMAC). Some community infrastructure is also located on GoGo Station pastoral lease.
Flood / storm surge	The community living area is subject to seasonal inundation. Flood risk mitigation measures are in place in the community living area but not entirely effective.
Emergency assistance	Police and medical assistance in Fitzroy Crossing 15 minutes away by vehicle.
Education	Bayulu Community School K-Y7 located at Bayulu community 10 minutes away by vehicle.
Health	No clinic at community. Hospital and services available at Fitzroy Crossing 20 minutes away by vehicle.
Governance	Eight Mile Aboriginal Corporation represents the community and meets regulatory requirements.
Employment and enterprise opportunities	Established job markets at Fitzroy Crossing and surrounds 15 minutes away by vehicle.
Transport	Reliable road access to the community via Great Northern Highway.
Food	No store at community. Shops at Fitzroy Crossing 15 minutes away by vehicle.
Electricity	Regulated electricity supply provided by Horizon Power.

---

# 1 DEVELOPMENT PRIORITIES

---

The Joy Springs Community Layout Plan No. 1 Amendment 1 Report has been prepared to identify changes to the plan at the request of EMAC, the Department of Housing and Department of Defence. The Joy Springs community is rapidly growing and residential overcrowding has increased as a primary community concern. To alleviate the immediate burden of overcrowding; new housing, sewage ponds and a water bore have been proposed to be built for the community under the Army Aboriginal Community Assistance Program (AACAP) and are discussed in this report.

Based on community aspirations and the land use needs for the settlement, the following projects have been identified as development priorities:

Within the next year:

- Build five additional residential houses to address overcrowding (AACAP)
- Improve existing housing stock;
- Establish a second potable drinking water source outside the living area, preferably within the land holding of the Eight Mile Community (AACAP)
- Increase the size of the Eight Mile Community landholding in consultation with GoGo Pastoral Station so that infrastructure, including future water source, sewage ponds, tip and residential areas, can be accommodated.
- Establish sewerage ponds and connect to housing via reticulation;

Within the next five years:

- Determine suitable future growth areas, subject to enlarged landholding and further technical investigation;
- Undertake assessment of current power supply and increase its capacity, if necessary, to supply future growth area;
- Identify suitable area for market gardening, subject to available water source(s) and designated future growth area;
- Improve existing drainage infrastructure;
- Relocate the rubbish tip so that its buffer does not encroach on community living area or drinking water source;
- Form and drain road layout within living area to reduce health problems associated with dust.

Within the next ten years:

- Build additional housing to accommodate design population;
- Relocate workshop away from living area

---

## 2 COMMUNITY PROFILE

---

### 2.1 Population

#### Existing Population

Populations in Aboriginal communities often vary because people can be mobile with changing housing and living arrangements. Populations can increase or decrease quite rapidly based on family, cultural and administrative factors. Population figures change based on the time of year of enumeration, methods and sources by which data are collected. Population figures can also vary due to changing census boundaries over time.

Australian Bureau of Statistics (ABS) census boundaries changed at the collection district (CD) level for Joy Springs between 2001 and 2006<sup>1</sup>. The CD for Joy Springs is not comparable during this period due to an amalgamation of three or more CDs.

ABS census data for Joy Springs in 2006 record the population as 70 on the day of enumeration, 65 of which were Aboriginal people. This figure seems too low and could possibly be explained by, for example, community members attending a funeral or other significant event at the time of enumeration.

Further, these figures are problematic because ABS data for that year also record that there were 14 dwellings, which means that either the boundaries for the CD are larger than those of the Joy Springs community or that informal shelters, the workshop and administrative offices had been miscalculated as formal dwellings.

For these reasons, ABS data for Joy Springs are considered here as being unreliable.

An Environmental Health Needs Survey (EHNS) undertaken by the Shire of Derby-West Kimberley's Environmental Health Officer in 2003 recorded the resident Indigenous population as 84. This figure included 4 children and 4 adults living in an informal shelter without walls. This population figure of 84 was reported by the Shire's EHO to the then Minister for Housing<sup>2</sup>.

The estimated population for December 2005, based on persons enumerated in a letter sent by the Chair of Joy Springs to the Department of Housing and Works, is 105 residents. This figure is derived from those persons named in the letter as living at Joy Springs.

---

<sup>1</sup> The ABS Collection District identification number for Joy Springs at the 2001 census was 5010309 while in 2006 this had changed to 5010335, with a comparability change code of '8' between the two periods. See ABS website for a further explanation of comparability change codes.

<sup>2</sup> The Shire EHO's letter to the then Minister for Housing outlined the situation of overcrowding and asked for additional housing to be built to ameliorate the problem.

Joy Springs is located approximately 30km east of Fitzroy Crossing in the Shire of Derby-West Kimberley. The community is positioned on the eastern side of the Great Northern Highway and surrounded by the GoGo pastoral lease.

### **Design Population**

The Western Australian Planning Commission's *Fitzroy Futures Town Plan* (WAPC 2005) estimates a 5 per cent annual growth rate for communities in Fitzroy Crossing.

The estimated design population for Joy Springs over a 15-year period, based on a current population of 120 and an annual growth rate of 5 per cent, is 195 residents by 2018 (10 years) and **250 residents** by 2023 (15 years).

This is considered a conservative estimate, given that the current population may be as high as 128 residents, which would result in a population of 266 residents by 2023 if growth increased by 5 per cent per year.

Growth of the Joy Springs community should be seen within the broader regional context of the Kimberley. The *State Planning Strategy* (WAPC 1997) anticipates that centers within the Kimberley region will expand and offer a range of services to the growing population.

The design population of Joy Springs is 250 people.

### **2.2 Governance**

Eight Mile Aboriginal Corporation is the incorporated community council that represents the Joy Springs community. The objectives of EMAC, as provided in the EMAC rule book (2009), are to provide direct relief from poverty, sickness, suffering, destitution, misfortune, distress and helplessness to all Aboriginal people in the State of Western Australia without discrimination and to include, but without limiting the generality of the above, the following:

- (a) support the social development of its members in all ways;
- (b) help to bring about the self support of its members by the development of economic projects and industries;
- (c) support education, job training, health services, work and housing for its members;
- (d) help and encourage its members to manage their affairs upon their own lands;
- (e) help and encourage its members to keep and renew their traditional culture;
- (f) help build trust and friendship between its members and other people;
- (g) participate with other Aboriginal Corporations in projects for their mutual benefit; and
- (h) receive and spend grants of money from the Government of the Commonwealth or of the State or from other sources.

## **2.3 Land Tenure**

Joy Springs is located on Crown Reserve 40569 (12ha) vested to the Aboriginal Lands Trust (ALT). The reserve is leased to Eight Mile Aboriginal Corporation (lease expires 30-Sep-2087).

EMAC was incorporated on 22 November 1988.

The existing infrastructure for Joy Springs is not fully contained within the Joy Springs crown reserve and requires an amendment of cadastre to include the community's rubbish tip, cemetery, several informal shelters and for the community to establish a future residential area to alleviate over-crowding, which are all located on the abutting GoGo lease (Crown Lease 398/801). Once locations have been finalised for the future drinking water source this proposed cadastre will need to be amended to ensure all infrastructure and proposed future residential areas are located on secure tenure.

The GoGo Station lessee has indicated in-principle support for excising a portion of the existing pastoral lease for the purpose of amalgamating with the Joy Springs reserve.

A proposed suitable area for excision from the GoGo lease and amalgamation with the Joy Springs reserve, as discussed with both parties during preparation of this plan, is indicated on the CLP as the 'suggested cadastre amendment area'. This will be required to be changed once the drinking water source is determined. However it provides a good indication as to the size of the proposed cadastre amendment

## **2.4 Native Title**

Crown Reserve 4059 and Crown Lease 398/801 fall within the Gooniyandi Combined #2 native title claim, registered with the National Native Title Tribunal in 2001 (WC00/10). Registered claims and claimants have the right to negotiate with other land users, under the Native Title Act.

The claim is currently active and yet-to-be-determined.

## **2.5 Heritage**

### **No-Go Area**

The community has advised that there is a 'no-go' area to the east of the community living area. This has been identified on both the context and living area plan.

### **Registered Site**

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.

There is a registered Aboriginal heritage site to the north and a cemetery located 200m to the south of the community. These are indicated on CLP No. 1.

Mr Thomas Dick (who lives at Bayulu) and Mr Jimmy Shandley (who lives at Gillarong, adjacent to Bayulu) were acknowledged by the 8 Mile community at the time of consultation in August 2008 as men to be consulted with regarding local heritage and cultural matters.

These men should be consulted with, in addition to Joy Springs community members, as part of standard heritage clearances under the Aboriginal Heritage Act 1972 (WA) regarding the location of future housing and other works to ensure that the area is 'clear'.

### **Heritage Clearance**

In March 2011 the KLC assisted traditional owner representatives of Joy Springs community in providing heritage clearance for 'residential' lots 12, 13, 16 & 20, three identified 'target zones' for drinking water exploration and the site identified for sewage ponds.

---

## **3 EXISTING INFRASTRUCTURE AND SERVICES**

---

### **3.1 Housing**

#### **Number & type of dwellings**



**Figure 1 - Single house at Joy Springs**

There are currently eleven State-owned single houses at the community. The Department of Housing and Works has responsibility for the construction and maintenance of these dwellings. There are no privately owned houses.

Three houses in the community were constructed in 1999 and are made from colour-bond steel. The remaining eight houses, constructed prior to 1999, are made from rammed earth.

In February 2003, an assessment of the housing stock in the community was undertaken by the Shire of Derby-West Kimberley in response to concerns by the community of overcrowding. The assessment concluded that, while housing was looked after by community members, extremes

in weather combined with poor housing design and overcrowding required the need for additional housing and repairs to older housing stock. The Department of Housing has advised that there are 11 houses scheduled to be refurbished in the 2011-2012 period with a further 4 new houses to be constructed in 2011 under the AACAP.

### 3.2 Flooding and Drainage



Figure 2 - Drainage culvert at southern loop, looking east to open space area.

The community experiences seasonal pooling of water. Three creek lines transect Joy Springs town site. The existing houses have been constructed between 142 and 144m AHD.

Two small culverts have been constructed but have not stopped ponding, particularly in the southern portion of the community. Additional culverts and maintenance to existing drainage infrastructure is required to address flooding within the community.

### 3.3 Water

#### Drinking Water



Figure 3 - Elevated water tank on Lot 14

Water supplies for domestic use are drawn from drinking water bore 3/87, with 4/87 on standby as a back-up supply (Entura 2011). Both bores are currently located on Lot 14. The Hydrogeological survey performed by Entura indicated that the total operating yield is approximately 173m<sup>3</sup> (2.0L/s) and salinity of discharge was observed at 380mg/L (2011). Drinking water is stored in a water tank located on Lot 15 to the south-west of the townsite. The existing water tank is elevated and stands 2.4m tall with a 7.7m diameter.

While the quantity and quality of water supply is adequate to meet current demand, the location of this source in close proximity to household septic sewerage systems means that there is a high risk of contamination. Further, the drinking water source on Lot 15 falls within a 500m zone of the community's current rubbish tip, which should be located 2km away from water sources and living areas.

A 300m protection zone has been placed around the existing drinking water well head on advice from consultants Global Groundwater, pending technical investigation of Joy Spring's aquifer. However, standard drinking water sources should generally have a 500m protection buffer in un-sewered communities and a 300m protection buffer in sewered communities.

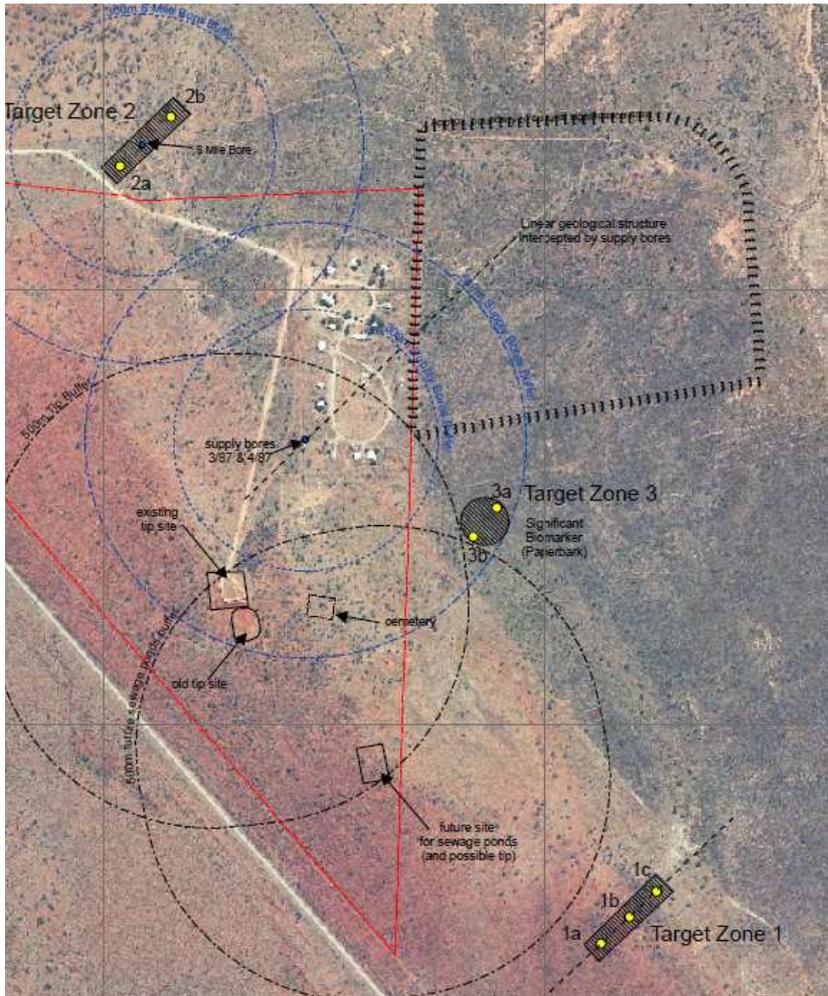


Figure 4 - Groundwater exploration target zones.

### Wastewater

Wastewater is disposed of via gravity-fed household leach drains. Houses are situated on low ground, subject to soil inundation during the rainy season. Consequently the leach drain disposal system has at times failed. Though there are problems with septic systems, there is no evidence of groundwater contamination from this source.

Leach drain and septic tank waste water systems are not as effective due to the hard rock beneath the surface. Five of the houses in Joy Springs have been fitted with wastewater garden treatment units including four, with inverted leach drains for wet season operation.

As at March 2011 the army under AACAP has identified three target exploration areas for the test drilling of a new drinking water source.

All three target zones occur outside of the current proposed cadastre (as shown on the land ownership plan). To ensure all infrastructure and housing are located on secure tenure the proposed cadastre will need to be amended to include the new drinking water bore once it's location is finalised.

Under AACAP, gravity fed sewage ponds are to be constructed in 2011 on Lot 27 approximately 500m south of the community living area.

### **3.4 Roads**

#### **Access Roads**

Access to the community is provided via a sealed road from the Great Northern Highway, 24km from Fitzroy Crossing. During the wet this road can be cut off for up to a week due to localised flooding.

#### **Internal Road Layout**

The internal road layout comprises of two looped unsealed roads around two open space areas.

### **3.5 Electricity**

Horizon Power supplies a high-voltage power cable to Joy Springs via a diesel-fuelled power station located in Fitzroy Crossing. The capacity of the community's power supply cable needs to be tested to ensure it will meet long-term future housing requirements.

While the Remote Area Essential Service Provider's report for Joy Springs notes that the condition of the power supply to Joy Springs is 'good', community members have reported that at times the power supply to the community has surged or been inconsistent.

### **3.6 Rubbish Disposal**

The rubbish tip is situated to the south of the settlement, on the GoGo lease. This site is approximately 300m south of the nearest house. The tip is managed by the community, with help and advice from the Shire's Environmental Health Officer.

Seven living area lots and the proposed future residential area fall within 500m of the existing refuse site. It is recommended that the refuse site be re-located to a site at least 2km from the community and future possible drinking water source sites to ensure adequate distance from recommended buffers.

### **3.7 Community Services**

#### **School**

Most children of Joy Springs attend school at Bayulu Remote Community School, situated on Gogo Station, just off the Great Northern Highway. The trip to the school takes approximately 10 minutes by car on an all-weather road.

Bayulu Community School is a Class 3 public primary school for Kindergarten to Year 7. The school has around 120 students from nearby communities. Kriol is students' first language with Gooniyandi and Walmajarri also being spoken. Standard Australian English is students' second language. The school has a Principal and 9 teachers who are assisted by 7 local Education Assistants.

### **Health**

There is no medical clinic at Joy Springs. There is a medical clinic at Bayulu community, which also services the 8 Mile community. Residents also use medical facilities at Fitzroy Crossing, which is a 15 minute drive by car. The community currently experiences health issues from the dust in the surrounding landscape and unsealed roads. Many children in the community suffer from asthma and some have required hospitalization overnight so that breathing can be assisted with ventolin.

### **Environmental Health**

The Shire's EHO and field support officers visit the community every 4-6 weeks. They undertake general checks on infrastructure including store fridges/freezers, rubbish dump, fuel tanks and other primary contaminant points.

### **Recreation Area**

Two large public open space areas are located in the middle of the community, which include a playset and swings. A creek line runs through the bottom open space area, which is at times inundated with water.

### **Business and Commercial Facilities**

A workshop is located in the northern area of the community on Lot 21. The Community Development Employment Program is the primary means of employment. Some residents have been able to get work with the surrounding mines, at Marra Worra Worra resource centre, Gogo school and other jobs in the townsite.

The community hopes to establish horticultural gardens an area north of the proposed future residential area, however this will require more water resources available than at present. It is anticipated that the current water source might be used for horticultural purposes if a second drinking water source, such as the 8 Mile Well on GoGo Station, is secured in the future.

### **Telecommunications**

The telecommunications compound is located on Lot 23 and provides telephone, fax and internet services to the office and community houses.

A radio mast is positioned on Crown Reserve 45630, adjacent to the Great Northern Highway.

---

## **4 RECOMENDATIONS**

---

### **4.1 Future Housing**

The CLP provides for 5 new housing blocks which are positioned to consolidate the settlement and utilise existing infrastructure services.

To accommodate the future residential area to the west of the community living area, adjustments are required to the existing lease boundary, to include the land approximately 550m east of the settlement and south, as far as the muster setback from the Great Northern Highway.

### **4.2 Essential Services**

Services at Joy Springs are generally well located. With the exception of the existing drinking water source and tip site, there are adequate buffers between essential services and existing and proposed houses.

It is recommended that the future tip be located in the southern most corner of the future lease area, if not 2km away, to ensure an adequate buffer from living areas and the future drinking water source. However the south-east corner of the future cadastre amendment area may not prove a suitable site for the tip if the new drinking water source (Target Zone 1) is located near the existing paper bark trees, as indicated on the plan.

### **4.3 Suggested Cadastre Amendment Area**

The size of the existing landholding for Joy Springs (Lot 39 Crown Reserve 40569) restricts proposed community development, in particular, the expansion of proposed future residential area. The suggested cadastre amendment area has been developed in consultation with GoGo station and includes all necessary services and infrastructure to support projected community growth in Joy Springs. The final cadastre amendment area is to be resolved once the final drinking water bore and future rubbish tip sites are determined.

### **4.4 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 Joy Springs community;
3. Joy Springs 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 <sup>3</sup>;
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 Joy Springs.

#### **4.5 Amendments to the Layout Plan**

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.

---

<sup>3</sup> fees apply for planning and building approvals lodged with the Shire of Derby/West Kimberley

## Joy Springs Community Layout Plan No.1

### Amendment No.1

**Date** : 1 December 2010      **WAPC** : 13 January 2009  
**Officer** : Brianna Sharp      **Endorsed**  
**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. Future lot layout	<ol style="list-style-type: none"><li>1. Regularise the lots to ensure that all have road access.</li><li>2. Delete the future residential lot (not numbered) that is within the flood prone area.</li><li>3. Delete unnecessary drainage and utility lots.</li><li>4. Number all lots.</li></ol>
2. Wetlands	<ol style="list-style-type: none"><li>1. Replace waterway data with more accurate depiction.</li></ol>
3. Future growth area	<ol style="list-style-type: none"><li>1. Match extent of future growth area with design population.</li></ol>
4. No Go Area	<ol style="list-style-type: none"><li>1. Add 'no go area' to the east of the community living area.</li></ol>
5. Drinking water source areas	<ol style="list-style-type: none"><li>1. Identify drinking water source exploration areas to be amended in future to reflect chosen site.</li></ol>

**Approved:**

**Approved (see attachment)**

#### Other Information:

**This CLP does not constitute development approval.**

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

Produced by:  
Mapping & GeoSpatial Data Branch  
Department of Planning, WA  
On behalf of:  
Western Australian Planning Commission  
Copyright © December 2010  
Z:\Projects\country\_planning\pac\Joy\_Springs\CLP\_Joy\_Springs\_A3z51\_01Dec10.dgn  
CLP derived from Joy Springs  
Draft Community Layout Plan No.1 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 October 2008

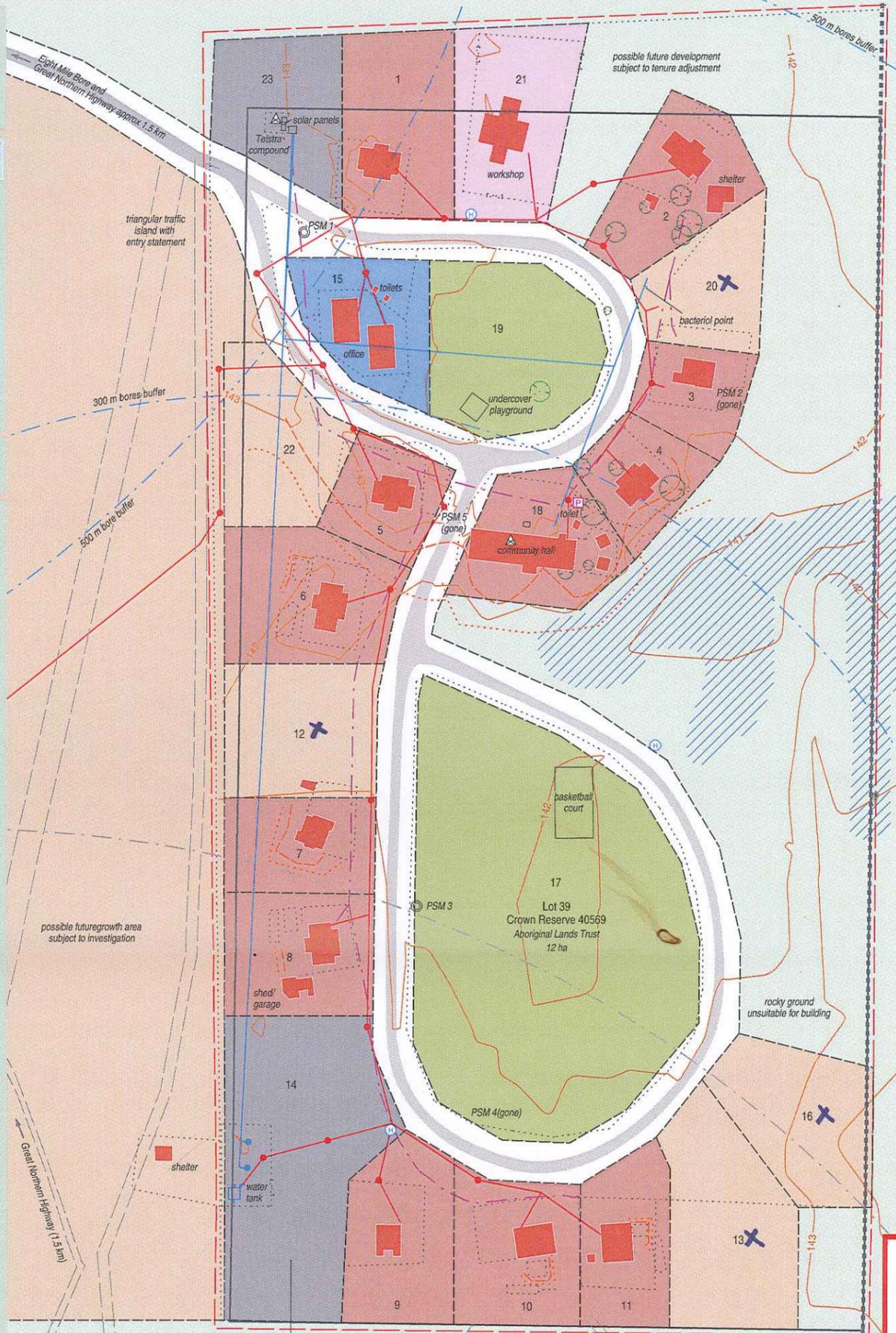
Note:  
Wetland and some tracks are derived  
from aerial image (June 2009) and  
are approximate only.

**Legend**  
**Land use areas**

- existing residential
- future residential
- business / commercial
- community
- industrial
- public utility
- open space / bush
- open space / recreation
- drainage
- wetland
- road reserve
- road

**Features**

- track
- existing building
- suggested cadastre amendment area
- future layout and Lot no.
- 12
- power pole
- pole
- Telstra cable
- phone box
- hydrant
- water pipe
- bore
- drainage line
- drainage flow
- contour
- ridge line or levee
- bottom of ridge
- perimeter fire break
- gate
- fence
- survey marker
- aerial or mast
- tree



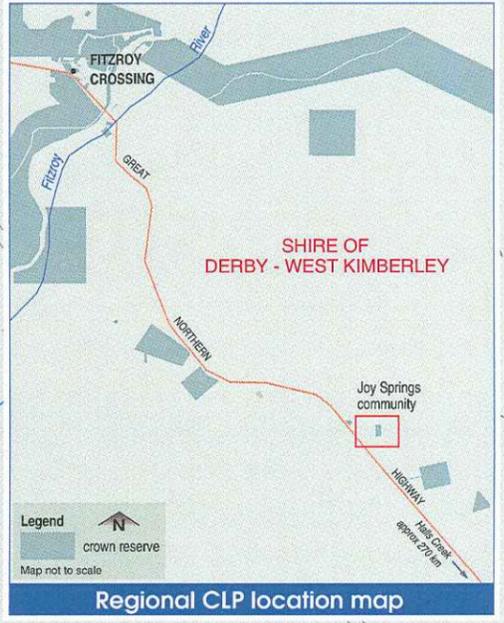
**DRAFT**  
AMENDMENT: 1  
VERSION: 1  
DATE: 1 December 2010

29/3/11  
ANDREAS Rhonda Stenler  
RHONDA R-SURPRISE  
R-SURPRISE  
Celia Miller RLC  
Gina Miller RLC

Version	
Plan Date	16th October 2008
Amendment 1	

Endorsement	
Community	16th October 2008
Local government	5th December 2008
WAPC	13th January 2009

**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

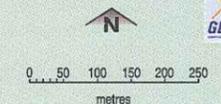




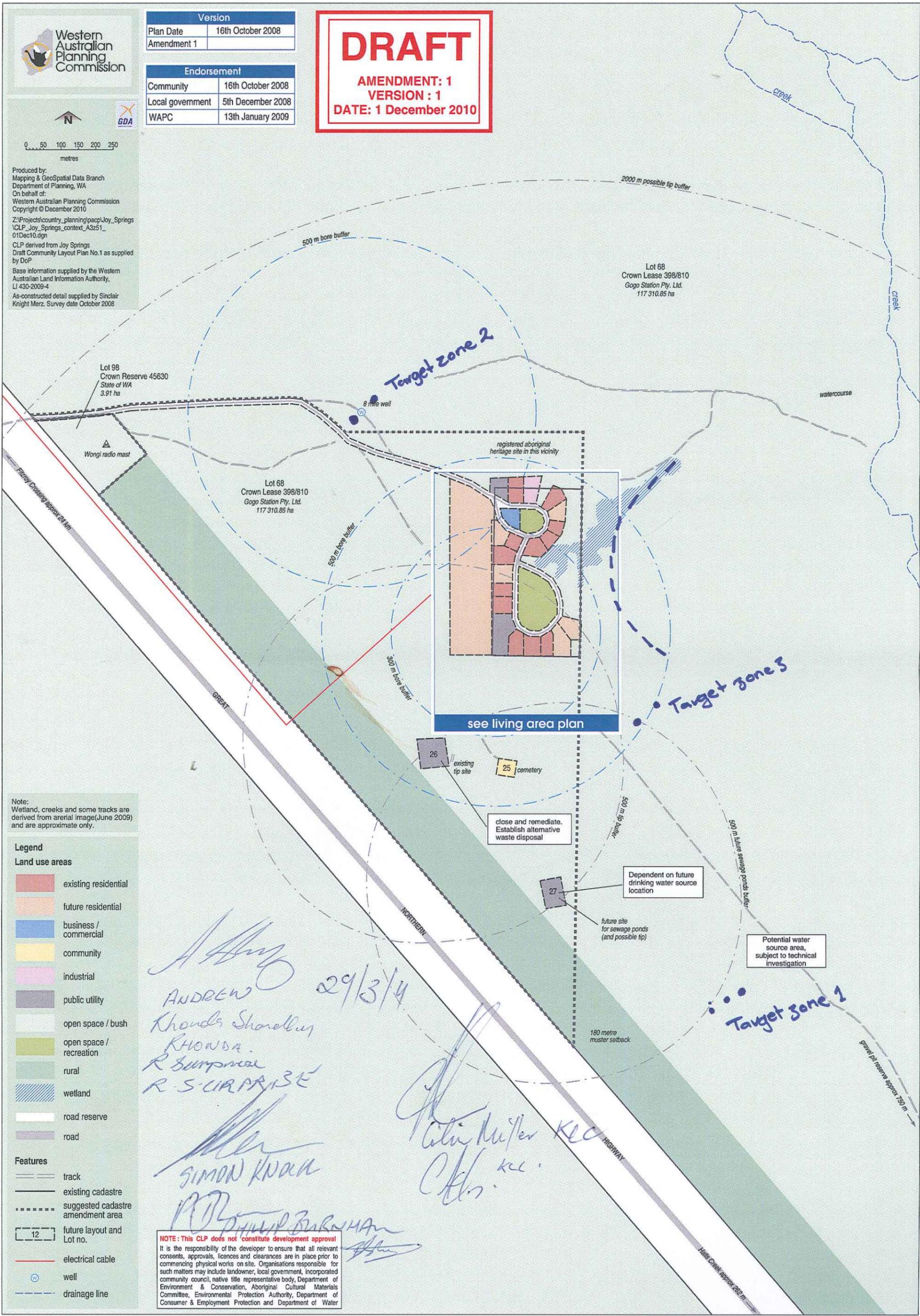
Version	
Plan Date	16th October 2008
Amendment 1	

Endorsement	
Community	16th October 2008
Local government	5th December 2008
WAPC	13th January 2009

**DRAFT**  
**AMENDMENT: 1**  
**VERSION: 1**  
**DATE: 1 December 2010**



Produced by:  
 Mapping & GeoSpatial Data Branch  
 Department of Planning, WA  
 On behalf of:  
 Western Australian Planning Commission  
 Copyright © December 2010  
 Z:\Projects\country\_planning\pacp\Joy\_Springs  
 \CLP\_Joy\_Springs\_context\_A3z51\_01Dec10.dgn  
 CLP derived from Joy Springs  
 Draft Community Layout Plan No.1 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 October 2008



Note:  
 Wetland, creeks and some tracks are  
 derived from aerial 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
  - wetland
  - road reserve
  - road
- Features**
- track
  - existing cadastre
  - suggested cadastre amendment area
  - future layout and Lot no.
  - 12
  - electrical cable
  - well
  - drainage line

*Andrew*  
 ANDREW 29/3/4  
 Rhonda Shoreless  
 R SHORELESS  
 R SURPRISE  
 SIMON KNAA  
 R SURPRISE

*Alan Miller*  
 Alan Miller  
 C. H. K. C.

**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



Approved  
Eight Mile Aboriginal Corporation

*[Signature]*  
please sign and print name

Date 30/3/2011

Shire of Derby / West Kimberley

please sign and print name

Date / /

Western Australian Planning Commission

*[Signature]* KEATH CARL  
please sign and print name

Date 29/9/2011

**Other Information:**

This CLP does not constitute development approval.

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

*[Handwritten note in English, partially illegible]*

## **AMENDMENT 2**

---

Plan Date : 16 October 2008 WAPC Endorsed : 13 January 2009  
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 Joy Springs 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 Joy Springs 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.

A number of minor changes requested by Department of Housing have also been incorporated into this 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



*Rosa Rigali*

please sign and print name

RESOLVED & RECORDED IN MINUTES  
OF THE STATUTORY PLANNING  
COMMITTEE MEETING  
13 NOV 2012

Date 15/11/12

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

**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 3**

---

Joy Springs Layout Plan No.1

Amendment No.3

Proponent	: Department of Housing (DoH)
Date	: 10 December 2013

**Reason for the Amendment**

DoH proposes to build a number of houses at Joy Springs. The Department, along with the community have identified a number of locations for new residential Settlement Layout lots (SL-lots), which do not comply with the current layout plan.

The DoH proposes to make the following changes at Joy Springs.

Subject Land		Changes required to GLP
1.	SL-lot 2 & 20	Remove a portion of SL-lot 2 and SL-lot 20 and create SL-lot 41
2.	SL-lots 8 & 14 <i>MP R.S. J.P.</i>	Remove a portion of SL-lot 8 and SL-lot 14 and create SL-lot 43
3.	SL-lots 9 & 10	Remove a portion of SL-lot 9 and SL-lot 10 and create SL-lot 44
4.	Create new SL-lots	Create SL-lots 40 & 45 - 47 and change land use from 'Open Space' to 'Residential'

**Endorsements:**

<p><b>Eight Mile (Aboriginal Corporation)</b>  <i>Rhonda Shandley, Rhonda Shandley</i>                  please sign and print name</p>	<p><i>Meruya Pindan</i>  <b>MERUYA PINDAN</b>                  Date: 18/2/2014</p>
<p><b>Gooniyandi Aboriginal Corporation</b>  <i>[Signature]</i>                  please sign and print name</p>	<p><i>[Signature]</i>  <b>EMILY CARTER</b>                  Date: 18/02/2014</p>
<p><b>Shire of Derby-West Kimberley</b>  <i>[Signature]</i>                  please sign and print name</p>	<p><b>STEPHEN GASH</b>                  Date: 13/10/14</p>
<p><b>Western Australian Planning Commission</b>                  please sign and print name</p>	<p><i>[Signature]</i>  <b>Ashley Bandell</b>                  Planning Manager, Aboriginal Communities                  Regional Planning &amp; Strategy                  PN: 15151.1                  Date: 06/11/2014</p>

**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 4**

---

**Joy Springs Layout Plan No. 1**

**Amendment No. 4**

<b>Proponent</b> : Department of Housing (DoH)
<b>Date</b> : 18 June 2014

**Reason for the Amendment**

DoH proposes to build a number of houses at Joy Springs. A minor SL-lot realignment is required to comply with the delivery of essential services.

The DoH proposes to make the following changes at Joy Springs.

Issue / Proposal		Changes required to CLP
1.	SL-lot 15	<p>Realign the boundary of SL-lot 15.</p> <p>Change the land use of the north-west corner of SL-lot 15 from 'Residential' to 'Road Reserve'.</p>

**Endorsement:**

In accordance with Planning Bulletin 108/2013 this amendment is minor in nature. As such, the endorsement of the Western Australian Planning Commission is solely required.

<p>Determined on behalf of the Western Australian Planning Commission in accordance with the <i>Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission.</i></p>	<p align="right">                   Ashley Randell                  Planning Manager, Aboriginal Communities                  Determination                  Regional Planning &amp; Strategy                  PN: 15151.1                  date                  18/06/2014             </p>
	<p align="right">                 06/11/2014                  Authorisation                  Ashley Randell name &amp; date                  Planning Manager, Aboriginal Communities                  Regional Planning &amp; Strategy                  PN: 15151.1             </p>

**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.

<b>Proponent</b> :	Department of Planning
<b>Date</b> :	18th July 2016

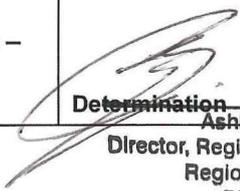
**Reason for the Amendment**

The Department of Planning proposes to make changes to the Joy Springs Layout Plan 1 to include data from the recent Drinking Water Source Protection Plan (June 2016) undertaken to show a Priority 1 Drinking Water Source Protection Area. Minor adjustments are also needed to amend the recommended settlement zone to include the extent of the Priority 1 Water Source Protection Area.

Land Identification		Amendment description
1.	SL-lot 28 and Lot 68 Pastoral Lease PL N049678.	Include the Priority 1 Drinking Water Source Protection Area in Layout Plan 1.  Change the land use from 'Open Space' to 'Drinking Water Source Protection Area' as per the Priority 1 area documented in the Joy Springs Water Source Protection Plan (June 2016) for a portion of Lot 68 Pastoral Lease within the current recommended settlement zone.
2.	Lot 39 Crown Reserve 40569 and Lot 68 Pastoral Lease PL N049678.	Extend the existing recommended settlement zone to include the extent of the Priority 1 Drinking Water Source Protection Area.

**Endorsement:**

In accordance with Planning Bulletin 108/2013 this amendment is minor in nature. As such, the endorsement of the Western Australian Planning Commission is solely required.

Determined on behalf of the Western Australian Planning Commission in accordance with the <i>Instrument of Delegation – Delegation to officers of certain powers and functions of the Western Australian Planning Commission.</i>	 Determination <u>26/07/2016</u> date Ashley Randell Director, Regional Planning Policy Regional Planning PN: 15151
---	--

**Other Information:**

**This Layout Plan does not constitute development approval.**

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