

Muludja Layout Plan 1

Background Report



Ratified Draft

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Department of
Planning





Gutteridge Haskins & Davey Pty Ltd

ACN 008 488 373

GHD House, 239 Adelaide Tce. Perth, WA 6004

P.O. Box Y3106, Perth WA 6832

Telephone: 61 8 9429 6666 Facsimile: 61 8 9429 6555 Email: permail@ghd.com.au

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1. Introduction

Muludja community is located 23.3 kilometres off the Great Northern Highway. The turnoff to the community is about 8.4 kilometres east of Fitzroy Crossing. The Highway is sealed and is normally in good condition. The road from the highway to the community is graded dirt road which is maintained by the Shire. Preceding our first site visit the area had received substantial rain and consequently flooding occurred over much of the region. Local flood damage occurred on the highway pavement between Bayulu turnoff and Muludja turnoff (towards Fitzroy Crossing). The community was also cut off for several days during the rain period as the dirt road becomes boggy and impassable. Internal flooding problems will be discussed later in this report. The roads were repaired before subsequent site visits.

The community was established as part of Fossil Downs Station, but was relocated to its current position about 20 years ago. The traditional area for the founders (elders) of the community was on the other side of the Fitzroy River but this site was chosen by the community to reduce the risk of being cut off from Fitzroy Crossing whilst the Margaret River was in flood. Recent estimates put the current population in Muludja at around 120 people in 19 houses. The 1997 Environmental Health Needs Survey recorded the population as 95.

Housing at the community is in various states of disrepair. The older houses are constructed on earth mounds and the newer houses have been constructed on steel "poles" to bring them above river flood levels. A consultancy has been let to construct four new houses and upgrade 14 houses as part of the NAHS project.

1.1 Overview of Process

The process of preparing layout plans for Aboriginal communities has been established over a period of a few years. It has found to be successful in assisting the community people develop a Community Layout Plan that best suits their requirements and that they are prepared to adopt as a guide for future development within the community area. The methodology adopted provides each community with:

- a background as to why the plans are necessary;
- some basic planning principles to be considered;
- the issues involved in adopting one option from another;
- the contribution and relationship of other agencies to the plan;
- the management of the plan;
- the community Council's obligations and commitments to the plan;
- updating the plan.

A series of planned site visits is carried out to the community to firstly inform them about the process, then consult on community needs and aspirations, and planning issues arising therefrom. A more detailed description of the process is included in Section 1.2 of this report.

1.2 Statement of the Brief and how it was carried out.

The Community Layout Plan was developed in consultation with the community in accordance with the following process.

The tasks and the consultation process outlined in AAD/ATSIC's technical brief reflect the necessary commitment to both an intense and extended consultation process. This reinforces, and gave time for the communities to consider, review and discuss all their requirements with the planning team.

1.2.1 First Stage - Preparation

- The planning team contacted AAD/ATSIC and met with the Contracted State Program Manager, PPK (CSPM) to discuss and agree on the program and process.
- The team availed themselves of all information that was available about the community and its infrastructure. This was sourced from the program manager, the various Government agencies, local authorities, service providers, the community and consultants where relevant. This information included a hard copy and digital copy of the current feature survey information from LandInfo.
- Research material included such data as:
 - history, population statistics, surrounding settlements;
 - geotechnical, geography, vegetation, water courses, flooding, rainfall, prevailing winds, cyclone rating etc;
 - existing essential services, capacity, conditions and location;
 - housing and building information, where possible;
 - identification of land tenure issues, established Aboriginal heritage sites (AAD – Sites Register), leases and land claims;
 - assessment of relevance of statutory controls (eg. Town Planning Scheme), regional plans and other community plans and surveys (eg development plans, business plans, housing and health surveys).
- A preliminary format was prepared for community discussion/meetings. This included a flow chart showing the links and dependencies of various planning controls.
- The first site visit was arranged for 4 April 2000 and regional representatives from AAD/ATSIC were invited to attend the introduction meeting with the community. Arrangements to meet with the Shire to

inform them of the process and invite them to attend the initial meeting were also made.

1.2.2 Second Stage - First Visit

- The Planner (Mr Paul Bashall) and a GHD engineer (Mr Adrian Hordyk) attended the first meeting on site on 4 April 2000.
- Before visiting the community, the planning team met briefly with AAD/ATSIC/Shire local representatives, including the resource agency to confirm the process and their involvement. These meetings helped establish the opportunities and constraints that may affect the planning for the communities. Compliance with the district's statutory requirements (eg Town Planning Scheme or Council policy requirements) were discussed. The representatives declined the invitation to attend the initial site meeting because of other commitments, but expressed interest in possibly attending future meetings.
- Upon arrival at the community, the planning team contacted community representatives and encouraged them to involve all community members who were available for involvement with the discussions/presentations. Eleven Council members and many community members were in attendance.
- The planning team explained the process and purpose of the community layout plan. They discussed planning basics and philosophies and demonstrated how concepts/ideas can be developed. The importance of infrastructure to community development was also explained.
- After the meeting, the team walked through the community with community members and talked about "no go" areas, identified significant features for protection/retention and established the preferred direction(s) of development. The following were considered:
 - services, cultural sites, housing, recreational, shops, industrial, commercial, education, office, camping, cemetery.
- Site infrastructure was checked and discrepancies identified for the necessary follow up. Minor omissions in infrastructure detail not included on the latest survey plans were located using a handheld GPS. Additional survey work was required and this advice was forwarded to Landinfo for inclusion in the current ATSIC survey program.
- The site check of engineering services included:
 - Roads and pathways - layout, condition;
 - Drainage, diversion - flooding, collection, disposal;
 - Water supply - sources, collection, treatment, storage, distribution, irrigation;
 - Wastewater / septics - collection, treatment, disposal;
 - Power supply - generation, distribution;

- Gas - supply/storage, distribution;
 - Telecommunications - receiver, pay phone, line routes;
 - Rubbish tip - location, disposal methods, proximity to ground water, buffer zones.
- A photographic record of various site issues was taken.
 - A graphical explanation/record of the planning process was left with the community to assist them in developing their ideas for discussion at the next visit. The community had its own laminated Landinfo site plan of the community.
 - An appropriate timeframe for the next site visit was agreed.
 - A status report was prepared which was submitted to the CSPM.
 - Infrastructure issues were followed up with additional investigations which were required to clarify infrastructure. This included extra survey being managed by Landinfo.

1.2.3 Third Stage - Second Visit

The Planner, Mr Paul Bashall, attended the second site consultation with the Community on 22 June 2000. Seven Community members were present.

- This was the first opportunity to listen to the ideas and thoughts of the community after recapping on the planning principles.
- The community was assisted with structuring their thoughts in the context of a series of preliminary layouts that offered various options for the development of their community. Different methods of achieving solutions were suggested and it was agreed to prepare 2 option plans incorporating the ideas were discussed.
- Infrastructure issues that pertain to each option were discussed and it was explained how they impact on development solutions.
- It was agreed that option plans would be forwarded to the community and a tentative date of 24 July 2000 was set for the next meeting to revisit them and to review their thoughts on various options.
- The Shire was not able to be present at the meeting and Kevin Dan of AAD was not available.
- Two variations of a layout plan were subsequently prepared and forwarded to the community. The options included suggestions discussed on site as well as alternative solutions. Option plans and associated notes are included in Appendix F.

1.2.4 Fourth Stage - Third Visit

The Planner (Mr Paul Bashall) and a GHD engineer (Mr Adrian Hordyk) attended the third on site consultation on 26 July 2000. Twelve Community members were present.

- The responses and further thoughts of the community on the options were discussed and reviewed. The community members generally showed a keen interest in the options presented.
- The community, after some discussion amongst themselves, indicated that they preferred option B with some amendments, namely:
 - The location of the basketball courts be changed to be on the north east side of the oval;
 - Ablutions being shown in the same area as the basketball court and the visitors camping area.
- Street names were selected and agreed to over the rest of the morning.
- The need for planning ‘provisions’ and the next stage of the process was outlined.
- A status report was prepared which was submitted to the CSPM.
- The agreed layout plans were subsequently modified in accordance with discussions and a copy of the preferred option was forwarded to the community.
- An appropriate time to revisit the community was not arranged because one of the three community visits had to be re-done and fresh survey information was not yet available.
- The Shire and regional AAD/ATSIC representatives were contacted. The Shire could not attend and AAD was advised of progress.
- The draft engineering report outlining the key infrastructure issues and their associated capital cost requirements relating to the chosen option could now proceed.

1.2.5 Fifth Stage - Fourth Visit

The final visit to the community was made on Tuesday 5 December 2000 by Paul Bashall(Planner) and Kevin Dann of AAD (Fitzroy Crossing) and Nigel Bancroft of the Shire of Derby - West Kimberley. Five Community members were present.

- The final plan was presented and the process and procedures reiterated. The community representatives were pleased and agreed with the plan.
- The community was presented with a mounted and framed photograph of layout plan with models of the community buildings mounted on the photograph.
- The final Plan and Provisions were left with the community for adoption. Although the Community did not sign the provisions document during the visit receipt of the signed document is expected soon.
- A laminated B1 plan showing cadastral and services information in colour will be forwarded to the Community.

- The final Plan and Provisions will be submitted to the Shire of Derby West Kimberley for endorsement when it is received.
- The final report has been completed complete with a copy of the Community Layout Plan, Provisions, Address Guide, cadastral plan and services plans. (This document)
- A copy of this report will be forwarded to the Community, Shire, AAD and ATSIK and two copies will be forwarded to PPK.

1.3 Liaison

Liaison was carried out with the following agencies:

- **Marra Worra Worra Resource Agency (Fitzroy Crossing)** – Jodi Bell and Robert Kennedy (since left);
- **Committee members** – Sally Marvyn (Chairperson), Helen Malo (bookkeeper), Willie Cheribun (services) and several others;
- **Shire** - Nigel Bancroft (Shire Planner), Nicole Bathomeuf (planner) and Ken O'Donnell (Aboriginal Environmental Health Field Support Officer);
- **Aboriginal Affairs Department** –Mary Cowley (Regional Director) and Kevin Dann (Fitzroy Crossing officer);
- **ATSIK** –Reece George (Derby Office).

Notes on discussions with various parties outside the community are included in Appendix C.

1.4 Servicing Authorities

Kimberley Regional Service Providers provide the maintenance service for the water and power operations at the community. Day to day operation of water and power is managed by community members.

2. Background Information

The following list provides some essential data about the community.

Community's Common Name.	Muludja
Formal Name	Muludja Aboriginal Corporation
Community Representative Organisation(CRO)	Muludja Community Council
Location of Community	18°09'39"S 125°45'36"E
Local Government Area	Shire of Derby-West Kimberley
Access	23.3km off Great Northern Highway
Visiting Protocols and Arrangements	By arrangement
Contact Details -, postal address,	PO Box 300, Fitzroy Crossing, WA 6765
telephone,	(08) 9191 7087
facsimile	(08) 9191 7409
Helen Malo	Private tel (08) 9191 7128
Marra Worra Worra	(08) 9191 7183
Land Status	Lease from ALT
Land Details/Identification	Reserve 39301
Language	Gooniyanoi

3. Description of CLP Area

The community area is shown on the site plan in Appendix B.

3.1 The Geography of the Area

- Site is approximately 200m from the Margaret River.
- Ground is generally level at about RL 116 with slight undulations up to 1 metre.

3.2 Geotechnical

- Soil in the area is generally a silty clay and silt sand pindan which is hard when dry, but becomes very soft when wet.
- A geotechnical report prepared by GHD for the wastewater ponds in 1998 provides more technical details on the soil profile in the wastewater treatment pond area. Surface soils in the area were classified as SM (silty sand), CL (inorganic clays) and ML (inorganic silts).

3.3 Vegetation

- Vegetation is scattered trees, scrubs and high dense grass.

3.4 Water courses and flooding

- The community is located 200m south of the Margaret River and is subject to flooding on a regular (3 to 10 years) basis.
- Water level has been recorded up to the eighth step on Willie's house which equates to an RL of approximately 117.

3.5 Weather

Climatic conditions:

- | | |
|-------------------------------|---------|
| • Annual rainfall | 537mm |
| • Number of rain days | 49 |
| • Average maximum temperature | 35.7 °C |
| • Average minimum temperature | 19.2 °C |
| • Annual 9am humidity | 41% |
| • Annual 3pm humidity | 27% |

Climatic averages for Fitzroy Crossing are shown in Appendix D.

3.6 Prevailing winds

- Winds are generally from the east.
- Copies of wind roses for Fitzroy Crossing are included in Appendix D.

3.7 Roads and pathways

- The road layout in the community is in a grid pattern.
- The roads bitumen sealed and kerbed.
- In some areas they are in poor condition and are broken up eg NE road.
- No maintenance is evident as grass is growing in the gutters.
- There are no formed paths.
- The new roads planned as part of the CLP will be orientated to provide a northerly aspect for the lots.

3.8 Stormwater drainage

- There is no formal stormwater drainage collection system in the community. Roads are graded to drain out to the NE corner and also to the north and west.
- The access road into the site requires a drain cut through to the river to drain water that runs into the road approximately 100m west of the power station.

3.9 Water supply

- Water sources are two bores. Bore 1/83 was not being used in July 2000 and bore 1/87 is capped. Bore 1/88 was operational. The July 1998 Asset Condition Report shows that bores 1/87 and 1/83 were operational and pumping at 2.6 l/s and 2.9l/s respectively. No details have been made available for the new bore and it is assumed that it will be pumping at a similar rate. If that is the case there appears to be adequate water supplies for the anticipated population of 200 people.
- Water treatment is by filtering and UV disinfection. Quality is sometimes borderline.
- Water storage is a 200kl storage tank on an 12m elevated stand constructed in 1999.
- The distribution system is 80mm PVC class 9 pipe with 25mm services. There are no known problems with the distribution system.
- There is no irrigation system.
- Arthur Cherele looks after the water supply operations on site.

3.10 Wastewater

- A septic tank effluent disposal system (STED) was installed as part of the NAHS project in the community in late 2000, complete with a effluent pumping station and effluent treatment ponds. All septic tanks were cleaned out and refurbished and leach drains filled in. The new ponds have been designed for a raw sewage biological load from 200 people. The current STED system will impose a smaller biological load than a raw sewage system.

3.11 Power supply

- Power is generated on site and consists of 100kW, 70kW and a 40kW gensets
- Fuel storage capacity 27,000 litres
- Power distribution is 4 aluminium conductors plus street lighting wire on steel poles all in good condition.
- Consumer mains are PVC aerials.
- Power mains to three new houses south of site are PVC aerials on consumer poles. It is not up to standard for power distribution and needs to be upgraded to proper distribution reticulation standards.
- The community looks after the power house with maintenance support from KRSP.
- Future work planned as part of the NAHS project:- 150kW genset, 27,000 litre tank and bunding or a new 55,000 litre tank, switchboard upgrade and extending mains reticulation to new houses and new building lots.

3.12 Gas

- There is no gas distribution on site. Bottled gas used for cooking etc.

3.13 Telecommunications

- The receiver is located on the south west corner of the site.
- The pay phone has been destroyed and should be relocated to suit new town plan when it is replaced.
- Telstra have records of line routes and have provided a plan for information only.

3.14 Rubbish Tip

- The existing tip is located approximately 100 metres to the north west of the site. It is just a hole in the ground, with the rubbish just dumped adjacent to it and every now and then it is pushed into the hole and covered over. The rubbish site is subject to flooding which may wash all the rubbish down the river if it is not covered.
- The proximity to ground water is not known. It was not encountered during a geotechnical investigation for the wastewater ponds in September 1998. Test pits were dug to a depth of 3 metres.
- A new tip will be located against the proposed wastewater ponds to make use of the embankments to provide protection from moving floodwaters. The new tip and fencing is planned as part of the NAHS project to be constructed this year, but is subject to DEP approval.

3.15 Aerodrome

- The community does not have an airstrip.

3.16 Cemetery

- The cemetery is located on the north side of the Margaret River and does not impact on the community town plan.

3.17 Recreation Areas

- The only recreation area that exists within the community itself is the grassed areas and playground equipment at the school. The proposed layout plan locates an oval and basketball courts west of the community next to the school.

3.18 Access Roads

- Muludja is located north east of Fitzroy Crossing.
- The turnoff to the track to Muludja is 8.4km east of Fitzroy Crossing along the Great Northern Highway.
- The turnoff to Muludja off the track to Fossil Downs is 21.6km north and the Community is located 1.7km east of the track Fossil Downs station.
- The Fossil Downs track is maintained by the Shire and was in good condition during the last visit. The condition varies with the time of the year and when last graded. During the “wet” the track is damaged by vehicles

and becomes virtually impassable. The track from the Fossil Downs road to the community is the community's responsibility and was in poor condition. However, work on upgrading the track was done in July 2000.

3.19 Gravel and Sand Pits/Sources

- Sand can be sourced from the Margaret River and gravel has to be imported. Rock may be available from a site on Fossil Downs station, subject to permission or from mines dumps.

3.20 Gardens/Nurseries

- There is no formal nursery.
- Some houses have some planting but the main gardens are around the school and teachers houses.

3.21 Outstations

- Muludja has no outstations associated with the community.

3.22 School details

- Muludja school currently has 40 students enrolled with 4 staff, including one non-teaching staff member. The classes range from pre-primary (5 full-time and 3 part-time students) to year 1 up to year 7 (32 full-time children). The principal Marty Sheppard lives near the school buildings and takes part in many community based activities. The school has several classrooms and other facilities built on stilts to avoid floodwaters. The undercrofts of the buildings are used at lunch times and recess. The school has well kept grounds including a basketball court.

4. Local and Regional Context

Due to the close proximity to Fitzroy Crossing, many of the town's facilities, amenities and services are used by the Muludja community.

- Services obtained locally include; clinic – visiting nurse once per week, shop, hall, church, satellite dish, community kitchen and art centre.
- Most of the administration staff work and live within the community except for those components provided by Marra Worra Worra.
- The community provides CDEP employment for 30 male and 20 female – total 100 hours per week (including workshops opportunities).
- Relationship with local government is good, but the Shire has no statutory power to control development outside the Derby Townsite (Town Planning) Scheme area. The Shire's Environmental Health Officer visits the community three times per year.
- Primary school facilities are provided in the community. High school provided in Fitzroy Crossing, transport is by bus from Muludja.
- ALS and police visit as required
- Alcohol is not permitted in the community, but the policy is not fully enforced.
- The community has a workshop and several community vehicles including; three 4WD vehicles, a rubbish truck and a tractor.

5. Relationship to Community and Regional Plans

5.1 State Planning Strategy

The State Planning Strategy applies to the broad issues and objectives for the state and region, but there is no Region Plan for this area. The Ministry for Planning is progressively preparing such plans for each region. The Strategy identifies the area around the community as a Strategic Agricultural Area with Fitzroy Crossing as the Local Service Centre.

The Strategy also seeks to preserve Aboriginal cultural heritage and significant heritage sites and provide appropriate infrastructure and social services to remote Aboriginal communities. The strategy to address the provision of social and community facilities will be actioned by facilitating the preparation and endorsement of community plans for remote Aboriginal communities to enable the communities to determine the future for their settlements.

5.2 Statement of Planning Policy

The Ministry for Planning has recently prepared a Statement of Planning Policy (under section 5AA of the Town Planning and Development Act 1928). The policy provides a framework for the planning of large permanent Aboriginal communities and also providing a basis for negotiation between Aboriginal communities and local government for planning control. This policy fosters the development of cooperative strategies that aim to minimise the need to use strict regulatory powers. The Statement of Planning Policy no 13 was subsequently endorsed by the Minister for Planning and approved by His Excellency the Governor. The WA Planning Commission in determining planning matters throughout the State will now apply the policy. Local governments and the Town Planning Appeal Tribunal are also required to have due regard to the Statement in preparing Schemes and determining appeals. The Statement will require a set of standards to be adhered to in the preparation of community layout plans for Aboriginal communities throughout the State. The Statement also requires compliance with the adopted Guidelines to ensure that all Local Authorities within the State are involved in the process of preparation and adoption. Compliance with the Act will also compel other agencies to adhere to the proposals set out in adopted plans. Non-compliance will be an offence under the provisions of the Act and may be subject to the appropriate penalties.

5.3 Derby-West Kimberley Town Planning Scheme

The community is located in the Shire of Derby-West Kimberley. The Shire Council does not have a Town Planning Scheme that covers the whole district

and therefore has no jurisdiction over development in the area. The Shire is, however, keen to be involved in the process put forward in this project.

The Shire Council is currently considering the inclusion of the whole Shire in its Townsite Scheme for Derby.

5.4 Community Plan

Neither the community, AAD, ATSIC nor PPK have been able to provide a copy of an existing community plan or strategic plan for the community.

6. Land Tenure

The Muludja community is located on two parts of a Crown Reserve 39301 (Loc 30 and 96). The area of the northern portion of the reserve is where most of the community is located is 136.43 hectares. The southern portion is of a similar size.

The Crown Reserve is vested in the Aboriginal Lands Trust and leased to the community.

7. Legislative Framework, Existing Statutory and Non-Statutory Controls

These details are already covered in section dealing with the relationship to community and regional plans.

8. Community Demographics

The information from the Aboriginal Information Management System (AIMS) survey conducted in 1995 has not been made available by the Aboriginal Affairs Department as it was feared that the age of the data may make the data misleading. The table shown below shows the Environmental Health Needs Survey conducted in 1997. It is evident that this information is now out of date and possibly taken in the wet season.

Category	Count	Years
Babies/infants	20	0-5
School age kids	40	6-17
Young adults	30	18-55
Older people	5	56 or older
TOTAL	95	

Source: Environmental Health Needs Survey, 1997

The 1997 Environmental Health Needs Coordinating Committee survey suggests that the community has an annual change in the community population during the wet season. The community loses many people for 1-3 months due to access difficulties caused by inaccessible roads.

The layout plan provides for additional 18 residential blocks which would add considerably to the existing 24 houses providing an adequate growth path for many years to come.

10. Opportunities and Constraints on Development

The potential for flooding throughout the community is the single most significant restraint. The higher areas of the community will be targeted for initial development even though these higher areas flood as well. All new buildings will be built above the minimum flood level of RL117.2 metres, either by mounding or pole frame.

The existing shop/office/clinic area is currently set in amongst the residences and provides no room for expansion. This provides a development constraint but also an opportunity to plan a new area more appropriate to group community type uses.

10.1 Location of community

The community is located in the flood plain of the Margaret River and from anecdotal evidence, the community is inundated with floodwaters every 3 to 10 years. When it was suggested that the community may be better located elsewhere due to flooding problems from the Margaret River, the community indicated their desire to remain in the current location because of the affinity older community members have to Fossil Downs Station where they grew up. The consequence of this decision is that all new houses and structures have to be constructed at least 2000mm above ground level to be above the estimated flood level of RL 117.2.

10.2 Geography of the area

The geography of the area has no restrictions to further development if the issue of flooding is dismissed. Access will always remain a problem during the “wet” as long as the roads into the community remain unsealed.

10.3 Available useable land

With the addition of “Collin’s yard” to the lease area, there is adequate room to the south to more than double the community housing area which will cater for anticipated growth for the next 10 years.

10.4 Existing services and access

10.4.1 Water Supply

Assuming bore 1/88 is producing 2.5l/s, this would equate to approximately 200kl per day. This will support a population of 200 people. Assuming bore 1/83 is also still operational, the community has an adequate standby supply as well. The new Septic Tank Effluent Disposal system will minimise the

possibility of contamination from sewage. It is suggested that the situation be monitored closely and if there is not an improvement in water quality, consideration be given to installing chlorine disinfection.

For future residential areas south of the existing houses, new water mains are required. Preliminary investigation indicates that at this stage allowance should be made to replace the 80uPVC main in the street opposite the tank to River Road with a 150mm diameter main. Allowing for a 150mm main to supply the area to the south and 100mm and 63mm diameter laterals.

Estimated costs to service the area shown in the layout plan is in the order of \$120,000 based on an all up cost of \$100 per lineal metre.

10.4.2 Wastewater

The currently proposed wastewater system can be extended to service the area shown on the layout plan. The estimated cost to provide wastewater services to the proposed lots is \$120,000 based on an all up cost of \$150 per lineal meter.

10.4.3 Stormwater drainage

As part of the future development, the drainage system needs to be developed to provide outlets from the residential area towards the river. The philosophy of surface drainage systems (road surface flow and open unlined drains) is supported as it is low in maintenance whereas pits and pipes can block up.

Some outfall drains need to be constructed to allow the surface water from the roads to drain away towards the river. Two open drains are required, one to the east of the housing area and one to the west.

10.4.4 Roads and Access roads

New roads in the community should be kerbed and sealed similar to the existing roads. The estimated cost to construct the roads shown on the layout plan is \$110,000, based on an estimated all up rate of \$300 per lineal metre. The main access road from the highway to Fossil Downs Station is maintained by the local Shire. It is a "dirt" road and its serviceability could be improved by raising the road and sheeting it with gravel. The likely-hood of funding becoming available for such a project is probably very remote. The road from the Fossil Downs road to the community could be upgraded and sealed at a cost of approximately \$500,000.

10.4.5 Power Supply

The power station is currently operating at 20% above maximum capacity for the largest set during the wet season, when the powerhouse load is at its peak. The community at the time of this report are deciding whether to upgrade the smallest set to a 85kW unit. GHD have prepared a workscope report to PPK setting out the parameters associated with this upgrade.

The existing reticulation is in good order. The current PPK workscope report recommends providing additional reticulation infrastructure to the future housing lots at the southern edge of the community.

The upgrade will allow for a peak load of 185kW (with the 70kW as a standby) and this will cater for community needs for the next 3-5 years. Present loads are 30kW during the low season, peaking at 110kW during the wet (hot) season. Upgrading power generation needs to be finely balanced with demand to avoid installing oversize sets which are inefficient and can “glaze up” on low load.

Generally the electrical reticulation is consistent with the new proposed town plan. Some minor relocations of electrical reticulation services may be required. Generally reticulation and installation are in the order of \$6,000 to \$8,000 per 100m and to install reticulation to the extended town plan (excluding the work under consideration as part of the current workscope referred to above) is \$50,000.

10.4.6 Cultural issues

The community raised no cultural issues that had a bearing on the development of the layout plan. As explained at the commencement of the project there would only be a need to identify culturally significant areas if they were at risk of being disturbed in the development of the plan. Cultural areas were pointed out during the site meetings but it was agreed that the sites would not be affected by the plan.

10.4.7 Transport availability

The nearest centre of transport is Fitzroy Crossing which is serviced by an airstrip and the public road network. Materials and foodstuffs are readily transported by road to the community during the dry season, but are restricted during the wet season, depending on the condition of the road. The community travels to Fitzroy Crossing by motor vehicle.

10.4.8 Flooding

As previously identified, flooding is an issue at the Community and the Community has indicated a strong preference not to relocate. No official flood records are being kept and anecdotal evidence suggests that water levels have reached RL 117. Current frame elevated houses have floor levels ranging from RL 117.5 to RL 118.8 and earth fill pads have floor levels ranging from RL 117 to RL 117.2.

Any development should take this into account.

11. Environmental Considerations

11.1 Geotechnical

Soil in the area is generally a silty clay and silty sand pindan which is hard when dry. The soil becomes soft when wet and appropriate footings (size and depth) are to be designed for structures.

A geotechnical report prepared by GHD for the wastewater ponds in 1998 provides more technical details on the soil profile in the wastewater treatment pond area.

11.2 Vegetation

Vegetation is scattered trees and scrub. Dense high grass in areas. No concern was raised by any party on the existence of exotic species in the proposed development area.

11.3 Water courses and flooding

The community is located 200m from the Margaret River and is subject to flooding on a regular (3 to 10 years) basis.

Water level has been recorded up to the eighth step on Willie's house which equates to an RL of approximately 117.2.

As stated in section 10.1 above, the site is the community's preferred location and appropriate precautions need to be taken when constructing buildings and other structures in the area.

11.4 Weather

The community is located in the tropics so orientation of housing must be taken into consideration when proposing road layouts. The proposed layout plan has been designed to allow houses to be constructed with a northerly aspect.

Climatic averages for Fitzroy Crossing are shown in Appendix D.

11.5 Prevailing winds

Winds are generally from the east according to Helen Malo.

Bureau of Meteorology records indicate that winds can be expected from all corners of the compass, but the predominant direction of strong winds is from the east.

Copies of wind roses for Fitzroy Crossing are included in Appendix D.

Some community members did express concerns about the location of the ponds and the tip to the east of the community. The facility cannot be located to the west or the south because the land tenure does not extend far enough to give a minimum of 500 metres separation. The river is only 200 metres to the north, preventing a site in that direction.

The location of the wastewater treatment ponds and the tip is 800 metres east of the houses. The ponds should not emit strong smells when operating correctly. Similarly, if the tip is operated properly, rubbish will be covered weekly, minimising smells.

11.6 Water Source

The close proximity of the houses to the water bores could cause contamination to the water supply. The wastewater upgrade and treatment ponds will stop effluent soaking into the ground in the vicinity of the bores.

12. Planning Philosophy

12.1 Planning Principles

The planning principles adopted in preparing the layout plan have been described in detail below. In essence the plan seeks, over a period of time, to establish a new community centre further towards the community entry. The existing cluster of the shop, office and clinic provides no capacity for growth. Each of these facilities could be relocated or converted to other uses if new funding becomes available.

As previously mentioned, the first meeting with each community is designed to introduce some planning principles on which to base some of the community's decisions regarding the layout plan design.

To assist in this introduction, a diagram was copied and distributed (see Appendix A). During the discussions, it was further explained that these principles are shown on the diagram without constraints, and as each community already has development (and therefore constraints) some of these ideal principles may not be possible to achieve.

It was clearly explained that not every community would have, or need, each of these activities, but if a community envisaged that it may need such facilities in the future, some thought should be given to the planned location should funding be provided in the future.

The diagram shows the following issues and principles suggested as a basis for discussion:

- The office/administration should be the first stop for visitors to enable them to register their visit, or receive consent, to enter the community area.. Where possible visitors should not have to go through the community area to reach the office. The warden's office (or police) should be adjacent, or incorporated in, the administration building.
- The central meeting area should be adjacent to the three main activity areas of the general community life. These include the office, store and clinic. In this way the people can meet in this location and still be able to keep in touch with activities in each of these areas. In close proximity there should also be a play area for children, ablutions, and perhaps a laundry (depending on the housing setup).
- Aged persons' accommodation should be located in close proximity to the clinic, and perhaps women's centre. If a kindergarten is to be provided it could be in conjunction with, or close to, the women's centre.
- If a community needs a safe house, it should be close to the women's centre.

- The women's facilities and amenities should be located in the relevant juxtaposition in relation to the women's area (business area) where appropriate.
- If a church building is to be provided it should be centrally located to its users, be in a location where upkeep and safety are easy to maintain.
- Where a community plans to build a recreation hall it should be located to take advantage of the store/shop, and perhaps should incorporate an indoor basketball court, or be close to the existing basketball court.
- The school should be located as close as possible to the users, and staff for security. The oval should be as near as possible to the school as the majority of users will be school children. If there is doubt about whether the oval will ever be watered, it should be located down wind from all community activities to avoid the inevitable dust problems.
- Rubbish tips and sewerage lagoons should preferably be located down wind from the community at regulation distances.
- Workplaces, which usually mean workshops, should be accessible but separate from the other community activities. These areas, where possible, should be located down wind to minimise noise, dust and smells from these activities that usually involve large vehicles. Often it is ideal to have the servicing utilities nearby, (Telstra, water, power etc) for similar reasons as well as security and ease of maintenance.
- Visitor's camping areas need to be thought about carefully. Different communities have differing attitudes to visitors. Some say that no facilities should be provided - if visitors are welcome they will stay with their friends or relatives in the houses. Others say that a separate location should be provided on the edge of the community, so the houses are not overrun and overused. In these cases often the visitors may not be related -nor welcome - in the community. Others say that visitors should be close in the community, as they will be relatives, but a separate location should be provided to avoid overcrowding. Special arrangements need to be considered where a community hosts a law period gathering, for example special short term ablution facilities.
- Other facilities, like youth centres and single person's quarters, may need to be grouped, but located away from the mainstream activities to minimise the potential nuisance factor.
- Where relevant, housing areas should be grouped according to family groups or similar backgrounds.

The Community is in agreement with the principles presented and this is reflected in the adopted plan.

12.2 Planning Review

Consistent with mainstream planning, a layout plan (or Town Planning Scheme) should be reviewed every five years. This review period may need to be less if a community receives a funding boost that may stimulate the community to reconsider some its decisions in the preparation of these plans.

13. Administrative and Management Arrangements

In presenting the provisions attached to the layout plan, it is clearly pointed out that the responsible authority for administering the provisions and plan is the Community Council. It was also noted that although the Shire Council currently has no jurisdiction over development in the community, it was keen to participate in the project and has indicated that would assist in the administration on an informal basis where possible.

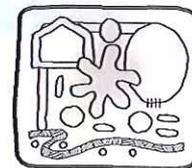
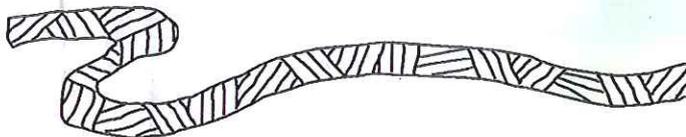
To ensure that the layout plan is adhered to it is paramount that any agency that proposes to carry out works in a community area must conform to the adopted plan. This conformity must be emphasised at the source of the funding. Any contracts drafted to carry out works must have a condition regarding the compliance of any works with the plan. Where a major work may require a re-consideration of the plan, the community may need to have a fresh look at the plan in order to cater for the proposed work.

It was pointed out that the Ministry for Planning had recently gazetted the Statement of Planning Policy relating to the planning of Aboriginal communities, however the administration of such plans was ideally to be a shared responsibility between the communities and the respective Local Authority. The Statement of Planning Policy states that the successful implementation of the policy is the responsibility of Commonwealth, State and local government.

14. References and Bibliography

1. AIMS 1995 Survey and AIMS Community Profile, AAD
2. ALT Land Tenure, AAD
3. Environmental Health Needs Survey, 1997, ATSI/Health Dept
4. Student enrolment and teacher information - Education Dept WA, 2000
5. Australian Commonwealth Bureau of Meteorology - Weather data
6. Kimberley Regional Services Providers - Services data.
7. Telstra - Cable locations.
8. Landinfo - Site plans.

ENDORSEMENTS



ADOPTION

MULUDJA

.....
Name of Community

The Community Council hereby adopts the Layout Plan dated 1 November, 2000 (including the provisions), for the purpose of ensuring the proper and orderly planning of the community area, at the meeting of the Council held on the

..... day of 2000.

Ruth Fredericks
.....
Chairperson (sign and print name)

.....
Date

Helen Malo
.....
Secretary (sign and print name)

.....
Date

ENDORSEMENT

ERBY - WEST

.....
Name of Local Authority

The Shire Council hereby endorses the Layout Plan dated for the Community as a guide for development within the community area to ensure the proper and orderly planning of the community area, at the

..... meeting of the Council held on the
..... day of 2000.

.....
President (sign and print name)

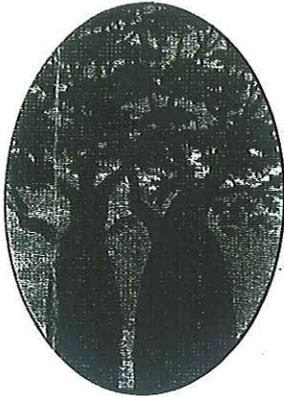
.....
Date

.....
Chief Executive Officer (sign and print name)

.....
Date

DL RTT.

7



SHIRE OF DERBY/WEST KIMBERLEY

ABN 99 934 203 062 P.O. BOX 94, DERBY, WESTERN AUSTRALIA 6728
TELEPHONE: (08) 9191 1433 FACSIMILE: (08) 9191 1221
E-MAIL: sdwk@sdwk.wa.gov.au

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF EXECUTIVE OFFICER

LIBRARY

P8.12

ART GALLERY

OUR REF.

MUSEUM

YOUR REF.

1 February 2002

CATH MEAGHAN
DEPARTMENT OF PLANNING AND INFRASTRUCTURE
ALBERT FACEY HOUSE
469 WELLINGTON ST
PERTH WA 6000

DEPARTMENT FOR PLANNING
AND INFRASTRUCTURE
- 8 FEB 2002
57-1-25 P. 27
FILE 57-1-25 P. 28

57-1-25 P. 26

Dear Cath

COMMUNITY LAYOUT PLANS, BAYULU, MULUDJA AND JARLMADANGAH

Please find enclosed copies of Community layout plans for Bayulu and Jarlmadangah as endorsed by Council (all copies that Council has have been forwarded on).

These CLP's were endorsed by Council at its meeting of 31st January 2002 pursuant to SPP No 13. There are however a number of minor issues that have previously been raised in respect to the plans that still require attention, refer fax from Bob Wallin 7th June 2001. These issues were not however considered by Council to warrant finalisation prior to endorsement.

In respect to the CLP for Muludja, Council was not prepared to endorse this and resolved as follows:

That the Community Layout Plan for Muludja be noted only and the WA Planning Commission be advised that the plan has not been endorsed as it is not considered to provide an adequate assessment of the wider issues and alternative options associated with the facilitation of further development in a community that is subject to regular flooding, access restriction and associated servicing difficulties.

The Commission be further advised;

- that Council is concerned with the lack of a requirement in SPP No 13 for strategic issues associated with servicing the expansion of Communities as provided for in a majority of Community Layout Plans to be addressed, and

- 6
- The apparent lack of a formal process for the assessment of the proposed location of Aboriginal Communities taking into account environmental issues such as flooding, the cost and suitability of access and servicing constraints.

Although not endorsed the copies of the Muludja CLP as considered by Council are enclosed for your information.

Council looks forward to your advice in respect to the above issues.

Yours sincerely



Nigel Bancroft
SHIRE PLANNER

Our Ref: 057/1/1/25 P28
Your Ref:
Enquiries: Cath Meaghan (9264 7685)



WESTERN AUSTRALIAN
PLANNING COMMISSION

Muludja Aboriginal Corporation
PO Box 300
FITZROY CROSSING WA 6765

Dear Sir/Madam

WAPC CONSIDERATION OF THE MULUDJA COMMUNITY LAYOUT PLAN

The Western Australian Planning Commission has noted the Muludja Community Layout Plan. The plan was not endorsed for the following reason:

- the community is located in a floodplain and is likely to experience regular inundation, increased health risks, damage to infrastructure, isolation and evacuation of residents.

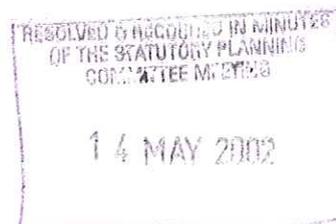
Please find enclosed a copy of the layout plan and provisions for your records.

Yours faithfully

SIMON WOOD
FOR SECRETARY
WESTERN AUSTRALIAN PLANNING COMMISSION

16 May 2002

cc. Shire of Derby/West Kimberley



REVISIONS

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 draft Muludja Layout Plan 1.

The Muludja LP1 (LP1) was prepared by consultants GHD on behalf of the, Aboriginal and Torres Strait Islander Commission (ATSIC) in 2000.

LP1 Version 1 (4 May 2001) was endorsed by representatives from the resident community. However, in January 2002 the Shire of Derby West Kimberley considered LP1 and resolved not to endorse due to flood hazard concerns. In May 2002 the Western Australian Planning Commission similarly resolved not to endorse LP1.

- 4 May 2001

Reason for redrafted version

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 draft Muludja Layout Plan 2.

Proposed Version 2 to LP1 is the following was undertaken to identify existing land uses not identified on LP1 Version 1, to enable efficient and coordinated service provision:

1. Change Land Use - Amend the Land use of the rubbish site North of Lot 19 from open space to Public Utility
2. Number Public Utility lot north of Lot 19, Lot 37
3. Number Public Utility lot adjacent to Lot 20, Lot 36
4. Number Public Utility lot east of the community, Lot 64

LP2 Version 2 (1 November 2009) was not endorsed by any party.

- 1 February 2011

Reason for redrafted version

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 draft Muludja 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 Muludja 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.

Ratification

In some instances, such as Muludja, Layout Plans remain in draft form. This can be for a range of reasons, usually political (failure to secure endorsement from various parties) or empirical (absence of data necessary to permit considered decisions). Delivery of housing and infrastructure by state agencies and authorities relies on Layout Plans for an agreed spatial framework. WAPC ratification of draft Layout Plans ensures that there is an agreed spatial framework for housing and infrastructure development ~~and~~ Aboriginal settlements.

Western Australian Planning Commission



please sign and print name

Rosa Rigali

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

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

Date 27/11/12

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.

Reason for redrafted version

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 draft Muludja Layout Plan 1.

The Department of Housing proposes to develop an additional dwelling for the purpose of Government Regional Officers Housing and has liaised with the community to determine a suitable location. It is proposed that one SL-lot be added to the ratified draft Muludja Layout Plan 1.

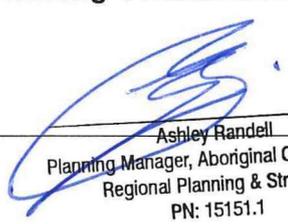
Subject Land		Changes required to CLP
1.	Rear of SL-lot 10, along Mailanga Street	Create SL-lot 70 with access from Mailanga Street Change land use from 'Open Space' to 'Residential'
2.	Cox Street	Shift Cox Street to the west
3.	SL-lot realignments	Realign the boundaries of Commercial SL-lots 38, 40 and Community SL-lots 41, 42 and 43
4.	Western boundaries of SL-lots 44 and 54	Create a 10m wide laneway along the western boundary of SL-lots 44 and 54 Land use to change from 'Road Reserve' to 'Open Space'
5.	Recreation SL-lot 39	Remove SL-lot 39 to allow for proposed SL-road and SL-lot realignments
6.	Chico Street	Remove Chico Street and change land use from 'Road Reserve' to 'Open Space'.
7.	Remove truncations from various lots	Remove truncations from Residential SL-lots 44, 54, 59 and 60
8.	No Go Exclusion Boundary	Include location of No Go Exclusion Boundary on layout plan

Ratification

In some instances, such as Muludja, Layout Plans remain in draft form. This can be for a range of reasons, usually political (failure to secure endorsement from various parties) or empirical (absence of data necessary to permit considered decisions). Delivery of housing and infrastructure by state agencies and authorities relies on Layout Plans for an agreed spatial framework. WAPC ratification of draft Layout Plans ensures that there is an agreed spatial framework for housing and infrastructure development on Aboriginal settlements.

Western Australian Planning Commission

please sign and print name

 26/02/2015.

Date / /

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

Other Information:

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Reason for redrafted version

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 draft Muludja Layout Plan 1.

The Housing Authority (the Authority) will be constructing sealed roads in Muludja. The Authority proposes to extend SL-road reserve Robinson Court to the south to enable appropriate access to SL-lot 6, which is classified Residential and is currently vacant. This will provide an additional site for future residential development.

Subject Land		Changes required to CLP
1.	SL-road reserve Robinson Court	Extend SL-road reserve Robinson Court to the south, to be in alignment with the southern boundary of SL-lot 6..

Ratification

In some instances, such as Muludja, Layout Plans remain in draft form. This can be for a range of reasons, usually political (failure to secure endorsement from various parties) or empirical (absence of data necessary to permit considered decisions). Delivery of housing and infrastructure by state agencies and authorities relies on Layout Plans for an agreed spatial framework. WAPC ratification of draft Layout Plans ensures that there is an agreed spatial framework for housing and infrastructure development on Aboriginal settlements.

Western Australian Planning Commission

Date 08 / 03 / 2016

please sign and print name



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

Other Information:

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Proponent : Department of Planning
Date : 22 nd July 2016

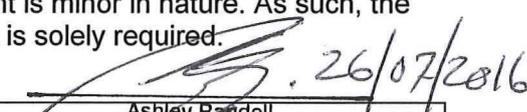
Reason for the Amendment

The Department of Planning proposes to make changes to the Muludja Draft 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.	Lot 109 Pastoral Lease PL N049678 and Lot 96 Crown Reserve 39301	<p>Include the Priority 1 Drinking Water Source Protection Area in Layout Plan 1.</p> <p>Change the land use from 'Open Space' to 'Drinking Water Source Protection Area' as per the Priority 1 area documented in the Muludja Water Source Protection Plan (June 2016) for a portion of Lot 96 Crown Reserve 39301 within the current recommended settlement zone.</p>
2.	Lot 109 Pastoral Lease PL N049678 and Lot 96 Crown Reserve 39301	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>	 Ashley Bandell Director, Regional Planning Policy Regional Planning PN: 15151
	Determination date

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.

Proponent : Department of Planning, Lands and Heritage

Date : 29 January 2026

Reason for the Version

The Department of Planning proposes to make changes to the Muludja Draft Layout Plan 1 to match the spatial extent of the layout plan with the ‘Settlement’ zone as defined in the Shire of Derby West Kimberley Local Planning Scheme No.9.

Land Identification		Version description
1.	Lots 30 and 96 on Reserve 39301.	Delete ‘recommended settlement zone’ tied to Lot 30 and 96. Add ‘Settlement’ zone to match Shire of Derby West Kimberley Local Planning Scheme No. 9 (tied to Lots 30 and 96 on Reserve 39301).
2.	Lot 109 on Pastoral Lease N0496798	Retain “recommended settlement zone” over the portion of Lot 109 as reflected in the Priority 1 Drinking Water Source Protection Area and define this area as SL-lot 100.

Endorsement:

In accordance with State Planning Policy 3.2 Aboriginal Settlements Guideline (June 2020) this version 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.*

A. Randell 2 February 2026

Other Information:

This Layout Plan does not constitute development approval.

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