



Department of  
**Primary Industries and  
Regional Development**

Our reference: A14830739  
Enquiries: Thomas  
Pucci/Louise Lever

Katherine Gilpin, Manager Planning and Regulatory Services  
Shire of Wyndham East Kimberley  
20 Coolibah Drive, Kununurra WA 6743  
[Katherine.Gilpin@swek.wa.gov.au](mailto:Katherine.Gilpin@swek.wa.gov.au)

Date: 5 November 2025

### **Request to Initiate Road Closure Process – Lot 500 on Deposited Plan 75731**

Dear Katherine,

The Department of Primary Industries and Regional Development (DPIRD) is progressing an amendment to Ministerial Statement 938 (MS938). MS938 documents the approval, and conditions of approval for the construction of the M2 Supply Channel, the development of up to 33,500 ha of land for irrigated agriculture and associated infrastructure, and environmental buffer areas north-east of Kununurra. The conditions include the requirement to implement an environmental management program to manage environmental impacts and risks of state significance, including management of buffer areas for Goomig and the Knox Creek Plain. As part of this amendment, DPIRD proposes to rectify the alignment of Lot 425 on DP 400992 (buffer area) to ensure the boundary accurately reflects the proposed amended buffer, the outcome of this will improve monitoring and management processes.

Lot 500 on Deposited Plan 75731 is a 4,962 m<sup>2</sup> parcel adjoining the Lot 425 buffer area. The lot is currently dedicated as a road and zoned Environmental Conservation under Local Planning Scheme No. 9. However, it has not been developed or incorporated into the constructed road network. Its dedication reflects a legacy cadastral boundary from earlier planning that was not realised on the ground. DPIRD seeks to rationalise this unused road portion and amalgamate into the Lot 425 buffer as per the amended MS938.

The Department of Planning, Lands and Heritage (DPLH) has advised that, to enable consolidation of Lot 500, a formal road closure process is required under section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*.

As part of the broader boundary alignment process, DPIRD also proposes to amalgamate Lot 8013 on Deposited Plan 75731, which forms part of Reserve 50604 (M1 Channel), into Lot 425. The reserve is currently under the management of Water Corporation. DPIRD will liaise with Water Corporation to amend the reserve boundaries accordingly and remove the reference to Lot 8013 from Reserve 50604. The Shire will not be required to undertake any amendments to the reserve boundaries for this item.

DPIRD seeks the Shire's assistance to initiate the required road closure process for Lot 500 on DP 75731 and prepare the supporting documentation necessary for a formal submission to DPLH.

Please advise if any further information, mapping, or supporting material is required from DPIRD to support this process. DPIRD will be pleased to provide any additional assistance as needed.

For further discussion please contact myself on 0414 868 843 or alternatively email [Thomas.pucci@dpird.wa.gov.au](mailto:Thomas.pucci@dpird.wa.gov.au)

Yours sincerely



Thomas Pucci  
**Senior Project Officer, Northern Agricultural Development  
Industry and Economic Development**

## Attachment 1

### Lot Reference Details

**Table 1: Lots subject to the proposed lot boundary realignment**

Lot	Description	Lot size
Lot 425 on DP 400992	Goomig farm buffer	11473.1341 sqm
Lot 500 on DP 75731	Road reserve	4962 sqm
Lot 8013 on DP 75731	M1 Channel Reserve (R50604)	39 sqm

**Figure 1: Lot 500 on DP 75731**

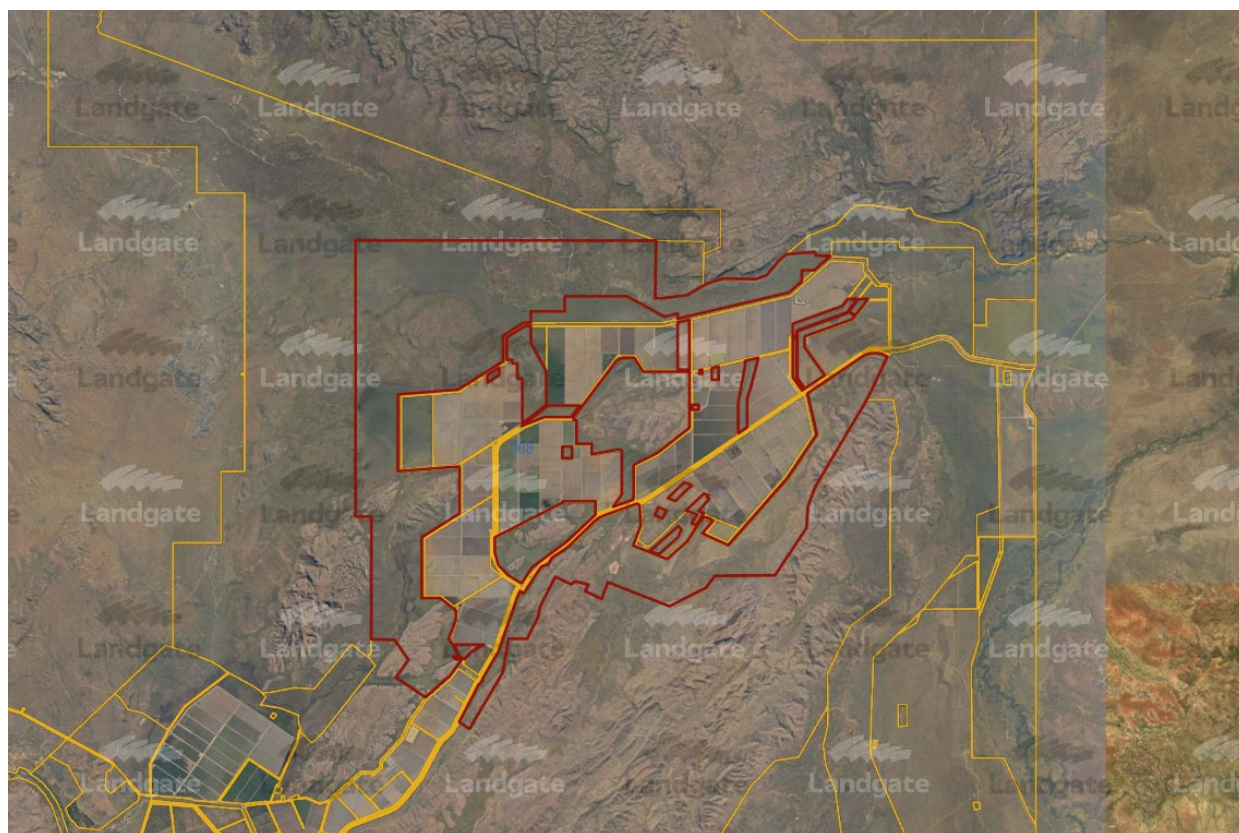




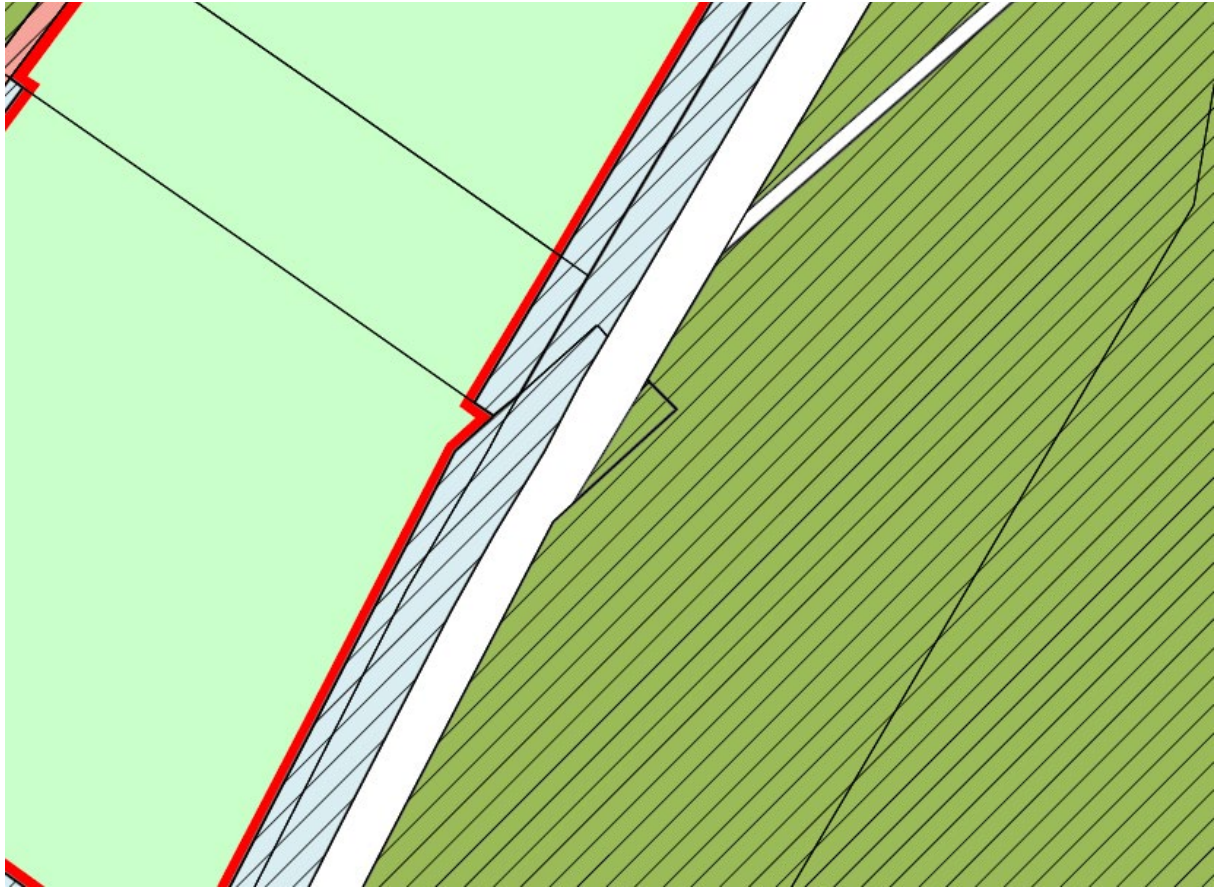
**Figure 2: Lot 8013 on DP 75731**



**Figure 3: Lot 425 on DP 400992**



**Figure 4: Extract from Map 12, Local Planning Scheme No.9**





## Attachment 2 DPLH Correspondence

**From:** [Brandon John](#)  
**To:** [Thomas Pucci](#)  
**Cc:** [Louise Lever](#); [Oliver Basson](#); [Nicholas McMahon](#)  
**Subject:** [EXT] - RE: MS938 Amendment - Lot Amalgamation Query  
**Date:** Monday, 20 October 2025 9:13:27 AM  
**Attachments:**

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OFFICIAL

Hi Tom

Thank you for your email below, dated 7 October 2025, seeking the Departments consideration and advice with respect to the consolidation of Lots 500 and 8013 on Deposited Plan 75731 and adjoining Unallocated Crown Land (UCL) Lot 425 on Deposited Plan 400992 to reflect the intended amendment to Ministerial Statement 938 to redescribe Lots 500 and 8013 as Buffer areas under the Ord Final Agreement ILUA.

Upon consultation with the Department's Survey Coordination team, the Crown Subdivision Deposited Plan required to facilitate this request would not require on-ground survey works due to the reason you have mentioned below – that the existing lot boundaries as defined in Deposited Plan 75731 may be relied upon – which would be clearly stated in the survey instructions issued to your nominated surveyor.

For the Department to facilitate the progression of this proposal via our due diligence processes, a formal submission is required with the following supporting information:

- A road closure package that shows that the Shire of Wyndham-East Kimberley (Shire) has complied with requirements pursuant to section 58 of the Land Administration Act 1997 (LAA) and regulation 9 of the Land Administration Regulations 1998 (LAR) to close the dedicated road at Lot 500.
- The prior written consent/agreement of the Water Corporation as Management Body of Reserve 50604 as to the redescription of the reserve to remove reference to Lot 8013.
- A Nominated Surveyor, to which Survey Instructions will be issued following due diligence processes, and agreement to cover the costs associated with the preparation and lodgement of a new Deposited Plan.

Happy to answer any questions or provide further information as required.

Kind regards,

**Brandon John**

A/Assistant Manager | Land Management  
North **Department of Planning, Lands and Heritage** 140 William Street, Perth WA 6000  
W: [dplh.wa.gov.au](http://dplh.wa.gov.au) | P: 6552 4470



The Department of Planning, Lands and Heritage acknowledges Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people. Learn more about our [Stretch Reconciliation Action Plan](#).

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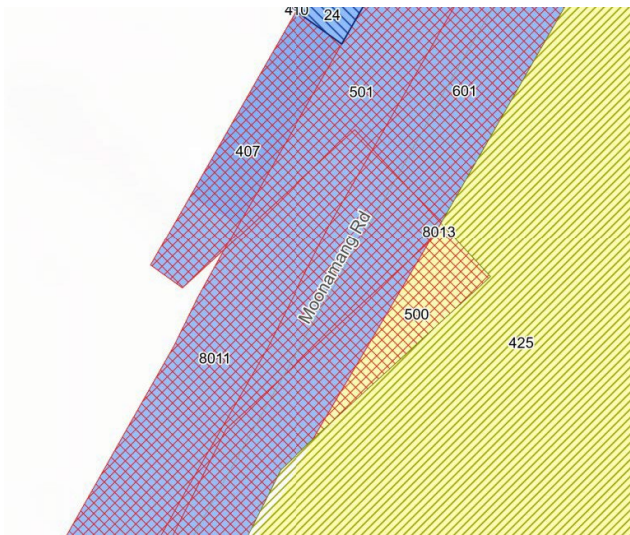
From: Thomas Pucci <Thomas.Pucci@dpird.wa.gov.au>  
Sent: Tuesday, 7 October 2025 2:32 PM  
To: Nicholas McMahon <Nicholas.McMahon@dplh.wa.gov.au>; Brandon John <Brandon.John@dplh.wa.gov.au>  
Cc: Louise Lever <Louise.Lever@dpird.wa.gov.au>; Oliver Basson <Oliver.Basson@dpird.wa.gov.au>  
Subject: MS938 Amendment - Lot Amalgamation Query

OFFICIAL

Hi Brandon & Nick,

DPIRD is currently progressing an amendment to Ministerial Statement 938 (MS938). Lots 500 and 8013 on DP75731 are identified as part of the development area, however it is now proposed to amend these areas to buffer.

Amending MS938 to recognise these sites as buffer areas would create separate reporting requirements for each lot. To streamline future compliance and reporting processes, it is preferable to amalgamate Lots 500 and 8013 into Lot 425 on DP400992 and dissolve the individual titles.



MS938 - Ord Stage 2 - Proposed Amendments

- Minor Sealed Road

- - - Minor Unsealed Road

- - - Track

— Hydrography

— State Border

Proposed Changes

Buffer Area

Development Area

Vegetation Management Area

Remove
- Sorby Hills Mining Tenement

Basic Raw Materials Extraction Area (Area 11)

Existing Approved Proposal

Buffer Area

Development Area

Vegetation Management Area

DBCA - Legislated Lands and Waters

Nature Reserve

Section 5(1)(h) Reserve



Department of  
Primary Industries and  
Regional Development

SOURCE DATA  
DPIRD: Development, Buffer and Vegetation  
Management Areas  
Landgate: Roads, Towns, Coastline,  
Cadastral, Lodged Cadastral  
DBCA: Legislated Lands and Waters  
DMIRS: Mining Tenement  
DWER: Linear Hydrography  
ESRI: World Hillshade

MAP REFERENCE  
Datum/GCR: GDA 1994 MGA Zone 52  
Projection: Transverse Mercator  
Drawn by: aureall  
Date: 01/08/2024  
Project: 240026  
File: Map 2 - Changes to MS938  
20240731.aprx

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Would this amalgamation be straightforward, not requiring onsite surveying, given that an existing cadastral lot boundary could be used?

Kind Regards,

Thomas Pucci | Senior Project Officer Northern Agricultural Development  
Department of Primary Industries and Regional Development 1 Nash Street, Perth WA 6000  
m 0414 868 843 | w [dpiird.wa.gov.au](http://dpiird.wa.gov.au)

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DPIRD acknowledges the Traditional Custodians of Country, the Aboriginal people of the many lands that we work on and their language groups throughout Western Australia and recognise their continuing connection to the land and waters.

We respect their continuing culture and the contribution they make to the life of our regions and we pay our respects to their Elders past, present and emerging.

Artwork: "Kangaroos going to the Waterhole" by Willarra Barker.

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