

Dodnun Layout Plan 1

Background Report

October 2016

Date endorsed by WAPC



Amendments

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LAYOUT PLAN MODEL TEXT

Community Representative Organisations

Resident community representative Organisation	:	Dodnun Aboriginal Corporation
Traditional Owners representative organisation	:	Wanjina-wunggurr (Native Title) Aboriginal Corporation
Related Organisations	:	Winun Ngari Aboriginal Corporation

Acronyms

AHA	:	Aboriginal Heritage Act (WA) 1972
ATSIC	:	Aboriginal and Torres Strait Islander Commission
CR	:	Crown Reserve
DoH	:	Department of Housing
DIA	:	Department of Aboriginal Affairs
DoP	:	Department of Planning
DWSPP	:	Drinking Water Source Protection Plan
DAC	:	Dodnun Aboriginal Corporation
EHNS	:	Environmental Health Needs Survey
ILUA	:	Indigenous Land Use Agreement (under the Native Title Act 1993)
KRSP	:	Kimberley Regional Service Providers
LP	:	Layout Plan
NNTT	:	National Native Title Tribunal
NTA	:	Native Title Act (Commonwealth) 1993
NTRB	:	Native Title Representative Body
NPARIH	:	National Partnership Agreement on Remote Indigenous Housing
PBC	:	Prescribed Body Corporate (under the NTA, representing native title holders)
RAESP	:	Remote Area Essential Services Program
UCL	:	Unallocated Crown Land
WAPC	:	Western Australia Planning Commission
WNAC	:	Winun Ngari Aboriginal Corporation

Layout Plans & the Development Process

Layout Plans provide a structure for future development. LP preparation includes consultation with a range of relevant government authorities and agencies, but it is not development approval.

Prior to commencing development a range of consents, approvals, licenses and clearances may be required.

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site.

Organisations responsible for such matters may include, but not be limited to: the landowner; local government; incorporated community council; prescribed body corporate; Aboriginal Cultural Materials Committee; Environmental Protection Authority; Western Australian Planning Commission, and; Department of Water.

EXECUTIVE SUMMARY

The Dodnun Layout Plan 1 (LP1) has been prepared during 2016 and 2017.

The table below summarises the main issues concerning the planning, development and provision of services within Dodnun, covered in more detail in the body of this report.

Table 1 Place Characterisation Indicators

Indicator	Community Characteristics
Drinking water	The RAESP water quality report conducted in April 2016 indicates water quality passes Australian Drinking Water Guidelines but may have aesthetic issues. The drinking water is not regulated. A DWSP is currently under preparation.
Electricity	Electricity is supplied by a generator and operated by the community with repair and maintenance by the service provider. The electricity supply is not regulated.
Flood	The settlement area is located on land whereon flood is not expected to risk safety or infrastructure. A flood study is currently being prepared.
Land tenure	Located on Lot 34 Crown Reserve 42999.
Wastewater	All houses are serviced by conventional septic tank and leach drain effluent disposal systems and maintained by Emama Nguda.
Emergency assistance	The nearest emergency services are located in Derby, more than 2 hours travel time from the community.
Education	There are no education facilities situated in Dodnun. Students travel by bus to Wananami Remote Community School, in the Kupungarri community.
Health	A part time clinic is established at Dodnun. The nurse from Ngallagunda (approximately 40 minutes from Dodnun) visits the community twice a week.
Food	A fresh food store is located at Kupungarri and a small community store providing basics is located in Dodnun.
Transport	Road access from the community to the Derby is known to be seasonally cut-off for periods of more than 2 consecutive weeks and up to three months at a time. Dirt road access into the community is in poor condition and 4WD only. The nearest airstrip is Mt Elizabeth (approx. 15km away).
Waste services	A rubbish tip is located south of the community, rubbish is disposed of in an unfenced dug pit.
Employment & enterprise	The community is more than 2hours from an established job market at Derby. Several community members are employed with seasonal work and pastoral station work at Mt Elizabeth Station.
Governance	Winun Ngari Aboriginal Corporation and Dodnun Aboriginal Corporation represent the resident community. The Traditional Owners are represented by the Wanjina-wunggurr (Native Title) Aboriginal Corporation.
Aboriginal heritage	The community is located within the determination area of the Wanjina - Wunggurr Wilinggin people (WCD2004/001) Native Title Determination No 1 claim.

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LP 1 plans for future expansion of the community and formalises existing infrastructure and land-uses and provides a future lot layout and road design.

The major purpose of the LP 1 is to guide the growth and development of Dodnun by providing a layout of future land uses in the community. The LP 1 addresses future growth issues in the context of constraints to development including available land for growth of the living area and the location of essential service infrastructure.

The Layout Plan has been prepared in consultation with the Dodnun Aboriginal Corporation to ensure that the plan reflects the community's aspirations. Technical input from a number of government and non-government agencies responsible for providing services and infrastructure to the community has also been incorporated into the plan and this report.

This Layout Plan outlines a clear and straightforward way for Dodnun to grow in a co-ordinated and efficient manner.

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DEVELOPMENT PRIORITIES

The following initiatives, development and works are needed to implement LP 1:

Within the next year:

1. Power to be supplied to the arts centre and the new office/shop building (RAESP).
2. Investigate the feasibility of the vacant dwellings on SL-lots 1, 2, 3 and 4 for refurbishment, rebuild, demolition or new construction (Housing Authority).
3. Identify drinking water source protection areas from the Drinking Water Source Protection Plan (DWSP) to be completed (Department of Planning).

Within the next 5 years:

1. The construction of 3 new residential dwellings and the refurbishment of some existing dwellings in order to provide an appropriate level of accommodation for the existing and future population of Dodnun (Housing Authority).
2. The inclusion of basketball courts and a football oval within the community (RAESP).
3. Develop a naming system for roads (Dodnun Aboriginal Corporation).

Within the next 10 years:

1. The construction of formal roads (RAESP)
2. The establishment of a day care centre (RAESP).
3. The construction of 3 new residential dwellings (Housing Authority).
4. Relocate the power station to a more appropriate location if required (RAESP).

Within the next 15 years:

1. Review LP including population growth and trends (Department of Planning).
2. Develop housing as required in the areas identified for future housing (Housing Authority).

Implementing the LP

The implementation of this LP will rely on the energy and endeavour of the community members. The future growth of Dodnun will require community members to find solutions for the provision of services and infrastructure (such as housing and sealed roads). This reinforces the objectives of the Dodnun Layout Plan 1 to help bring about the self support of its members by the development of economic projects and industries, and to encourage members to manage their affairs on their own land.

1 BACKGROUND

1.1 Location & Setting

The Dodnun Aboriginal Community is located in the Shire of Wyndham-East Kimberley approximately 350 km northeast of Derby. The closest regional centre to Dodnun is Derby. Access is via an unsealed dirt access road off the Derby - Gibb River Road. The community was established in the late 1980's and early 1990's and the current population is approximately 50 people. There is a small creek located east of the settlement and vast established vegetation surrounding the settlement site. Figure 1 illustrates the located of Dodnun in relation to Derby.

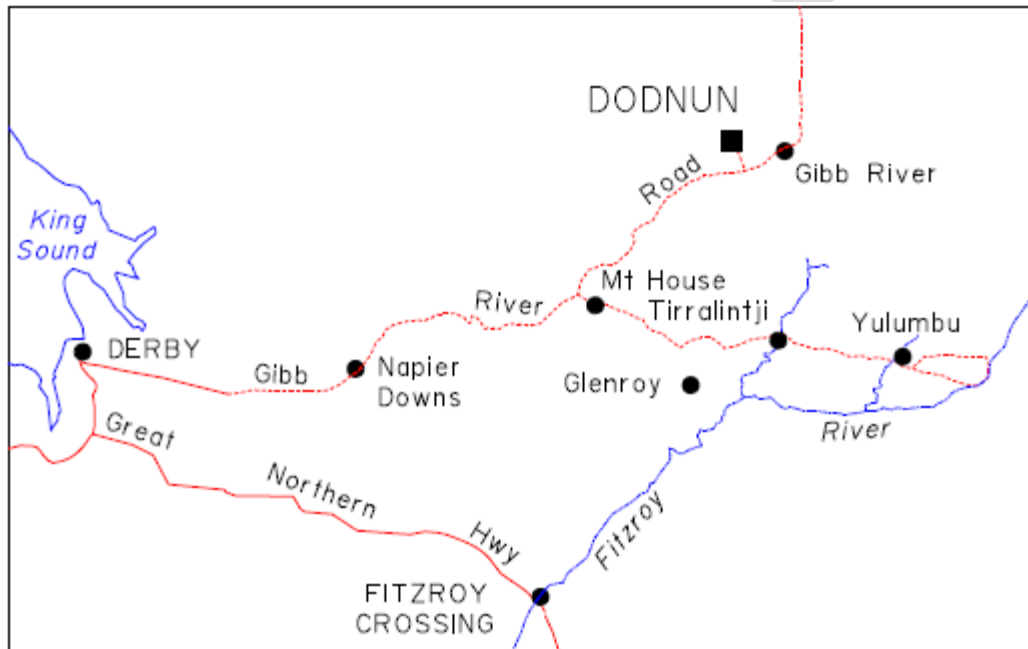


Figure 1 - Location of Dodnun proximate to Derby

1.2 Climate

The Shire of Wyndham-East Kimberley has a tropical climate with a wet and dry season. The dry season is from May to October and the wet season is from November to April. The dry season is characterised by sunny, blue skies and cold nights, while the wet season is hot and humid with large rainfall quantities and sometimes violent thunderstorms.

Mt Elizabeth (17km West of Dodnun) is the nearest location to Dodnun that has climatic data available from the Bureau of Meteorology. The mean annual rainfall for Mt Elizabeth is 992.1mm, while the mean maximum temperature is 32.4 degrees Celsius and the mean minimum temperature is 16.5 degrees Celsius. Figures 2, 3, 4 illustrate the mean rainfall, maximum temperature and minimum temperature.

LAYOUT PLAN MODEL TEXT

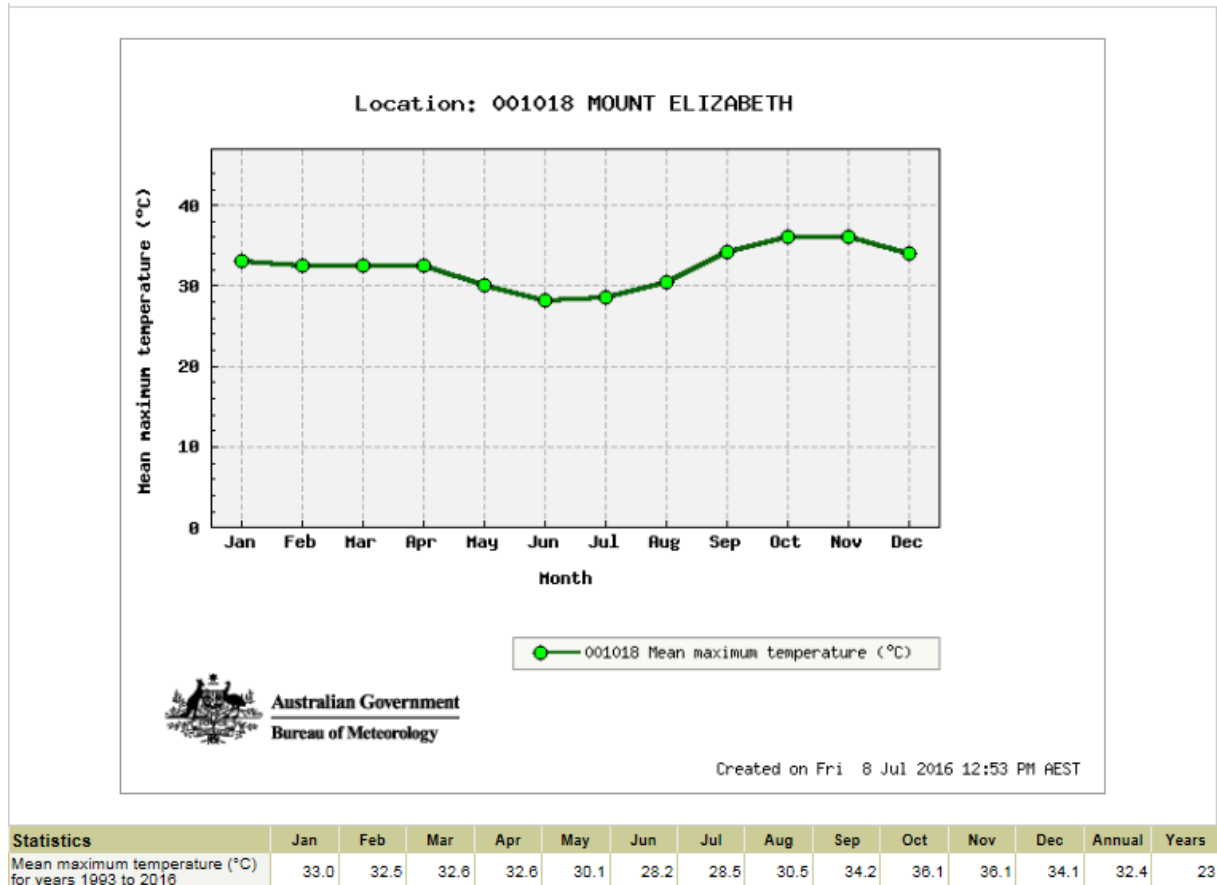


Figure 2- Mean Maximum Temperature Mt Elizabeth

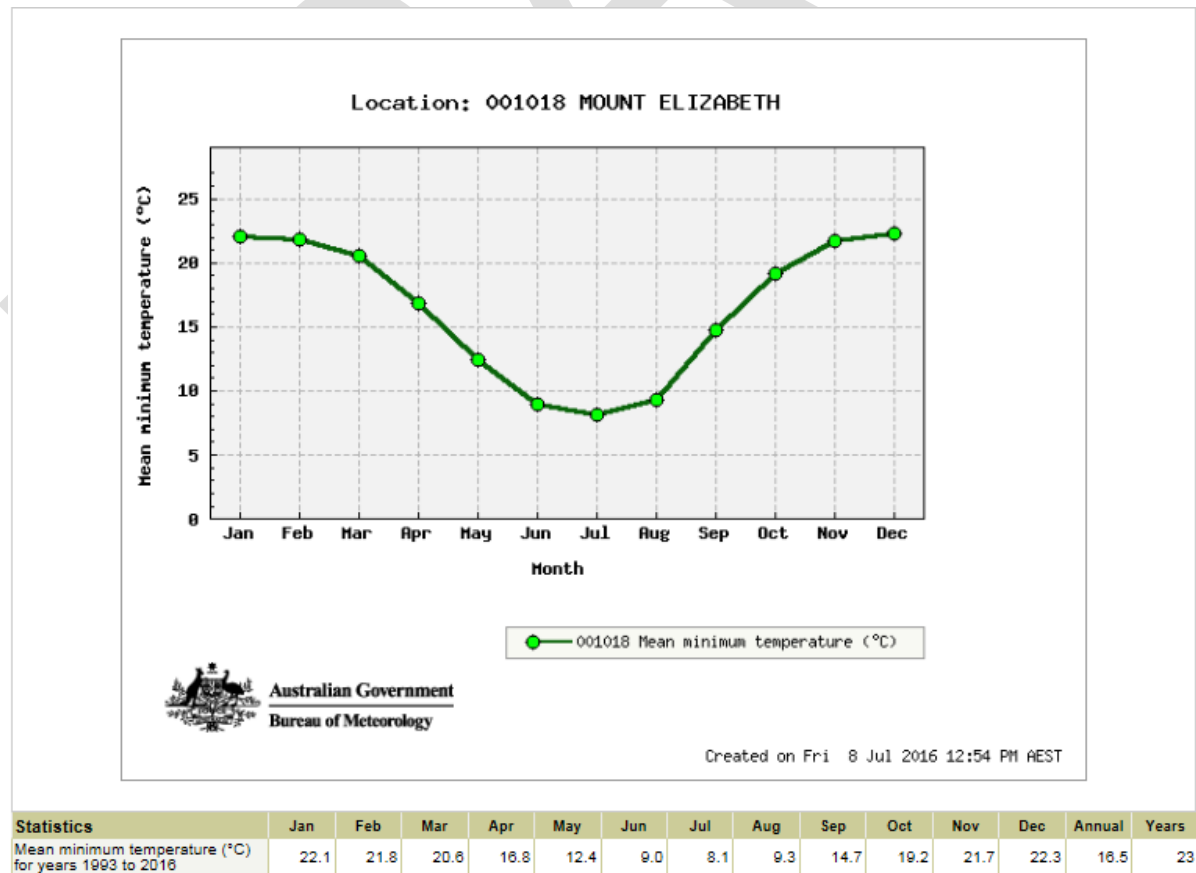


Figure 3- Mean Minimum Temperature Mt Elizabeth

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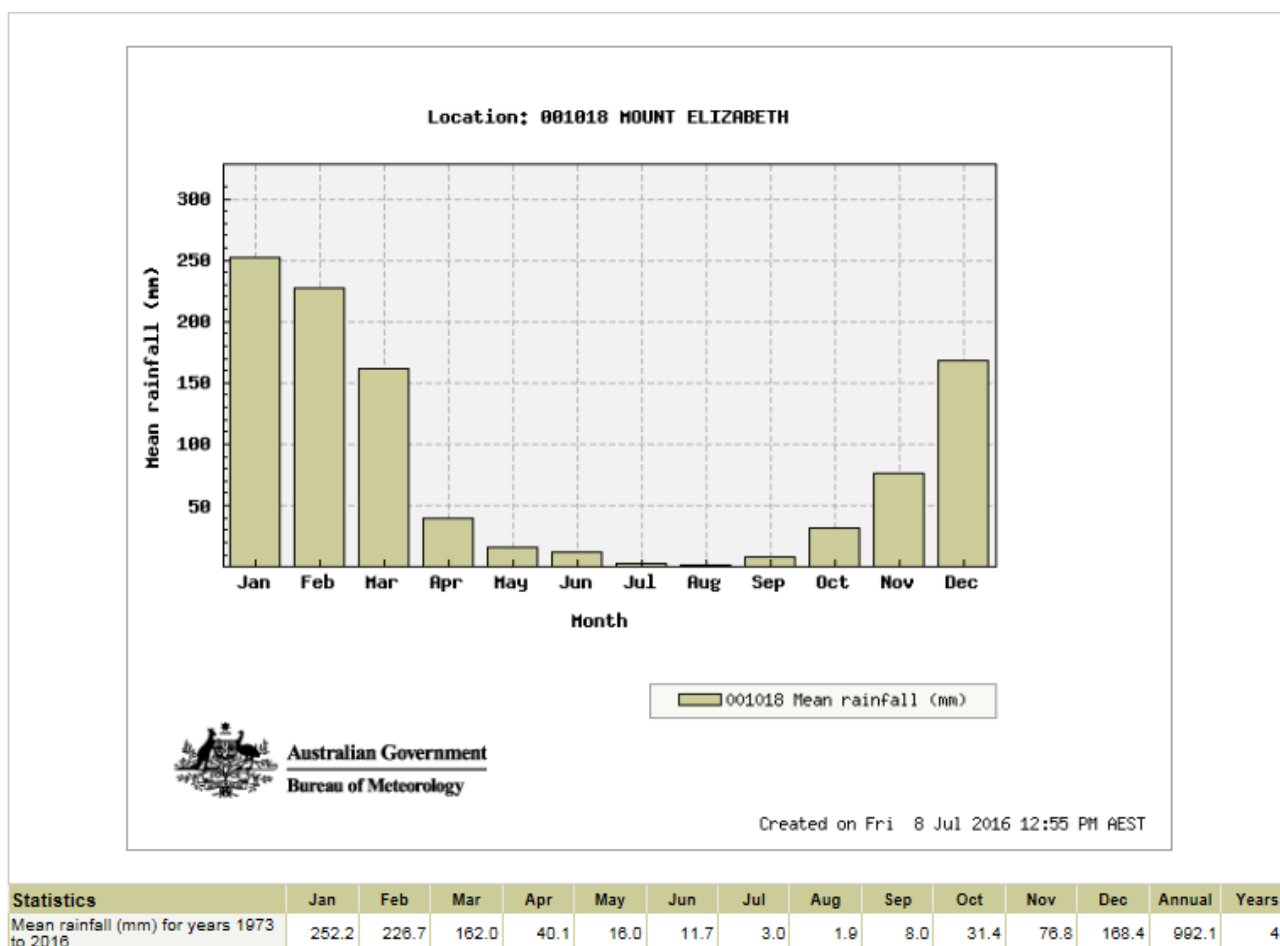


Figure 4- Mean Rainfall Mt Elizabeth

1.3 History

Dodnun was originally established as an outstation for the Mount Elizabeth Station pastoral lease in the late 1980's. Traditional Owners who had been working on Mt Elizabeth station were pushing to have a community away from the station house for a number of years. Funding was not available to the Traditional Owners if they continued to live at the homestead. The the Wanjina - Wunggurr people wanted their own place to settle down, which was close to the river and not too far from the homestead. The Traditional Owners picked the site where Dodnun is today and a portion of the land was excised from Mt Elizabeth Station for the Dodnun community.

The Traditional Owners started living in tents for several years until the first permanent housing was built in 1993. Members of the community have worked on the Mount Elizabeth Station since it was established, and were vital to the station's operations.

1.4 Previous LP

There is no previous LP for Dodnun

2 COMMUNITY PROFILE

2.1 Population

Current Population

Estimating and predicting populations in Dodnun is difficult because Aboriginal people tend to be mobile in terms of housing and living arrangements. Populations can increase and decrease quite rapidly based on family, cultural or administrative factors (see Taylor 2006 for a useful discussion of demographic trends of remote Indigenous populations).

The community members of Dodnun have close affiliations with other settlements in the region. Dodnun is on Ngarinyin country, with the Ngarinyin culture tying the population together. However, there are some Nyikina and Bunuba people who have married into the community.

Population figures also vary depending on the time of year of enumeration, methods and sources by which data are collected. ABS data have been criticised for undercounting populations in remote communities (Memmot et al 2004).

Current population levels can be estimated from a range of sources, including census data from the ABS, the Environmental Health Needs Survey (EHNS) undertaken by the Department of Indigenous Affairs and a recent visit to the community.

Australian Bureau of Statistics (ABS) data from 2001 recorded a total indigenous population of 76, comprising of 34 males and 42 females.

In 2008 the Department of Aboriginal Affairs Environmental Health Needs Survey recorded 50 inhabitants, excluding non-permanent staff. The 1997 and 2004 figures are also shown below.

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

Table 2 - Population figures by source 1997-2008

	1997	2001	2004	2008
Total persons	26	85	40	50
Indigenous people		76		
Indigenous males		34		
Indigenous females		42		
Source	EHNS	ABS	EHNS	EHNS

In addition to the above information, a key source of population data is from the community itself. The community chairperson advised on the 10 of August 2016 that Dodnun's permanent population is approximately 70 people.

The Winun Ngari Aboriginal Corporation (WNAC) estimates the current population of Dodnun to be approximately 43 people. The Housing Authority estimates from data collected in 2014 that the population of Dodnun is 42 people.

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Based on this information and working off an average of approximately 6 people per dwelling with the exception of the duplex where 3 people per dwelling has been estimated, it is considered that an accurate current population of Dodnun is approximately 50 people.

In terms of the design population the Dodnun community advised that there are approximately 30 people who want to move to Dodnun in the next 15 years. This gives a total population growth of 30 people over 15 years equating to 2 persons per year with a 4% annual growth rate.

There are considerable population differences between the data sources which is typical when estimating the population of remote Aboriginal settlements. From the site visit conducted by the Department of Planning in August 2016 the community advised Dodnun's population is increasing.

The principal factors cited as reasons for the increase in population include Aboriginal people wanting to return to country, job opportunities at Mt Elizabeth Station and surrounding communities, the provision and accessibility of a school and shop in Kupungarri, the future sustainability and cleanliness of the community and the strong sense of culture and tradition present in the community. Aboriginal people migrating from other communities (such as Ngallagunda) to Dodnun was also a factor considered to increase the population. Based on these findings it is reputable to assume the population of Dodnun is increasing.

Based on the above, this report assumes that the current permanent population of Dodnun is approximately 50 residents, not including non-Indigenous community members currently living in the community. This is in line with the EHNS data and higher than the data from the Housing Authority and WNAC. This represents an increase in population by 8 people from the Housing Authority data and an increase of 7 people based on the WNAC data.

Design Population & Estimated Housing Demand

The design population for Dodnun is 80 people by the year 2031.

The design population is based on a current population of 50 with an annual growth rate of 4 per cent, equating to: 60 (5 years); 70 (10 years), and; 80(15 years).

Aspirational population refers to the future population as desired by the resident community. The community identified an aspirational population of 100 people however this was based on an existing population of 70. Therefore, the population increase of 30 people is justified.

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

Migration to and from the community will be influenced among other things by the employment opportunities, family networks and obligations, services and infrastructure available in the community (including number and type of housing).

All the same, the estimates above can be used as a reasonable though generalised estimate of population growth and the associated demand for housing during the next fifteen years. These figures should be re-evaluated when the LP is next updated (ie. roughly every five years).

Based on the population increase of 30 people and an average of 5 people per dwelling an additional 6 houses are required over a 15 year period. Additionally, 1 more house would be needed to alleviate the existing overcrowding issues and ensure an average of 5 people per dwelling.

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In short, it is estimated that 7 new houses will have to be constructed, requiring 7 new residential SL- lots, and the existing housing stock adequately maintained so that they are habitable during the next fifteen years, in order to maintain the estimated current population density average of 5 residents per house.

The actual population density per house will vary depending on a number of factors including extended-family obligations, household composition (number of adults and children living in the same house) and the number of bedrooms in the house. Consequently, it can be expected that a number of existing and future dwellings will have considerably fewer than 5 people living in them, while others may have many more, depending on these factors.

2.2 Governance

The community is managed through its incorporated body, the Winun Ngari Aboriginal Corporation (WNAC). Winun Ngari was first incorporated as an Aboriginal Corporation and registered with the Office of the Registrar of Indigenous Corporations in 1983 under the *Aboriginal Councils and Associations Act 1976*. WNAC is a large corporation and provides enterprise and business development, employment and training, health and wellbeing and governance and administration to Aboriginal communities in the West Kimberley.

The aims and objectives of the WNAC are as follows:

- Provide accounting/bookkeeping and other community services for its members;
- Support the social development of its members;
- Help to bring about the self-support of its members by the development of economic projects and industries;
- Support education, job training, health services, work and housing for its members;
- Help and encourage its members to manage their affairs upon their own lands;
- Help and encourage its members to keep and renew their traditional culture;
- Help build trust and friendship between its members and other people;
- Participate with other Aboriginal Corporations in projects for their mutual benefit; and,
- Receive and spend grants of money from the Commonwealth and State Government and/or from other sources to benefit and build our community.

The Corporations (Aboriginal and Torres Strait Islander) Act 2006 (the CATSI Act) prescribe the decision making process for the corporation. WNAC also follows a business model that guides their decision making which includes four business units: Organisation, Service Delivery, Commercial and Advocacy. Documents for the WNAC can be found on the website www.oric.gov.au

Dodnun is also managed by the Dodnun Aboriginal Corporation (DAC), a small Aboriginal corporation with the Indigenous Corporation Number of 1112. DAC receives support and works alongside WNAC. DAC was registered on the 22/10/1990 with the Office of the Registrar of Indigenous Corporations under the *Aboriginal Councils and Associations Act 1976*.

The corporation provides administrative support in regards to health, community services and housing.

Wanjina-wunggurr (Native Title) Aboriginal Corporation is the native title representative organisation for the Traditional Owners.

LAYOUT PLAN MODEL TEXT

2.3 Land Tenure

Dodnun is located on a crown reserve that comprises of a single title. This is considered an appropriate form of tenure.

The community living area has one land title:

<i>Crown Land Title</i>	Reserve 42999
<i>Lot Details</i>	Lot 34
<i>Status Order / Interest</i>	
<i>Primary Interest Holder</i>	Aboriginal Lands Trust
<i>Area</i>	383ha
<i>Limitations/Interests/ Encumbrances/Notifications</i>	For the purpose of use and benefit of Aboriginal inhabitants.

Crown Reserve

All community housing and infrastructure is located on Lot 34. Current infrastructure in the town includes residential housing, an office, clinic and shop, recreation area with playground equipment, a small playing field, workshop shed, power station, bores and a rubbish tip.

2.4 Native Title

The community is located within the determination area of the Wanjina - Wunggurr Wilinggin people (WCD2004/001) Native Title Determination No 1 claim. The Native Title Determination location map is included in Figure 5.

The Wanjina-wunggurr (Native Title) Aboriginal Corporation administers land on behalf of the Wanambal, Worrorra and Ngarinyin language groups. Their ownership over the land was recognised in the *Wanjina-Wunggurr Wilinggin Native Title Determination No 1* of 2004 and subsequently in Unguu Part A, Dambimangari and Unguu Part B. The first determination, Wanjina-Wunggurr Wilinggin, arose from a claim to native title first made in 1995. The claim was made over 7,000 square kilometres in the northwest Kimberley. This claim was litigated through the Federal Court: the trial took three years and encompassed 59 days of hearings. The determination recognised that the claimants are one cultural group sharing laws, customs and beliefs despite being from different language groups. The determination recognised that the claimant group held native title rights over parts of the determination area, including some areas of exclusive possession and rights to use the pastoral leases which have not been enclosed or improved.

There are no areas of extinguishment or ILUA's in the determination area.

LAYOUT PLAN MODEL TEXT

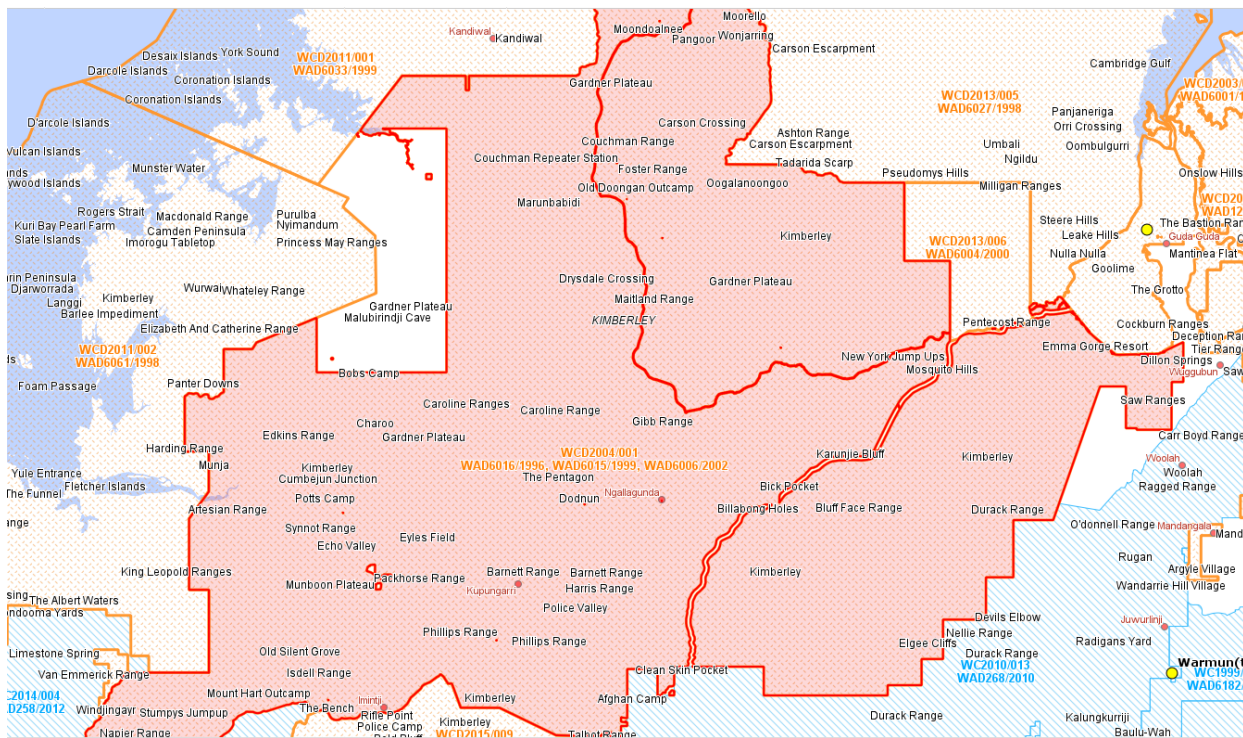


Figure 5: Native Title Location Map

Background to Native Title in Australia

The *Native Title Act 1993* (NTA) enshrines in legislation the High Court Mabo decision, in which the common law of Australia formally recognised Indigenous land ownership through the continuing observance of traditional law and custom.

Native title is defined by section 223 of the NTA as:

the communal, group or individual rights and interests of Aboriginal people or Torres Strait Islanders in relation to land or waters where:

the rights and interests are possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal people or Torres Strait Islanders; and b) the Aboriginal people or Torres Strait Islanders, by those laws and customs, have a connection with the land and waters; and c) the rights and interests are recognised by the common law of Australia.

Native title is therefore not a form of land tenure, such as a freehold estate or pastoral lease, but is the recognition of pre-existing rights and interests in country.

Under the NTA, registered native title claimants and registered native title bodies corporate (often referred to as PBCs) are entitled to the right to negotiate regarding proposed future acts which may affect native title rights and interests. Procedures for negotiation can either be in accordance with Subdivision J of the NTA or in accordance with alternative procedures agreed by both parties in the form of an Indigenous Land Use Agreement (ILUA).

Examples of future acts which may affect native title rights and interests include mining exploration or the construction of public works (such public housing).

Native title rights and interests are also variously affected by different forms of land tenure. For example, native title rights and interests are generally extinguished by valid grants of freehold tenure (see Division 2B of the NTA and also Ward and Lawson decisions) while native title may co-exist with pastoral leases, but if there is any inconsistency between the two then pastoral interests are likely to prevail (see Wik decision).

Additionally, ILUAs can be entered into so that agreement can be made about instances when the non-extinguishment principle applies.

More information about native title can be obtained from the [National Native Title Tribunal](#).

2.5 Aboriginal Heritage

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

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

No-Go Area

The community has broadly identified one No-Go Area in Dodnun located east of the settlement towards the creek. This area is a No-Go area for unknown cultural reasons. This was communicated during consultation, however has not been confirmed by an Aboriginal Heritage Survey (AHS) report.

Registered Sites

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 Aboriginal Affairs' database.

Consultation with the community revealed there were no heritage sites located in Dodnun or the surrounding areas.

Built Heritage

Dodnun has no built heritage sites registered under the Heritage of Western Australia Act 1990.

Impact of Aboriginal Heritage on Urban Growth in Remote Aboriginal Communities

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

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

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

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

2.6 Culture

The Ngarinyin people are the most predominate language group present in the community however, some Nyikina and Bunuba people have also married into the community. Dodnun has strong cultural ties with other communities and there is regular movement and visits between people from Dodnun and their relations in Mowanjum, Imintji, Kupungarri and Ngallangunda. Ceremonies are conducted twice a year, which often involve other Gibb River Road and Ngarinyin communities such as Mowanjum and Ngallagunda. These communities commonly practice cultural customs together. Men's and women's' business is often dealt with at the same time and the ceremony is usually held on the land from which most 'inductees' come.

Additionally, the residents of Dodnun are mainly Wilinggin claimants and many have traditional connections to the country around or close to Dodnun. Each dry season people from Dodnun, Mowanjum, Mejerrin and Ngallangunda make the journey to Munja.

The Ngarinyin people spiritual belief system includes the recognition of wanjina; spirit beings resembling men that are responsible for the creation of the landscape and its features in a time removed from historical reach. Wanjina paintings are key representations of these Wanjina actions, and are found right throughout the northern Kimberley, including on the Gibb River pastoral lease. The other key creative being in Ngarinyin cosmology is the Wunggurr, a rainbow serpent type character that is associated with the creation of watercourses and sites like rivers and pools.

2.7 Community Aspirations

A visit to Dodnun was undertaken in August 2016 to consult with the community, understand the issues and opportunities, and discuss the aspirations of the community.

Providing a sufficient standard of living for the current population of Dodnun and future residents is dependent on maintaining and improving the existing facilities and making sure that there is the right mix of housing and other uses.

There is an understanding that development of Dodnun is something that has taken time, and will happen over many years.

The ideas for improvements to the facilities noted by the Dodnun Aboriginal Corporation when developing the LP are listed below. Not all of these aspirations can be incorporated into a LP, but have been noted as a record of a more general community improvement plan.

1. Expansion and improvement of the clinic as the current clinic in the community is too small.
2. The need for additional housing due to population growth and the future growth predicted by the community.
3. Additional recreational facilities such as a basketball court and football oval to engage the youth.
4. A day care centre to care for the young children and provide employment within the community.
5. For the arts centre to be completed and connected to power.
6. For the power supply to be connected in the proposed new store and office building. (The building has been built and no power has been put into the building for a year).

3 INFRASTRUCTURE & SERVICES

Dodnun is a part of the Remote Area Essential Services Program (RAESP) conducted by the Housing Authority. The remote service provider that manages Dodnun is the Emama Nguda Aboriginal Corporation.

3.1 Electricity Supply

The community's current electricity supply is located south of the community on SL-lot 27. The electricity facility comprises of one diesel generator transportable and the fuel for the generator is stored in an above ground fuel tank. The nearest residential dwellings are located within 200m of the power station which is not considered to be appropriate under the WAPC Aboriginal Settlement Guideline 3: Layout Plan Exclusion Boundaries. There are future plans to consider relocating the power station further south of the community as it is not suitably separated from incompatible land uses and is at risk of causing contamination and pollution to the community. Further rationale for the relocation of the future power station site is that it will provide less outside traffic into the community. The planned future site is located on SL-lot 41 and is shown in the Draft Dodnun Layout Plan 1 in Figure 6. The proposed new location will ensure no current or future residential dwellings are located within the 200m exclusion boundary.

The generator is operated by the community with repair and maintenance conducted by the Emama Nguda Aboriginal Corporation.

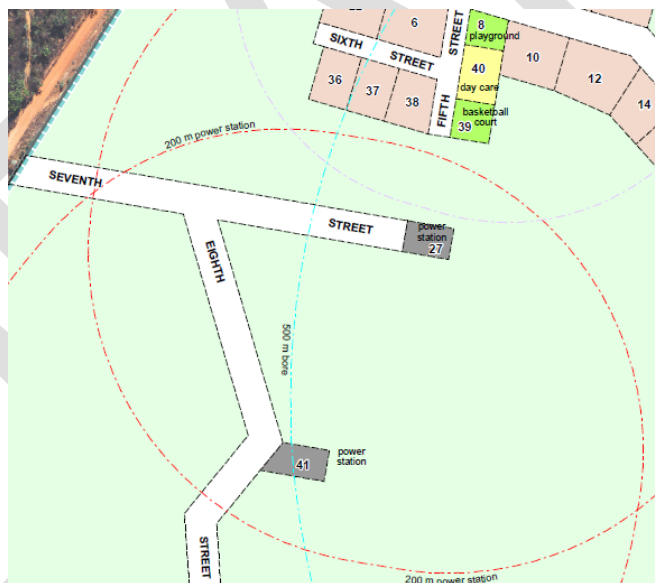


Figure 6- Future Power Station Location

3.2 Water Supply

The community's water is drawn from two bores south east of the settlement on SL-lot 26. There are two operational bores adjacent to the creek, bore No. 2/91 which has a diesel pump and bore No. 1/91 which has a solar pump. There is also one elevated water tank (60kl) located on SL-lot 19, adjacent to the office and clinic which is shown in Figure 7. The Bores and tanks are located within Crown Reserve 42999. The RAESP water quality report conducted in April 2016 indicates water quality passes Australian Drinking Water Guidelines but may have aesthetic issues.

LAYOUT PLAN MODEL TEXT

At present a Drinking Water Source Protection Plan (DWSP) is under preparation and the results from this study will be incorporated into the LP1.



Figure 7- The Elevated Water Tank

3.3 Wastewater

The community has septic tanks and leach drain systems in place to manage their wastewater, these are maintained by the RAESP. No pumping stations are used in Dodnun.

3.4 Rubbish Disposal

The rubbish tip is located south of the community on SL-Lot 28 within Crown Reserve 42999, an unsealed road is used to access the tip. Rubbish is disposed of in an unfenced dug pit. The unregulated rubbish tip is in a location that does not comply with government regulations or the WAPC Aboriginal Settlement Guideline 3: Layout Plan Exclusion Boundaries. The prescribed exclusion boundary for a rubbish tip is 2000m however, all housing and infrastructure is located within the 2000m exclusion boundary. A more appropriate and regulated site further south could be considered in the future.

3.5 Airstrip

Dodnun has no airstrip, however there are nearby airstrips in relatively close proximity. Mount Elizabeth Airstrip is located approximately 15km from Dodnun and Gibb River Airstrip (Ngallagunda) is located approximately 45km east of Dodnun.

The Dodnun community uses the Mt Elizabeth airstrip which is a private airstrip 1100m long with a width between markers of 22 meters and a total width of 80 meters. The airstrip is fenced with a formed gravel strip. The community uses the strip predominately for the delivery of mail, essential services maintenance and food supplies.

LAYOUT PLAN MODEL TEXT

3.6 Internal Road Layout

The internal road network consists of a 'main street' (first street) that provides access to the majority of houses and infrastructure within the community, Figure 8 shows a section of the main street. If future funding is made available, the main street should be given priority to be sealed. There are also a number of informal dirt tracks within the community. A diamond shaped informal ring road is present which is located on the perimeter of the settlement area and is illustrated in Figure 9. All internal roads within the community are unsealed.



Figure 8 Portion of the Main Street

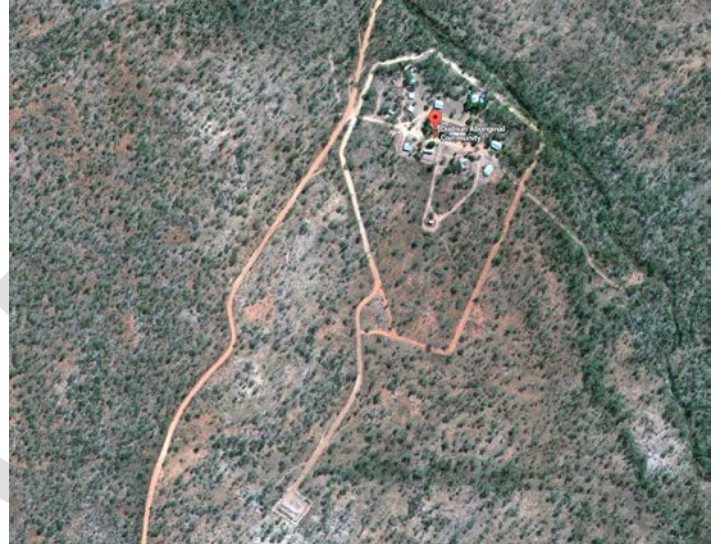


Figure 9 Internal Road Layout of Dodnun

3.7 Access & Dedicated Roads

The Dodnun community is situated approximately 13 km north of the Derby-Gibb River Road, along the Mount Elizabeth Station access road. An unsealed dirt access road extends from the Derby-Gibb River Road to the main settlement. The Shire of Wyndham-East Kimberley grades the road from the Mt Elizabeth Station turn off to Dodnun once a year (13km).

Road access from Dodnun to Derby via the Derby - Gibb River Road is known to be seasonally cut-off for periods of more than 2 consecutive weeks and up to three months at a time. The dirt access road into the community is in a relatively poor condition and is only suitable for FWDs.

The Derby-Gibb River Road is bituminised in most of the winding sections of road passing over the ranges and nearly all the creek and river crossings have concrete bottoms. There is ample signage warning of upcoming bends, cattle, creek crossings, tourist destinations, and roadhouses. Some areas of the Derby-Gibb River Road are hilly and rocky, some are soft with bull dust, but the majority of sections have been upgraded in the last couple of years and are in good condition. The Derby-Gibb River Road has improved dramatically in the past years. Most tourists travel the Derby-Gibb River road in 4 wheel drives (often towing trailers or caravans), campervans, or large tour buses. High clearance robust vehicles (4 wheel drive) are recommended throughout. Depending on the wet season the Derby-Gibb River road is officially opened sometime between mid April and mid May. Main Roads Western Australia only opens the road after they have inspected it. The rivers at the crossings must have dropped low enough that with caution vehicles can drive across safely. Any real problem areas like wash-outs are also quickly fixed with what is known as an 'opening grade'. Once Main Roads feel the road is reasonably safe to traverse they open the road;

LAYOUT PLAN MODEL TEXT

by this time the graders will be working to do a full grade of the road. Although the road may be 'open', caution is still required prior to the full grade being completed.

3.8 Community and Social Services

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

Store

There is a small community store located at Dodnun with only basic items such as milk and bread. The store is located in the current office and clinic on SL-lot 35.

A new building has been constructed on SL-lot 23 for the relocation of the office and shop however there is no power supply to the building and is currently not in use. The new building is proposed to host a larger shop and is illustrated in Figure 10.



Figure 10- Proposed Community Store



Figure 11- Kupungarri Store

The community predominately uses the Kupungarri Store also known as Mt Barnett Roadhouse, where there is a large quantity of fresh food, non-perishable foods, fuel and other essential items. The store is run by the Kupungarri community who also operate tourist accommodation and services for Manning Gorge. The Roadhouse is shown in Figure 11.

School

There are currently no education facilities in Dodnun. Students travel by bus to Wananami Remote Community School, in the Kupungarri community which is shown in Figure 12. The Wananami Remote Community School is located approximately 300km east-north-east of Derby along the Gibb River Road and approximately 50km from Dodnun. Children at Dodnun and Kupungarri used to be educated at Ngallagunda at the Wanilirri Catholic School, however they now go to the school in Kupungarri which provides Primary education.

Wananami Remote Community School is a state school with 36 students and is configured into three multi-aged classes: Kindergarten- year 1, years 2 – 5 and years 5 – 7. Staffing at Wananami Remote Community School consists of a principal, 4 teachers, 1 registrar (offsite) and Aboriginal and Islander education officers and teacher assistants. There are

LAYOUT PLAN MODEL TEXT

also part time gardener and cleaning positions. Non-teaching positions are mainly held by residents of the Kupungarri Community.

The school has 2 demountable units, each with 2 classrooms. There is an office and junior primary centre. The school is networked and has satellite internet access in all teaching areas via the Department of Education's wide area network. The main programs the school administers is the Aboriginal Literacy Strategy, Indigenous Language Speaking Students and the Primary Extension and Challenge Program.



Figure 12- Wananami Remore Community School

Office

Dodnun has a small and compact combined office and clinic for the community's administrative needs. The office is located on SL-lot 35 and is shown in Figure 13. The office is proposed to be relocated to an adjacent new building once the building receives a power supply.



Figure 13- Current Office and Clinic

LAYOUT PLAN MODEL TEXT

Clinic

A Part time clinic is established at Dodnun operated by the Derby Aboriginal Health Service (DAHS) in partnership with the Jurrugk Aboriginal Health Service. The clinic is located on SL-lot 35 and is shown in Figure 13. The Jurrugk Aboriginal Health Service provides an outreach service to the communities of Ngallagunda (Gibb River Station), Kupungarri (Mt Barnett), Imintji, Dodnun, Kandiwel, Yulumbu and Teralantji. The nurse from Ngallagunda (approximately 40 minutes from Dodnun) visits the Dodnun Community twice a week. DAHS also work in conjunction with the Royal Flying Doctor Service (RFDS) to provide a monthly doctor visit to each of the Jurrugk communities.

Workshop

There is a workshop shed located on SL-lot 7 adjacent to the playground. The workshop is used for small scale repairs, maintenance and storage of equipment. The workshop is illustrated in Figure 14 and 15.

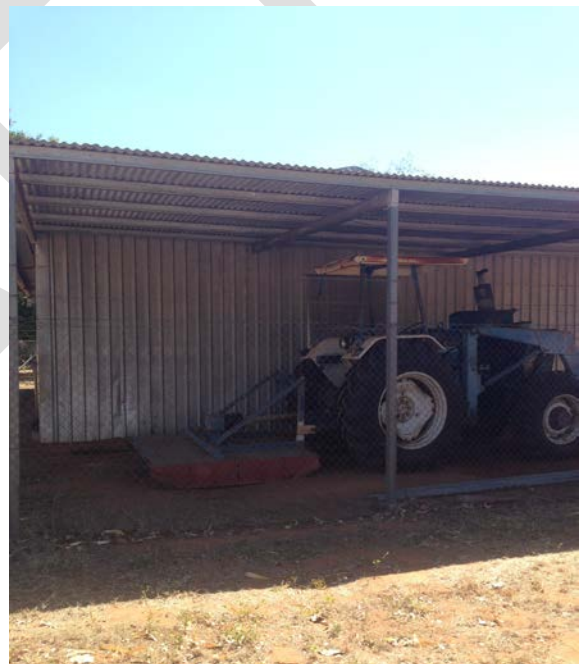


Figure 14 and 15- The Workshop Shed

Recreation Centre and Recreational Activities

There is no recreational centre located at Dodnun. However, there is a playground in the centre of the community located on SL-lot 8. The playground is illustrated in Figure 16.

Community members also run a Kids Club on Saturday mornings and Church on Sundays using the residence located on SL-lot 24.

LAYOUT PLAN MODEL TEXT



Figure 16- Playground

Oval

There is no oval currently located at Dodnun, however there is a rectangular playing field located on SL-lot 29 where games can be played such as rugby and soccer. The community would like an oval so football and other sports can be played in a bigger space. Figure 17 illustrates the current playing field.



Figure 17- Current Rectangular Playing Field

LAYOUT PLAN MODEL TEXT

Arts Centre

Dodnun has an unfinished building located at the entrance to the community on SL-lot 20 which is a proposed arts centre. The building currently has no power supply and is not in use. Once the power supply is connected the community seeks to open an arts centre which would generate some employment in the community. Currently art work from Dodnun is displayed at Mt Elizabeth Station where tourists can purchase the communities art work. The Dodnun community wishes to have their own arts centre to sell the communities art work and display it to the public. Figure 18 shows the vacant art centre building.



Figure 18- Vacant Art Centre

Future Community Land uses

The community also has aspirations for basketball courts to engage the youth (SL-lot 39) and a day care centre (SL-lot 40) to care for the young children which will provide employment within the community.

4 HOUSING

4.1 Residential Areas

The community has one central residential area surrounding the main services in the community. Figure 19 illustrates the residential area of Dodnun. There are an estimated 14 residential dwellings and 1 workshop shed located in the community. Nine of the residential dwellings are inhabited equating to an estimated 5-6 people per dwelling with the exception of the duplex where 3 people per dwelling has been estimated.

The Housing Authority advises upgrades and refurbishments to the existing dwellings are possible in the future depending on funding arrangements.



Figure 19 – Residential area at Dodnun

4.2 Number & type of dwellings

There are currently 14 residential dwellings in the Dodnun community and 1 workshop shed. The 9 residential dwellings are funded under the National Partnership Agreement on Remote Indigenous Housing (NPARIH). On the ground, there are 8 residential dwellings however the housing stock includes one duplex which is classified as two dwellings under Housing Authority procedure. The duplex is located on SL-lot 12. The four dwellings that are not funded are vacant and another dwelling which is not associated with the Housing Authority was built by a resident in the community.

Three of the vacant dwellings are used for visitor's accommodation and one dwelling is used for storage. These four dwellings are considered to be small and uninhabitable for permanent living by the community. These dwellings are located on SL-lots 1, 2, 3 and 4 and were constructed in the early 1990's.

LAYOUT PLAN MODEL TEXT

All dwellings are constructed from timber or steel frame with iron wall cladding and wide verandas at the entry of the dwelling. The current housing stock is illustrated in the figures below.



Figure 20- Residential Dwelling



Figure 21- Duplex Dwelling



Figure 22- Residential Dwelling



Figure 23- Residential Dwelling

The older style dwellings which are not inhabited are shown in Figures 24 and 25. These dwellings are constructed from the same materials but have additional timber lattice for external screening.



Figure 24- Vacant Dwelling



Figure 25- Vacant Dwelling

4.3 Quality of dwellings

The Housing Authority indicates 9 of the 13 dwellings are in good/fair condition, while the other 4 are repairable, currently no refurbishments have been undertaken.

The 4 dwellings considered as repairable are the smaller dwellings built when the community was first established. Permanent residents do not use these dwellings due to their poor condition. These dwellings are shown in Figures 24 and 25.

4.4 Future residential development

An estimated 7 housing lots will be incorporated into the LP 1 for the future residential development in Dodnun over the next 10-15 years. The development would occur in three stages with 3 dwellings built in the short term, 2 built in the medium term and 2 dwellings developed in the longer term depending on demand. This is considered efficient for the future projected population.

The proposed future dwellings would be most feasible on SL-lots 14, 16,17,30,31, 32, 33 and 34. SL-lots 36, 37, 38 are not the preferred site for residential development in the short term due to their current proximity to the power station. These lots should be considered for future residential housing development if the power station is relocated to SL-lot 41.

Potential constraints which could arise is a decrease in population as experienced in community's such as Ngallagunda where by investment in housing has become less sustainable and given less priority. However, there is strong evidence Dodnun is likely to grow and the number of proposed new dwellings will likely cater for the projected population. The priority in Dodnun is providing new housing of sufficient size so overcrowding can be reduced and people aspiring to live in Dodnun can start living in the community.

Other constraints could include servicing limitations as well residential dwellings in close proximity to the power station. New SL- lots have been proposed close to the existing power station and the relocation of the power station may be required.

LAYOUT PLAN MODEL TEXT

The proposed future housing should proceed in accordance with State Planning Policy 3.2 (*Aboriginal Settlements*) (SPP3.2).

Based on the above, the LP1 provides for future housing land as follows:

- Priority 1 (short term) –
 1. Investigate the feasibility of the vacant dwellings on SL- lots 1, 2, 3 and 4 for refurbishment, re-build, demolition or new construction.
 2. Develop 1 new residential SL- lot to alleviate the overcrowding.
 3. Develop 2 new residential SL-lots to cater for the projected population growth.
- Priority 2 (medium term) –
 1. Develop 2 new residential SL-lots.
- Priority 3 (long term) –
 1. Develop 2 new residential SL-lots.
 2. Refurbishments to be conducted of the existing housing stock.
 3. Review population growth and trends, develop housing as required.

5 CONSTRAINTS AND LIMITATIONS

5.1 Flood Hazard

The Housing Authority indicates that the settlement area is located on land whereon flood is not expected to risk safety or infrastructure.

The community also indicated that no flooding occurs in Dodnun, however they are cut off from other nearby communities which flood such as Kupungari which is accessed through the Gibb River Road. Some community residents swim across the Gibb River Road near Kupungari to access food and essential items during the wet season.

At present, a flood study is under preparation and the results from this study will be incorporated into the LP1.

5.2 Drainage

No drainage issues have been identified in Dodnun. However, the development of sealed roads will assist in drainage of the community living area during heavy rain.

5.3 Culturally Sensitive Areas

The community has identified one No-Go Area in Dodnun located east of the settlement towards the creek. It is recommended that an AHS be carried out to clarify and formalise No-Go areas in and around the community.

The area is illustrated on a mapped sketch prepared in the community shown in figure 26. This area is a No-Go area for unknown cultural reasons, the community advised the DoP for no development to be conducted in this area.



Figure 26 No-go Area

5.3 Exclusion Boundaries

The objectives of the Aboriginal Settlements Guideline 3: Layout Plan Exclusion Boundaries are to:

- Improve the health and amenity of people living, visiting and working on Aboriginal settlements by promoting the separation of existing and proposed incompatible land use activities.
- Establish a consistent, appropriate and effective approach to the application of land use separation on layout plans.

The map-set that forms a part of this Layout Plan includes exclusion boundaries in accordance with Guideline 3. In many instances, there are incompatible uses with the prescribed exclusion boundaries. This is an indicator that existing infrastructure is poorly located and, in time, should be relocated to more suitable locations to ensure that adequate separation distances are maintained between incompatible uses.

The table below identifies those land uses at Dodnun that includes houses within the prescribed exclusion boundaries, and rectification recommendation.

Table 3- Land Use Exclusion Boundaries

Existing Use	Site description/Issues	Recommendation
Power Station	There are 7 houses within 200m of the existing power station.	A site further south of the community on SL-lot 41 has been identified as an appropriate location for a new power station site.
Bore	There are 7 dwellings located within 500m of the existing bore.	This is considered an appropriate location. No changes required.
Rubbish Tip	All housing and infrastructure are located within 2000m of the existing rubbish tip.	A more appropriate and regulated site further south could be considered in the future.

6 PLANNING FRAMEWORK

6.1 State Planning Policies

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

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

The following SPPs were given due regard in the preparation of LP 1:

- SPP 3 – Urban Growth and Settlement;
- SPP3.2 Aboriginal Settlements ; and
- SPP2.7 Public Drinking Water Source
- SPP 3.7 Planning in Bushfire Prone Areas

6.2 Shire of Wyndham-East Kimberley

The Shire of Wyndham-East Kimberley Town Planning Scheme No. 6

The Shire of Wyndham-East Kimberley Town Planning Scheme No. 6 was gazetted on 21st January 1994 and the Wyndham-East Kimberley Town Planning Scheme No. 7 was gazetted on the 19th January 2001.

Dodnun is not located within the area covered by the Scheme Maps, meaning that land use and development in the community has historically been unregulated. Under the Scheme, Planning approval is not required prior to new development or a change in land use, although a building licence is generally required.

Currently a new scheme is under preparation which will show full extent of the shire area, including the Dodnun settlement zone. Under SPP 3.2 and Planning Bulletin 108/2013 approval is required prior to new development or a change in land use.

Shire of Wyndham-East Kimberley Local Planning Strategy

The Shire of Wyndham-East Kimberley Local Planning Strategy (adopted by the Shire on the 20th September 2005 and endorsed by the Commission on the 1st November 2005) provides a vision for the growth and development of the Shire over a 10-15 year time frame.

The Strategy acknowledges the Layout Plans that have been produced for large permanent communities within the Shire. The Strategy also acknowledges that the Shire does not have the capacity to regulate provisions contained in the plans, however the incorporation of LPs into the town planning scheme by expanding the scheme area to incorporate the community areas and appropriately zoning/reserving the land would provide this regulatory capacity.

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6.3 Recommended Settlement Zone

State Planning Policy 3.2 – Aboriginal Settlements provides that all Layout Plans are to define and delineate a clear and appropriate area for settlement zone. Dodnun Layout Plan 1 Land Ownership Plan shows an area defined as a ‘recommended settlement zone’ for inclusion within the Scheme. The intention of this proposed zone is to provide the Shire with a basis for future classification in the Scheme as a ‘Settlement’ zone. The recommended settlement zone is highlighted in Figure 27.

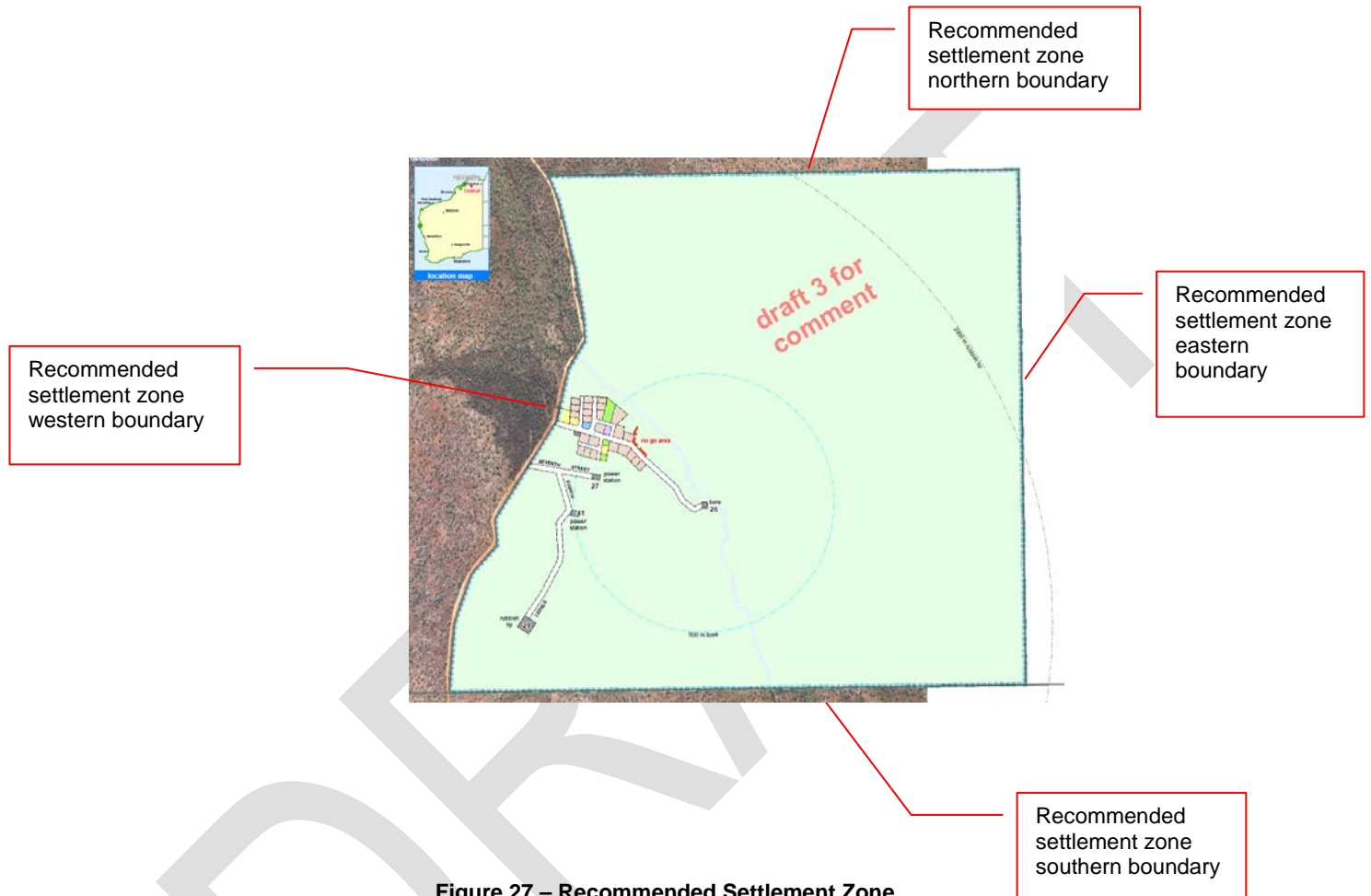


Figure 27 – Recommended Settlement Zone

7 ENDORSEMENTS

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LAYOUT PLAN MODEL TEXT

[Dodnun Aboriginal Corporation] Endorsement

Dodnun Layout Plan No. 1

Address
Address
Address

The Dodnun Aboriginal Corporation (representing the community) hereby adopts the Dodnun Layout Plan No. 1 2016 as a guide for future development within its boundaries.

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

TheDay of2016

Adopted by the Dodnun Aboriginal Corporation

Chairperson
[Please print and sign name]

Councillor

LAYOUT PLAN MODEL TEXT

[Wanjina-wunggurr (Native Title) Aboriginal Corporation] Endorsement

Dodnun Layout Plan No. 1

Address
Address
Address

The [Wanjina-wunggurr (Native Title) Aboriginal Corporation] (representing the traditional owners, the Wanjina - Wunggurr People) hereby adopts the Dodnun Layout Plan No. 1 (2016) as a guide for future development within its boundaries.

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

TheDay of2016

Adopted by the [Wanjina-wunggurr (Native Title) Aboriginal Corporation]:

Chairperson
[Please print and sign name]

Director
[Please print and sign name]

Shire of Wyndham- East Kimberley Endorsement

Dodnun Layout Plan No. 1

20 Coolibah Drive
PO Box 614
Kununurra WA 6743

The Shire of Wyndham- East Kimberley adopts the Dodnun Layout Plan No. 1 2016 as a basis for future growth and development within Dodnun community.

TheDay of 2016

Endorsed by the Shire of Shire of Wyndham- East Kimberley

Shire President
(Please print and sign name)

CEO
(Please print and sign name)

Council
Seal

Western Australian Planning Commission Endorsement



Dodnun Layout Plan No.1

140 William Street
Perth WA 6000

The Western Australian Planning Commission hereby endorses the Dodnun Layout Plan No. 1 2016 as a guide for development to ensure proper and orderly planning within the community area

TheDay of 2016

Signed for and on behalf of the Western Australian Planning Commission

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the *Planning and Development Act 2005* in the presence of

Witness

Date

8 CONSULTATION, REFERENCES & INFORMATION

CONSULTATION SUMMARY

Preparation of this Layout Plan is the result of consultation with the community representatives and a range of agencies, authorities, non-government organisations during 2016.

Information was obtained from the following sources.

Organisation	Date
Dodnun representative meeting	10th August 2016
Australian Bureau of Statistics	July/August 2016
Department of Aboriginal Affairs	July/August 2016
The Housing Authority	July/August 2016
	7 th October 2016
Shire of Wyndham-East Kimberley	August 2016
Landgate	July/August 2016
The Department of Sport and Recreation	

REFERENCES

Department of Indigenous Affairs (DIA) 2008 *Environmental Health Needs Survey of Indigenous Communities in Western Australia*. Government of Western Australia. Available at: www.dia.wa.gov.au

Memmot, P. & S. Long & M. Bell & J. Taylor & D. Brown 2004 *Between Places: Indigenous Mobility in Remote and Rural Australia*. Australian Housing & Urban Research Institute, University of Queensland.

Taylor, J. 2006 *Population and Diversity: Policy Implications of Emerging Indigenous Demographic Trends*. CAEPR discussion paper No. 283/2006. ANU: Canberra.

9 AMENDMENTS

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