

Shire of Derby/West Kimberley

Local Planning Strategy



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West Kimberley





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West Kimberley**

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The Shire of Derby/West Kimberley
Local Planning Strategy was endorsed
by the Western Australian Planning
Commission in April 2013.

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Recent changes to the *Town Planning Regulations 1967* have given effect to the Model Scheme Text as the basis for preparation of new local planning schemes and have replaced the Scheme Report with a Local Planning Strategy.

As part of any process of review or preparation of a new Local Planning Scheme, local governments must now undertake preparation of a local planning strategy, which is primarily an outcomes-based document that sets out the long-term planning direction for a municipality; applies State and regional planning policies; and provides a rationale for zoning and other provisions of the statutory Local Planning Scheme.

It is intended that a local planning strategy will establish the future direction of growth and development of a municipality for a period of 10 to 15 years; and be a dynamic tool providing the rationale and the framework for decision making at both the local and State Government level. A local planning strategy provides the relevant background and guidance for decision-making in relation to subdivision, development and zoning matters under the Local Planning Scheme.

To facilitate this role, a local planning strategy includes an outline of how the strategy will be implemented; its state, regional and municipal contexts and the major planning issues affecting them; and a description of the key characteristics of the municipality. It sets out opportunities and constraints for land use and development; identifies the aims of the municipality providing an explanation of the strategic land use direction of the Council; provides strategic policy statements in relation to key issues; and details policy proposals for particular areas or specific issues and includes an outline of how the strategy will be implemented.

In February 2006, the Shire of Derby–West Kimberley resolved to prepare a Local Planning Strategy. Some of the issues that Council considered prior to this resolution were:

- demand for additional residential and industrial zoned land;
- implementation of *State Planning Policy No. 3.2 – Planning for Aboriginal communities*; and
- native title – resolution of local claims.

This Local Planning Strategy has been prepared in accordance with the Model Scheme Text and local planning strategy directions as contained within the Western Australian Planning Commission's (WAPC) Planning Schemes Manual.

section **one**

introduction

1.1 Overview of locality

The Shire of Derby–West Kimberley is located in the North West Kimberley Region of Western Australia. It covers an area of 118,560 square kilometres and is located more than 2,300 kilometres north of Perth. The Shire is dissected east-west by both the Great Northern Highway and the Gibb River Road and is bound by the Shire of Wyndham-East Kimberley to the north, the Shire of Halls Creek to the east, the Shire of Broome to the west and the Shire of East Pilbara to the south. The Shire also has an expansive coastline that extends from King Sound in a northerly direction to Doubtful Bay. Numerous islands are adjacent to the coastline and are located within the boundaries of the Shire (Map 1).

Land use and development within the Shire has historically been dominated by the pastoral industry and it remains the major land use today. The resource industry is an emerging growth sector that is seeking to access a broad range of mineral deposits that exist within the Shire boundaries. Both land-based and marine-based tourism are also experiencing growth and impacting on land use in the Shire.

There are three gazetted townsites within the Shire (Derby, Fitzroy Crossing and Camballin) plus approximately forty-eight discrete remote Aboriginal communities. However, much of the Shire remains characterised by isolated terrain that crosses a number of different vegetation and landform regimes that cumulatively provide a diverse, isolated, rugged and rich landscape.



1.2 Elements of a Local Planning Strategy

The Department of Planning guidelines for local planning strategies suggest they should contain the following key elements:

- **Chapter 2 Key issues** – arising out of the municipal profile and the consideration of State and regional policy, the key planning issues that need to be addressed by the strategy are highlighted.
- **Chapter 3 The strategic plan** – sets out the overall aims for the future use, development and conservation of land in the local government, the strategies by which the aims are to be met and the actions or means of implementation.
- **Chapter 4 Implementation, monitoring and review** – provides ways of implementing this strategy and outlines how the local planning strategy needs to be monitored and reviewed.
- **Chapter 5 State and regional planning context** – interprets State and regional planning policy in the local context and identifies plans and policies relevant to the local government area.
- **Chapter 6 Municipal context** – provides the context for local planning decisions and acknowledges existing visions and mission statements of the local government, local community and significant local government policies and strategies relating to planning.
- **Chapter 7 Municipal profile** – describes the key characteristics of the local government and the major natural, social and economic influences on planning for the future. Important key issues for land use and development are also provided.

Chapters 2 and 3 should be considered as the focal point when utilising this Local Planning Strategy (LPS) as they outline the fundamental planning considerations the strategy aims to achieve, which have been developed from the information contained in chapters 4, 5, 6 and 7.

This LPS has been written on the basis of a reasonably optimistic scenario for the Shire of Derby–West Kimberley. That is, that existing economic and social trends will continue to their logical ends without major and drastic changes in the global, regional or national context or significant and sudden shifts in the natural environment over the next fifteen years.

1.3 Local Planning Strategy process

Preparation of the strategy involves:

- council resolution being passed to prepare strategy;
- data collection, review and identification of issues;
- consultation with Council, the community and other stakeholders;
- investigation and analysis of issues;
- writing of draft local planning strategy; and
- submission for certification, advertising and final report produced.

1.4 Consultation process

The draft Local Planning Strategy was presented to Derby–West Kimberley’s Shire Council at the Ordinary meeting of Council held on the 29 April 2010. The Council resolved to forward the draft document to the WAPC for consent to advertise it for public comment.

The WAPC considered the draft LPS on 9 April 2013 and consented for it to be released for a two-month public comment period.

The proposed consultation strategy included the placement of advertisements advising of the public comment period on the Shire’s website, in the *Muddy Waters* and the *Broome Advertiser* as well as targeted consultation through information sessions for key stakeholder groups in Derby and Perth; and a public exhibition at Shire offices in Derby and Fitzroy Crossing and public information sessions within these centres.

Following the close of the public comment period, submissions and other advices were considered by Council and the draft document was modified accordingly. Council adopted the modified LPS to give effect to the submissions and advice.

Upon adoption by Council, the final LPS was submitted to the WAPC for endorsement.

The LPS provides a strategic context for decision-making within the Shire and is the precursor to a new local planning scheme for the Shire of Derby–West Kimberley.



Arising out of a consideration of State and regional policy (Section 5) and the municipal context (Section 6), the key planning issues that need to be addressed through the local planning strategy are briefly outlined below. Section 3 then identifies strategies and actions in response to the key issues.

Residential land: As a result of rapid population growth rate, higher demand for land for residential use is anticipated. The Kimberley has the fastest population growth rate in the State which can be attributed to the relatively high natural increase as well as growth of the resource sector. Demand for residential land to accommodate the natural increase (including backlogs in the provision of social housing) is expected to occur in the main towns as well as the smaller communities. In Derby, there is sufficient residential land to cater for population rises including that associated with the establishment of the Kimberley Regional Prison and from expansion of the oil and gas sector. In Fitzroy Crossing, the release of additional residential land is dependent on the implementation of the endorsed *Fitzroy Futures Town Plan* (March 2009).

Commercial land: Demand for commercial land is expected to rise over the next decade consequent with the growth in population and increasing demand for goods and services arising from the construction and operation of the prison and growth of the resource sector. In Derby, there is sufficient land zoned Commercial and Town Centre to accommodate this growth. There is a limited supply of commercial land in Fitzroy Crossing and additional land within the Bunuba Heights area is dependent on native title and land assembly issues being resolved. In the interim, the redevelopment of the Tarunda Supermarket (that was destroyed by fire) offers opportunities for new commercial activities.

Industrial land: The demand for industrial land is expected to be strongest in and around Derby and potentially at Point Torment. The increased demand in Derby can mainly be accommodated in areas already zoned for this purpose or for Public Purpose. Land assembly, subdivision and, in some cases, native title clearances are needed prior to the land being development ready. The viability of establishing a marine and industrial support facility at Point Torment is in the process of being established. If determined to be viable, a new node for industrial activity separate from but connected to the Derby town site will be established. While growth in demand for industrial land at Fitzroy Crossing is expected to be relatively weak, recommendations for additional industrial land supply as outlined in the *Fitzroy Futures Town Plan* require implementation.

section two

key issues

residential
commercial
industrial
land



Coastal planning



water source protection

Development timelines: Long lead times for land assembly need to be factored into planning for future land use and development in the Shire. The legacy of historic land tenures combined with complex native title processes can extend development timelines considerably.

Oil and gas sector: The exploration for oil and gas resources in the Browse Basin and subsequent production of condensate and LNG is expected to impact on Derby and the surrounding area. A number of studies have been concluded that identify Point Torment as a possible supply base for the oil and gas sector. A supply base in this area could also be utilised by land-based resource industries. In addition to substantial infrastructure on site, the establishment of a supply base at Point Torment would require new or upgraded road access and the provision of services. Preliminary environmental, maritime and geological investigations are underway to determine if Point Torment is suitable for development. On-site construction and operational workforces would generate additional demand for residential and commercial land in Derby. Flow-on impacts associated with Browse Basin exploration and production activity could be expected in Derby regardless of a supply base being established.

Tourism: The tourism sector is an important and growing part of the Shire's economy and community. The highly seasonal impacts are felt in the major towns and in the more remote areas of the Shire. The economic impacts are positive, but environmental and social impacts require better planning and management. The WAPC in collaboration with key stakeholders and interest groups in the north Kimberley prepared a document titled *The North Kimberley Land Use and Infrastructure Investigations Discussion Paper* (2005) that determined a need to establish a clear direction to deal with the cumulative impacts of increasing activity and interest in the north Kimberley. The discussion paper provided options for identifying planning and management leadership in the

region in the short, medium and long-term. A renewal of strategic planning efforts for the area north of the Gibb River Road by the Department for Planning, WAPC, Shire and others (such as Shire of Wyndham East Kimberley, Department of Conservation and Land Management, native title holders and pastoralists) is needed.

Airports: Currently, the Derby Airport is utilised by light aircraft only (charter and tourist operators, private craft and the Royal Flying Doctor) while commercial flights operate out of the Curtin Aerodrome. Given the limited use of the Derby Airport, the size of the land holding and its location relative to the town of Derby there is an opportunity to consider alternate uses for the land. A strategic planning exercise has been initiated that will consider potential new opportunities for Derby Airport as well as for Curtin Aerodrome.

Population drift: 35 per cent of the Shire's population currently lives outside the two main townsites. The identification of sufficient land for residential and commercial use as well as for public purposes in the larger communities has generally occurred through the Department of Planning's Planning for Aboriginal Communities project. Notable changes to welfare regimes have affected, and may continue to affect, settlement patterns of the Shire's Indigenous residents. A trend towards residing in communities and towns where a range of services and facilities are provided and where work opportunities are available should be anticipated. A related issue is the need to provide short-term visitor accommodation for Indigenous people who visit Derby and Fitzroy Crossing to access government support services. Currently, visitors stay with relatives or friends in already overcrowded houses or sleep rough. Discussions with Aboriginal hostels are ongoing to find a workable solution to this issue.

Construction workforces: There is a potential for relatively large construction workforces (linked to the establishment of the prison, Point

Construction
workforces



Population drift

Reticulated sewer

 **waste
management**

**Oil and
gas sector**
tourism

Torment and other infrastructure projects in the region) to be located in or near Derby. There is an opportunity for land currently zoned for Special Use Tourist Accommodation in Derby to be used initially for this purpose and later for Tourist purposes as required.

Water source protection: Potable water source protection is critical for the major towns and the communities. The Department of Water has prepared water source protection plans for Derby, Fitzroy Crossing and Camballin and the recommendations made in these reports require incorporation into the local planning strategy and/or scheme for long-term protection of water sources. The protection of community drinking water sources is a key consideration in the preparation of layout plans for Aboriginal settlements.

Coastal planning: The Shire of Derby–West Kimberley incorporates a significant coastline and numerous near-shore islands. The coastal areas are subject to a variety of impacts from unmanaged land-based and marine-based tourism, resource development and pearling and other aquaculture. The coastal areas are remote, have high environmental and landscape value and are important from a cultural and heritage perspective. Recent data indicates that the coastal areas may be subject to change as a result of climate change. With the exception of site-specific or localised studies (such as the Kimberley Land Council's Saltwater project) there has not been a comprehensive assessment or planning for the coastal areas. Development is occurring in an unplanned and ad-hoc manner and management is piecemeal. There is a need to prepare a land use and management plan for the coast that would identify areas for development and for protection and would provide a framework for coordinated management.

Derby Wharf: The Shire of Derby–West Kimberley manages and operates the Derby Wharf under a lease agreement with the Department of

Transport. Originally built in 1894 and subsequently replaced with a new structure during the 1960s, the wharf is an important part of Derby's history. It is used by locals for recreation and is a tourist destination. Until recently the Wharf operated as an export facility for lead and zinc concentrate and there is potential for the future export of coal. However, should export facilities be established at Point Torment and all bulk exports relocated to this facility, alternative uses for the wharf would need to be considered.

Waste management: The waste disposal facilities at both Derby and Fitzroy Crossing are reaching capacity. Alternate sites for waste management facilities need to be identified. The possible construction of a road to Point Torment could offer an opportunity for a borrow pit adjacent to the road to be adapted for use as a future waste management facility for the Derby area. A specific study will need to be undertaken to identify a new site for Fitzroy Crossing.

Reticulated sewer: Reticulated sewerage is currently restricted to the eastern side of Derby Highway. This is restricting the redevelopment and development of some residential and industrial areas within the town. An extension of the reticulated sewer to areas not presently serviced would facilitate rationalisation of land and provide intensification opportunities.



This section of the report provides a consolidated strategic plan for the Shire of Derby–West Kimberley. The plan draws on the key issues (Section 2) and responses to topics discussed in subsequent chapters. This Section is structured so that objectives and strategies for Derby, Fitzroy Crossing, Camballin and Aboriginal communities are addressed individually. This reflects the physical separateness and specific planning considerations relevant to each townsite and community.

The strategic plan identifies the principal land use and development requirements of the Shire. Objectives of the strategic plan are provided followed by strategies and actions for each land use theme. Each strategy outlines the general direction that the Shire will follow to meet the objectives. The subsequent action then clearly states what is required to meet the specific strategy and the overall objectives.

3.1 Objective of the Strategic Plan

The objective of the strategic plan for the Shire of Derby–West Kimberley is to clearly set out the key land use and development strategies and actions for the next 10–15 years. The strategy provides:

- a land use plan that can accommodate future growth and development within the Shire;
- security certainty for investors for land use;
- a basis for Shire decision-making;
- a plan for the protection of environmental and heritage assets; and
- a basis for future land ownership arrangements and land tenure rationalisation.

The plan should be reviewed every five years to monitor the progress of implementation.

3.2 Strategies and Actions – Derby

Strategies

- Promote and enhance Derby's role as the principle administrative, service, accommodation and employment centre of the Shire.
- Provide an adequate supply of residential, commercial and industrial land to cater for existing demand and future growth.
- Promote redevelopment of areas that can provide increased housing opportunities and housing diversity in areas close to the town centre.
- Support strategic site development and/or protection of sites in areas close to Derby that can provide benefit to the Shire.

Actions

1. Create opportunities for future residential land release:
 - a. Rezone and subdivide the nine hectare lot on Ashley Street. (SDWK, LandCorp)
2. Amend the Local Planning Scheme to reflect the endorsed Development Guide plans for Residential Development Areas at:
 - a. Lot 5 Guildford Street;
 - b. Lot 21 Fitzroy Street; and
 - c. Lot 61 Dampier Drive. (SDWK, DoP)
3. Complete the Development Guide Plan for the balance of five lots located north of Fitzroy Street. (Landowners, SDWK, DoP)
4. Subject to an audit of existing parks and recreation needs, initiate action to acquire Lot 654 Rowan Street, Lot 1188 Loch Street and portion of unallocated Crown Land bound by Richardson Terrace, Mimosa Street and Ashley Street for future residential development (SDWK):
 - a. Subject to Action 4, initiate rezoning unallocated Crown Land bounded by Richardson Terrace, Mimosa Street and

Ashley Street from Parks and Recreation to Residential.

- b. Subject to Action 4, initiate rezoning of Lot 1188 Loch Street from Parks and Recreation to Residential.
5. Increase residential density from R15 to R30 in residential areas north of Van Emmerick Street, west of Marmion Street and south of Anderson Street. (SDWK)
 6. In anticipation of deep sewerage connection, introduce a split housing density to land currently zoned R5 to cater for redevelopment of the lots (SDWK):
 - a. for land west of Derby Highway assume a density of R5/R30; and
 - b. for land east of Derby Highway assume a density of R5/R10.
 7. Rezone land bound by Bauhinia Place, Rowan St and Yeeda Close from R12.5 to R40 to reflect existing land use. (SDWK)
 8. Revitalise the area south of Kunamarra Street and north of Richardson Terrace to promote redevelopment of public housing areas and improve streetscape and amenity. (SDWK, DoH)
 9. Redevelop the Town Centre in accordance with the revised Town Centre Development Policy that:
 - a. Reclassifies the service/industry precinct to accommodate mixed use (residential, commercial and tourist). (SDWK)
 - b. Protect the core of the Town Centre zone to ensure sufficient land for future commercial and retail uses. (SDWK)
 10. Support use of Lot 529 Ashley Street as a residential hostel for Aboriginal people. (All stakeholders)
 11. Rezone unallocated crown land west of Forrest Street and east of Derby Highway (old triangular truck bay) from Public Purposes to Mixed Business. (SDWK, LandCorp for land tenure and development)
 12. Allocate Rural zoned land east of Derby Highway as being for long term townsite expansion. (SDWK)

13. Commence structure planning, land assembly and rezoning for existing unallocated Crown Land lots, zoned Light Industrial that are in and adjacent to the light industrial area. (SDWK, LandCorp, DoP)
14. Commence structure planning, land assembly and rezoning for general industry land that are unallocated Crown Land lots in and adjacent to the existing General Industry zone. (SDWK, LandCorp, DoP, DoL)
15. Support development of land for potential construction camps on land currently zoned Special Use – Tourist Accommodation (such as lots 9 and 10 Guildford Street) subject to the extension of town services. (SDWK)
16. Amend the Local Planning Scheme to reflect the endorsed Development Guide Plan for Rural Residential at Lots 5, 14, 15 east of the Derby Highway and south of the Gibb River Road. (SDWK)
17. Advocate for extension of infill sewer system to cover all non-sewered areas within the townsite. (SDWK)
18. Investigate the provision of visitor facilities and short-term visitor accommodation in the town and progress consideration of alternate higher uses on the Elder Street site. (SDWK, DoH)
19. Identify a new refuse and waste disposal site. (SDWK)
20. Develop a full strategic assessment of airport infrastructure and services for general aviation for the West Kimberley region. (SDWK, DoP)
21. Investigate long-term opportunities within the Derby airport for future use and development of alternative land use opportunities. (SDWK)
22. Advocate for the extension of the existing hostel on Villiers Street to accommodate people staying over in Derby to access government services or visiting family. (SDWK, Aboriginal hostels, DoH)
23. Support development of Point Torment as a supply base and export facility for the oil and gas and resource sectors and the construction of an access road to service the area. (SDWK)
24. Consider alternate land use and development opportunities for the Bungarun reserve (CR21474). (SDWK, ALT, KLC, DoL)
25. Retain the Knowsley Agricultural Area for possible future agriculture or horticultural uses. The document entitled 'New Opportunities for Tropical and Pastoral Agriculture Projects' may be useful in progressing this action. (SDWK)
26. Support development of the proposed Nyikina Culture Centre on the corner of Derby Highway and the Gibb River Road. Also support development and creation of an Indigenous cultural precinct fronting the Gibb River Road to Mowanjum Aboriginal Community (also capturing Bungarun Aboriginal Community). (SDWK)
27. Advocate for the extension of Defined Area Reticulated Electrical boundaries to capture all current and future proposed areas of town site expansion. (SDWK, Horizon Power)
28. Implement the recommendations of the Water Reserve Source Protection Plan, June 2008 including the proclamation of water reserves for the production bores (5) under the *Country Areas Water Supply Act 1947* and recognising the water reserve boundaries and their priority one classification in the Local Planning Scheme. (SDWK, DoW)
29. Review status of existing Birdwood Rise Special Rural Subdivision and assess opportunities for future subdivision of larger lots. (SDWK)
30. Review status of Rural zoned lots located within the existing General Industry area. These currently serve as buffers between rural residential lots. Consider alternative zonings that would enable lots to be put to more productive uses. (SDWK)
31. Rezone residential lots abutting Derby Highway to Mixed Use/Commercial. (SDWK)

3.3 Strategies and Actions – Fitzroy Crossing and Fitzroy Valley

Strategies

The actions in this section of the strategy are consistent with those outlined in the endorsed *Fitzroy Futures Town Plan* (March 2009).

- Promote and enhance Fitzroy Crossing as the principal administrative, service, accommodation and employment centre for the Fitzroy Valley.
- Support proponents to further develop the proposed Kurungal Service centre as an alternative service delivery model for residents east of Fitzroy Crossing.
- Implement the suite of land tenure adjustments necessary to make further land available for development.

Actions

As specified in *Fitzroy Futures Town Plan* (March 2009) including:

32. Support extension of Rural Living areas on Yurabi and Russ Roads. (SDWK, DRD, KLC, PLB)
33. Support provision of Industrial lots of approximately 4,000 square metres on Forrest Road (north) to cater for general industry needs. (SDWK)
34. Support development of housing, industrial and commercial land on Crown Reserve 9656. (SDWK)
35. Progress land tenure adjustments for the expansion of existing refuse and waste disposal site. (SDWK)
36. Undertake a review of *Fitzroy Futures Town Plan*. (SDWK, Bunuba, DPC, DoL, DoP, W/Corp and DoW)

3.4 Strategies and Actions – Camballin and remote Aboriginal communities

Strategies

- Support the ongoing development of the Camballin Township.
- Progress the release of unallocated Crown lots in Camballin to accommodate future residential, commercial and industrial demand.
- Resolve land tenure and management of the Camballin airstrip.
- Support the established remote Aboriginal communities within the Shire in accordance with evolving State and Commonwealth policy and agreements.

Actions

37. Support preparation, completion and administration of layout plans for remote Aboriginal communities in accordance with SPP 3.2. (SDWK, DoP)
38. Continue to work in consultation with DoP to identify strategic air-strips, formalise land tenure and management arrangements and prioritise maintenance for these air-strips and specifically the Camballin airstrip. (SDWK, DoP)
39. Create and construct an all-weather access road between Koorabye and Kalyeeda homestead to service communities south of the Fitzroy River. (SDWK)
40. Complete the sealing of all roads in Camballin. (SDWK)
41. Ascertain the requirement for housing and related services associated with the development of coal resources in the Canning Basin by Rey Resources, ASF and other potential resource developers. (SDWK)
42. Depending on the outcome of Action 40, consult with the Looma and Camballin communities in relation to the potential impact of possible future resource development in the area and examine the capacity of service infrastructure in these towns to accommodate an increase in demand for power, potable water and wastewater services. (SDWK)

3.5 Land for heritage, culture and the environment

Strategies

- Vulnerability assessment as part of the risk assessment process.
- Recognise Aboriginal people as the traditional occupants of lands within the Shire.
- Identify, protect and enhance areas with natural and cultural values in the Shire.
- Support, protect and enhance the cultural and environmental values of the Fitzroy River.
- Recognise conservation opportunities as identified in the Western Australia State Government Kimberley Science and Conservation Strategy.

Actions

3.5.1 Aboriginal heritage and culture

43. Support the rights of Aboriginal people through application of the *Native Title Act 1993*. (ONT, KLC, DoL)
44. Continue implementation and progression of existing Indigenous Land Use Agreements and service agreements. (SDWK, NNTT)
45. Develop criteria and guidelines to inform future development and proposals in sensitive areas. (SDWK)

3.5.2 Environment

46. Advocate for development of appropriate mechanisms to vest and manage land with conservation value that has been identified through the pastoral exclusion process. (SDWK)
47. Support improved protection and management of environmental values of the Fitzroy River through processes such as FitzCAM. (SDWK)
48. Prepare a land use and management plan for the coast to identify areas for development and protection and a framework for coordinated management.
49. To plan for the current and future risk of erosion and storm surge inundation, coastal hazard risk management and adaptation planning is to be undertaken in accordance with SPP 2.6.



3.6 Natural Resource Management (shire context)

Strategies

- Conserve, protect and improve the natural environment, prevent damage caused by land clearing development, safeguard the human living environment from natural disaster and to provide suitable buffers to protect development and amenity.
- Protect land identified for conservation of flora and fauna, water resource protection, landscape values and recreation.

Actions

50. Designate land reserved for conservation, water catchment, and parks and recreation accordingly. (SDWK, DPaW, DoL)
51. Identify, protect and seek the appropriate management of natural areas of significance, in particular wetlands and mound springs. (SDWK, DPaW, DoL)
52. Determine an effective approach to better protecting the Munkayarra wetland system and seek funding to prepare and implement a management plan for the wetland that includes consideration of the impact of surrounding land uses. (SDWK, DPaW, DoL)
53. Prepare a management plan for the Joon-Joon trail and environs. (SDWK, DPaW)

3.7 Mining, pastoral and agricultural lands

Strategies

- Support existing and future mining activities.
- Support the expansion and diversification of primary production.

Actions

54. Advocate for upgrade and improvements to infrastructure and new infrastructure to support mining and oil and gas activities, such as roads and ports. (SDWK, DSD, DoP, DoT, MRWA)
55. Work with other agencies in identifying appropriate locations for agricultural and horticultural activities. (SDWK, DoL, PLB, DAFWA, DRD)
56. Co-operate with FitzCAM in identifying areas within the Fitzroy Catchment that may be suitable for diversification. (SDWK, FitzCAM or similar)
57. Target specific process blockages to diversification and advocate for resolution. (SDWK, PLB)
58. Appropriately zone land used for Tourist Purposes that have pastoral diversification permits. (SDWK, PLB)
59. Appropriately zone land used for tourist purposes that are licensed under the *Caravan and Camping Act 1997* and are on Pastoral Leases. (SDWK, PLB)
60. Appropriately zone land used for tourist purposes identified as such in the Pastoral Exclusion Process. (SDWK, PLB)

3.8 Tourism

Strategies

- Encourage the development of a wide range of tourism and tourism related opportunities within the townsites of Derby, Fitzroy Crossing and Camballin.
- Encourage tourism development in the rural and remote areas of the Shire subject to environmental management, appropriate infrastructure provision and where appropriate, sound coastal planning principles.
- Recognise and support the tourism industry as an important contributor to the economy of the Shire, particularly nature and water based tourism, eco-tourism and Indigenous tourism.
- Recognise tourism development opportunities as identified in the Western Australian State Government Kimberley Science and Conservation Strategy.
- Recognise Tourism Western Australia's North West Destination Development Strategy in the consideration of tourism related development throughout the Shire.

Actions

61. Map existing tourism destinations and routes. (SDWK, TWA, DoP)
62. Identify strategic tourism and supply nodes in coastal areas (and on near-shore islands) as part of the development of a future coastal tourism policy and plan. (SDWK, TWA, DoP, Coastwest, KLC's Saltwater Project)
63. Identify strategic tourism nodes along the Gibb River Road having regard to the regional context. (SDWK, TWA, DoP, DPaW, DoL, DRD, KLC)
64. Develop criteria for development of future tourism ventures in unique and sensitive natural areas. (SDWK, TWA, DoP, DPaW, DoL, DRD, KLC)
65. Identify illegal and unauthorised camping areas, squatter camps, fuel dumps and arrange for their removal. (SDWK, DoL)
66. Improve signage, promotion and marketing of key tourism areas. (SDWK, TWA, DPaW MRWA)
67. Identify a suitable place to establish a tourist information bay/rest area for self-drive tourists who travel to the Fitzroy area within the context of the *Fitzroy Futures Town Plan*. (SDWK, Tourism WA, MRWA)





The dynamic nature of planning and development in the Shire of Derby–West Kimberley requires that the Local Planning Strategy (LPS) be subject to monitoring and review. The information gaps and further research needs that are identified in this strategy should be pursued. Furthermore, the LPS will need to be reviewed in the light of changes to State government policy, local priorities and visions.

Further monitoring and review will also focus on the success or otherwise of achieving the aims of this LPS and how well they have facilitated orderly and proper planning throughout the Shire of Derby–West Kimberley.

This LPS should not be viewed as a fixed plan; rather, it will require continual review. On this basis it is suggested that the strategy be reviewed every five years. Any review should measure how successful the strategy has been in terms of:

- achieving the stated land use and development objectives;
- the level of guidance provided by the strategies to assist in land use and development of decision making and the extent to which this results in achieving the land use and development objectives; and
- the extent to which the stated implementation actions have been undertaken and achieved.

The time period envisaged by this strategy is between 10 and 15 years. New land use and development opportunities and challenges will arise during this time and some of the changes will not be foreseen today. Changes may result from factors such as innovations in technology, restructuring of the economy and the workforce, outcomes of native title applications and also diverse and changing community needs and aspirations.

It is essential that Council and this strategy respond to change in a planned manner to ensure that benefits to the Shire's community are maximised. This should reduce ad hoc approaches and in turn potential negative impacts on the community.

section **four**

implementation, monitoring and review

In order to implement this LPS the following procedures are put forward.

These procedures should ensure that the Strategy remains relevant to the Shire, the community, and business interests and facilitates orderly and proper planning.

01

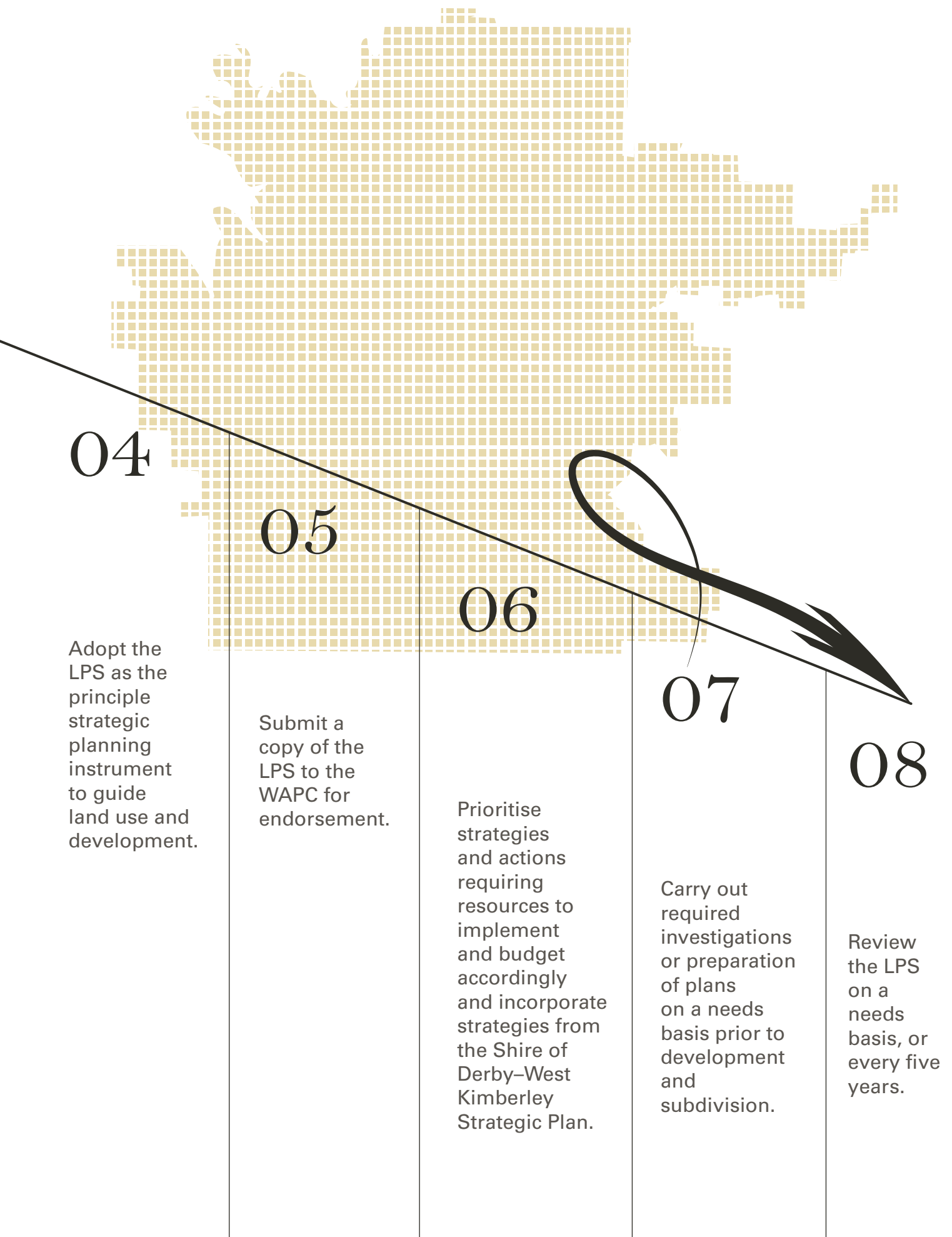
Forward the LPS to the WAPC for certification in accordance with the *Town Planning Amendment Regulations 1999*.

02

Endorse the LPS for a 12 weeks public comment period to allow the community, industry groups and governmental agencies to make comment.

03

In light of comments received review the LPS and modify accordingly.





An important role of this Local Planning Strategy (LPS) is to interpret and incorporate State and regional planning policies. The following section discusses the relevant State and regional planning policies applicable to the Shire of Derby–West Kimberley.

5.1 State Planning Strategy

The State Planning Strategy is an integral part of the Western Australian planning system designed to inform planning policies and decisions throughout the State. The first *State Planning Strategy* was published in 1997 with a primary focus on landuse planning.

Since then Western Australia has been shaped by population growth, the global economy, urbanisation, technology, climate change, and increased water and energy requirements. Prepared by the Department of Planning under the guidance of the Western Australian Planning Commission the second *State Planning Strategy* released as 'Draft for Public Comment' (December, 2012) takes into account what is known about the future and sets a vision to 2050 based on a framework of planning principles, strategic goals and State strategic directions.

The *State Planning Strategy* envisages a doubling of Western Australia's current population to 5.4 million by 2056 and outlines the emergence of the State's North West (section in which the Shire of Derby–West Kimberley lies) and Mid-West sectors as hotspots for capital investment and their increasing contribution to Australia's gross domestic product.

In response this document seeks to better anticipate, adapt to and manage the drivers of change most likely to influence the future development of Western Australia. It outlines the Government's intention to undertake a collaborative approach in planning for the State's infrastructure, environment, food security, land availability, economic development, education, training and knowledge transfer.

The *State Planning Strategy* will be used by the Government as a basis to plan for and coordinate regional and urban infrastructure across the State; improve efficiency of infrastructure investment; and to facilitate the consideration of project approvals, delivery of services and urban land supply. It sets out key principles for the North West which are shown in the following table.

section **five** state and regional planning context

Community	enable diverse, affordable, accessible and safe communities.
Economy	facilitate trade, investment, innovation, employment and community betterment.
Environment	conserve the State's natural assets through sustainable development
Infrastructure	ensure infrastructure supports development.
Regional development	build the competitive and collaborative advantages of the regions.
Governance	build community confidence in development processes and practices.

The Strategy sets out the following statements for sustained prosperity for the North West:

Harmony needs to be achieved between conservation of the region's unique environment and opportunities for economic development. This approach will celebrate Indigenous culture in a remote region including sense of place and community spirit.

The State Government's Royalty for Regions program has been funded to expand the North West Sector's resident population and increase economic development opportunities. The Ord River irrigation area plays an increasingly important role in increasing the State's food security and water resources. Under the Ord-East Kimberley Expansion Project, Kununurra will become a regional centre and the project will expand the size of the Ord irrigation area. This will provide major opportunities for growth for the region's economy and social development.

The State Government endorsed the Kimberley Science and Conservation Strategy (KSCS) in May 2011, which aims to protect the region's natural and cultural heritage while allowing fulfilment of economic potential and social development. The vision statement for the strategy is:

The spectacular natural environments and rich and living cultural traditions of the Kimberley are conserved for their intrinsic values and in a way that contributes to the long-term social, cultural, spiritual and economic wellbeing of the community.

5.2 Liveable Neighbourhoods

Liveable Neighbourhoods was developed to implement the objectives of the State Planning Strategy, which aims to guide sustainable development of Western Australia to 2029. It is an operational policy that facilitates development of sustainable communities.

The WAPC drafted the third edition of *Liveable Neighbourhoods* in 2004 and an updated version was published in January 2009. The elements that are of particular relevance to the Shire of Derby–West Kimberley include lot size and layout, movement systems, public open space, urban water management, utilities and activity centres/employment.

It is primarily an operational policy for the design and assessment of structure plans (regional, district and local) subdivision, strata subdivision and development for new urban (predominately residential) areas in the metropolitan area and country areas, where two or more lots are created



on 'greenfields' sites at the urban edge, or on large urban infill sites in developed areas. The provisions of this policy apply to all residential development; however, the WAPC will take into consideration the specific design issues associated with retirement and lifestyle villages and accommodation in determining applications.

5.3 State Planning Policies

State planning policies (SPP) are prepared and adopted by the WAPC under statutory procedures set out in Part 3 of the *Planning and Development Act 2005*. The WAPC and local governments must have due consideration for these policies when making decisions on planning matters.

The following Statements of Planning Policy are relevant to the Shire of Derby–West Kimberley.

SPP 1 – State Planning Framework Policy (Variation 2)

The policy brings together State and regional policy strategies and guidelines within a central framework, providing a context for decision making in relation to land use and development across the State. There are several statements of planning and other WAPC policies, which apply across the State and are relevant to the Shire. These are briefly outlined below.

SPP 2 – Environment and Natural Resources Policy

This is a broad policy that is supplemented by more specific policies. It details guiding objectives for water resources, air quality, soil and land quality, biodiversity, agriculture and rangelands, minerals, petroleum and basic raw materials, marine resources and aquaculture, landscapes, greenhouse gas emissions and energy efficiency.

SPP 2.4 – Basic Raw Materials

While this policy is not specific to areas outside of Perth and adjoining areas, the main objectives of identifying and protecting the location of land for the extraction of basic raw materials is relevant to the Shire of Derby–West Kimberley. It has particular implications for road construction and maintenance. SPP 2.4 is currently under review.

SPP 2.5 – Agriculture and Rural Land Use Planning

The main objective of this policy is to protect productive agricultural land from activities that will threaten its productivity, whilst acknowledging a need to accommodate urban expansion and other important uses. Within the Shire of Derby–West Kimberley there is only a small portion of potential priority agricultural land located on Fossil Downs Station. SPP 2.5 is currently under review.

SPP 2.6 – State Coastal Planning Policy

The objectives of this policy are to:

- ensure that the development and the location of coastal facilities takes into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria;
- identify appropriate areas for sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities;
- provide for public coastal foreshore reserves and access to them; and
- to protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.

Section 5 policy measures require the identification of coastal foreshore reserves, including:

- an allowance for coastal physical processes;
- an appropriate width to ensure a coastal foreshore reserve is available in public ownership should the impacts be realised over the planning time frame;
- foreshore management planning being formulated and implemented for care, control and maintenance of foreshore reserve works; and
- the formulation of coastal hazard risk management and adaptation planning for vulnerable localities to ensure that risk is assessed and management needs considered as part of the development decision, promoting the development of long-term adaptive capacity for managing coastal hazard risk.

Schedule 1 provides guidance for calculating coastal physical processes allowances. The Schedule also includes the requirement for allowance for the current risk of storm surge

inundation. Where identified inundation is not contained within a coastal foreshore reserve, coastal hazard risk management and adaptation should be undertaken. Given the variation of coastal environments in the State and range of development and use contexts that can be present, the policy is to be applied to each case under consideration, on its merits, using the best available information, common sense and a precautionary approach.

SPP 2.7 – Public Drinking Water Source Policy

This policy seeks to protect public drinking water supply areas (PDWSAs). The Department of Water has developed three priority water source protection areas in the Shire of Derby–West Kimberley townsites (Section 2.7.1), to ensure that land use and development within these areas is compatible with the protection and management of public drinking water resources. The policy requires priority areas to be shown as ‘special control’ areas in local planning schemes.

SPP 2.9 – Water Resources

This policy aims to protect, conserve and enhance water resources that have significant economic, social, cultural and/or environmental values. It also aims to assist in ensuring the availability of suitable water resources to maintain living environments, while maintaining or improving water resource quality and quantity.

The *Better Urban Water Management Guidelines* (October 2008) document produced by the WAPC was designed to facilitate better management of urban water resources by ensuring an appropriate level of consideration is given to the total water cycle at each stage of the planning process. It clarifies the process for better urban water management as to when various plans should be prepared and submitted to mitigate risks in subdivisions. It also provides guidance on the implementation of the State Planning Policy 2.9.

SPP 3 – Urban Growth and Settlement

This is a broad policy that is supplemented by more specific policies. It details guiding policy measures for creating sustainable communities, managing urban growth across Western Australia, planning for liveable neighbourhoods, co-ordinating services and infrastructure, managing rural-residential growth and planning for Aboriginal communities.

SPP 3.1 – Residential Design Codes (Variation 1)

The Residential Design Codes detailed in this policy assist with planning for residential development. This policy is incorporated in all Western Australian local planning schemes; requiring councils to take into account its content when considering approvals for residential development.

SPP No. 3.2 – Aboriginal Settlements

This policy sets out the planning processes to be followed when considering development plans and rezoning for Aboriginal communities.

Layout plans are developed under State Planning Policy No. 3.2 in consultation with large permanent communities. They show the location of existing buildings and infrastructure and where future development will take place. The relevant community council, local government and the WAPC must endorse a layout plan before it is considered final.

Layout plans have been endorsed for the Fitzroy Valley communities of Bungardi, Buwara, Darlungaya, Junjuwa, Kurnangki and Mindi Rardi. The Bunuba Heights layout plan is currently in draft form. Many others have been endorsed for Aboriginal communities in outlying areas of the Shire of Derby–West Kimberley that include Bayulu, Jarlmadangah Burru, Karmulinunga, Koorabye (Ngalapita), Looma, Mowanjum, Ngallagunda, Wangkatjungka and Yakanara.

The Department of Planning has prepared a draft guidelines document to support SPP 3.2. The guidelines will provide a practical, equitable and



easily understood platform for the coordination and prioritisation of housing and infrastructure development in Aboriginal settlements in Western Australia. An objective of the document is to ensure that housing and infrastructure development is targeted to settlements that can provide a high standard of living for residents; and which maximise the returns to government and settlement residents from current and future investment. The guidelines should provide certainty for the residents of remote Aboriginal settlements regarding the delivery of housing and infrastructure and associated service standards.

Current Layout Plans can be viewed on the Department of Planning website at www.planning.wa.gov.au.

SPP 4.1 – State Industrial Buffer (Amended) (draft)

The main objective of this policy is to avoid land use conflict between industrial uses and essential service infrastructure as well as sensitive land uses. It also aims to minimise amenity, health and environmental impacts of industrial and essential infrastructure development and takes account of risks to nearby sensitive land uses. To achieve the objectives, the policy provides guidance on determining appropriate buffer distances. The SPP is currently under review and an amended draft policy has been advertised for public comment.

There are several uses within the Shire of Derby–West Kimberley including the sewerage treatment plant, the airport, refuse and waste disposal site, the water tower and production bores that require the identification of buffer zones. At present these uses are some distance from sensitive development (e.g. residential), but the identification of a buffer within the local planning strategy is important to guide future land use planning decisions.

Development control policies

The WAPC's operational or development control policies sit within the structure established under the *State Planning Strategy* and *State Planning Policy No.1 State Planning Framework*. Examples of development control policies that are relevant to planning within the Shire include:

- *DC1.1 – Subdivision of land – General principles*
- *DC 1.2 – Development control – General principles*
- *DC 1.3 – Strata titles*
- *DC 2.2 – Residential subdivision*
- *DC 3.4 – Subdivision of rural land*
- *Liveable Neighbourhoods (Operational Policy).*

A complete list and the full texts of statements of planning policy, development control policies and associated planning bulletins can be found online at www.planning.wa.gov.au.

5.4 Kimberley Transport Towards 2020 (1997)

The *Kimberley Transport Towards 2020* report was developed by the Kimberley Development Council (KDC) in partnership with the former Department of Transport. It identifies annual transport demands for the Kimberley region. The largest freight demand in the Kimberley by tonnage is for agricultural products, followed by mining and general freight.

Actions detailed in the report of relevance to the Shire of Derby–West Kimberley include:

- evaluating the findings of the review of the effects of competition on air services in the Kimberley, with particular emphasis on Derby and the adequacy of air services to Fitzroy Crossing, Shire of Derby–West Kimberley and Kununurra;
- providing navigation lights for the Fitzroy Crossing and Shire of Derby–West Kimberley airstrips;
- improving the signage along the road network to assist local and visiting travellers; and
- upgrading the national highway and State and local roads and building new roads and

bridges in accordance with the needs and priorities in the Additional (Road) Funding Program, the *Roads 2025 Regional Road Development Strategy Kimberley* and bridge assessment program.

5.5 Roads 2025 Regional Road Development Strategy Kimberley

The Roads 2025 Regional Road Development Strategy (2007) constitutes the first review of the Roads 2020 document. Local governments within each region were consulted and engaged in the process of reviewing and defining the Roads 2025 road network. This report details the road development strategies for the most important State and regional roads in the region. Road development strategies for the State roads are based upon the strategies defined in Main Roads' Road Asset Planning Investment Database.

5.6 Kimberley Regional Priority Plan

The Kimberley Regional Priority Plan is an outcome of State Government policy to develop priority plans for each of the State's nine regions to assist with State budget allocations. Developed by the Kimberley Development Commission, the report takes a triple-bottom line approach to determine strategic priorities for the region's people, communities, industries, services, infrastructure, resource usage and regional development processes with an emphasis on advancing the lifestyle of the regional community.

Strategic project initiatives that relate to the Shire of Derby–West Kimberley include: improving the regional benefits of the resources sector; maximising the development of Indigenous pastoralism; diversifying the regional economy with aquaculture projects; securing Indigenous participation; managing natural resources; supporting youth initiatives; and integrating sustainability into the tourism industry.

5.7 Heritage

5.7.1 State heritage

Under the *Heritage Act of Western Australia 1990*, any changes or works that may affect a registered place of significance are required to be referred to the Heritage Council for advice.

Fourteen places in the Shire of Derby–West Kimberley are on the State Register of Heritage Places:

- Air Beef Abattoir and Aerodrome (ruins) and Glenroy Homestead Group
- Bungarun (Leprosarium), Derby
- Derby Police Gaol
- Derby Town Commonage
- Derby Tramway Woolshed
- Fitzroy Crossing Police Group
- Fitzroy Crossing Post Office (former)
- Fossil Downs Homestead Group
- Gogo Homestead and Cave School
- Lillimilura Ruins and Grotto
- Liveringa Homestead Group
- Low Level Crossing, Fitzroy Crossing
- Royal Flying Doctor Service, House and Office
- Wharfingers House, Derby.

5.7.2 Indigenous heritage

There are 1,051 registered Indigenous sites throughout the local government area of Shire of Derby–West Kimberley. All registered sites and items of Indigenous heritage, whether registered or not, are protected under the *Aboriginal Heritage Act 1970*. Proposals that may affect Indigenous sites are required to be referred to the Department of Aboriginal Affairs Western Australia.

5.8 Tourism

Planning Bulletin 83 (WAPC) requires a tourism strategy to be prepared as a component of a local planning strategy and must be referred to Tourism WA for comment. The State Planning Strategy recognises the potential of the eco-tourism industry in the Kimberley region and that tourism is a legitimate land use compatible with a range of existing uses and should be incorporated into any future strategies. A tourism strategy establishes objectives and determines recommendations for tourism land use and development which in turn informs future decision making regarding scheme amendments, outline development plans, development and subdivision applications and strategic planning proposals in relation to tourism land use.



5.9 Bilateral Agreements on Indigenous Service Delivery

The core of the Commonwealth Government's policy on Indigenous affairs is reflected in the 'closing the gap between indigenous and non-indigenous Australian's' statement made by the Minister for Indigenous Affairs, the Honourable Jenny Macklin MP in 2008.

Targets were set regarding life-expectancy, mortality, literacy and numeracy, employment and schooling. The Council of Australian Governments (COAG) formally adopted these targets and seven strategic platforms (building blocks) were identified to address current disadvantage: healthy homes, safe communities, health, early childhood, schooling, economic participation and governance and leadership.

5.9.1 The National Partnership Agreement on Remote Service Delivery

Through this bilateral agreement, COAG has committed to major reforms in service delivery in remote Australia. The benchmark is to progressively deliver to remote communities the facilities and services that are provided in other Australian towns of comparable size and circumstances.

Criterion to identify where government would concentrate its investment included:

- significant concentration of population;
- anticipated demographic trends and pressures;
- potential for economic development and employment; and
- extent of pre-existing shortfalls in government investment in infrastructure and services.

In Western Australia three priority locations for investment were identified to receive the bulk of the State's 'closing the gap' funds i.e. Fitzroy Crossing and surrounding communities; Halls Creek and surrounding communities; and the Dampier Peninsula, focused on Ardyaloon and Beagle Bay.

The Agreement will contribute to improving access to a full range of services; raising

the standard and range of services delivered; improving the level of governance and leadership; and increasing economic participation.

5.9.2 National Partnership Agreement on Remote Indigenous Housing

Under the National Partnership Agreement on Remote Indigenous Housing, the Australian Government has increased its financial contribution to Indigenous housing but requires the States to take on additional responsibilities for the delivery of that housing. The States agreed to take responsibility for the management of housing assets while Australian Government funds will be used to upgrade and maintain housing assets.

The Australian Government is also working on an approach to support responsibility being accepted by the States for municipal and essential services (such as water, power and sewerage) in remote areas. In the short-term, the Australian Government will continue to fund municipal services to remote Indigenous communities pending the auditing of services and associated costs. The new arrangements will be finalised in mid-2012.

The new arrangements will require houses for Indigenous people to be properly managed, maintained and upgraded by State housing authorities or contracted community organisations on a regular and ongoing basis. Tenants will be expected to show increased personal responsibility for their houses and pay fair rent.

Also incorporated in this reform are a requirement that new and existing housing assets be held under secure tenure, including long-term leases negotiated with Traditional Owners, that economic development opportunities in construction and housing management be available to Indigenous people in construction and housing management and the provision of affordable accommodation in regional centres to enable Indigenous people to travel to access jobs, education or services.

5.9.3 Remote Area Essential Services Program

The Remote Area Essential Services Program (RAESP) is a service to support remote Aboriginal community organisations to effectively deliver the essential services (power, water and sewerage) in their own communities. RAESP is funded through the Department of Housing and Works and provides:

- regular maintenance of infrastructure for RAESP communities;
- emergency maintenance for all communities;
- planning and completing new capital works (major projects) in communities; and
- water sampling.

RAESP is managed on behalf of the Department of Housing by Parsons Brinckerhoff. The regular repair and maintenance service is undertaken by a regional service provider, which, in the Shire of Derby–West Kimberley is Kimberley Regional Service Providers (KRSP).

5.9.4 Environmental health needs survey

Environmental Health Needs surveys undertaken in 1997, 2003 and in 2007 were funded by the Environmental Health Coordinating Committee, the peak coordination body for Aboriginal environmental health in WA. The trend analysis was intended to demonstrate changes in environmental health indicators for indigenous communities. Sixty-eight communities were surveyed in the Shire – 23 communities with a population of less than 20 and 45 larger communities.

The surveys identified a large backlog for housing and environmental health infrastructure in remote and town-based Indigenous communities. The surveys noted that increased effort would be required to reduce overcrowding and homelessness; upgrade, maintain and manage existing stock; and bring the standard of environmental health infrastructure up to equivalent mainstream standards. Housing (new, repairs, housing for visitors and workers) was the highest reported community need in the Shire of Derby–West Kimberley followed by access (internal and access roads, vehicles, boats, airstrips, fuel).

5.9.5 Aboriginal Remote Community Power Supply Project

The Aboriginal and Remote Communities Power Supply Project was established with the Office of Energy and Horizon Power to introduce regularised power supply arrangements and the uniform tariff in selected large (population >200) permanent Aboriginal communities. The Power Supply Project aims to supply selected communities with power at the same cost and with the same levels of reliability as regional towns supplied by Horizon Power in Western Australia. The next stage of the Project provides for electricity distribution infrastructure upgrades, new power generation facilities and card-operated pre-payment metres to be provided in Yungngora (Noonkanbah) settlement in the Fitzroy Valley in the 2009.

5.10 Rangelands Natural Resource Management Strategy (2005)

The Shire of Derby–West Kimberley falls within the Kimberley sub-region of the Rangelands Natural Resource Management (NRM) region. The Rangelands NRM Co-ordinating Group officially launched their NRM strategy for the Rangelands Region, with endorsement from the Western Australian Government in May 2006. The strategy aims to identify:

- natural resources that are important to the region and are also under threat or provide opportunities and should therefore be maintained, protected or enhanced;
- the desired condition of these natural resources in the future; and
- which activities or strategies should be undertaken to achieve the desired conditions.

The strategy identifies targets and actions for the long-term management of identified natural resources, many of which are applicable to the Shire of Derby–West Kimberley. Of particular relevance to the Shire are targets and actions relating to floodplain management, coastal management, protection of groundwater supply quality, environmental impacts of tourism and the preservation of culturally sensitive areas.

5.11 Fitzroy Crossing Floodplain Management Strategy

Under the Fitzroy Crossing Floodplain Management Strategy, applications for construction of habitable dwellings are required to have finished floor levels that are set 0.5 metres above the 100 year ARI flood level. Developments that are situated within the 100 year ARI floodplain are required to be forwarded to the Department of Water, which provides advice and recommendations on each proposal based on its merit.



6.1 *Local Government Act 1995*

Sections of the *Local Government Act 1995* relevant to the preparation of the local planning strategy for the Shire of Derby–West Kimberley are:

- **Section 5.56 (Planning for the future)** – requires that all local governments are to plan for the future of the district.
- **Section 1.3 (Content and intent)** – requires that a local government, in carrying out its functions, including a plan for the future of the district as set out under Section 5.56, must use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

6.2 Plan for the future

The Shire of Derby–West Kimberley's Plan for the Future of the District 2008/09 to 2017/08, is a document that covers the major strategic and operational direction that the Council proposes to address over the period of the plan.

The Plan has four key result areas:

Community – including quality services and facilities to meet community needs.

Lifestyle – including a reasonable balance of development and preservation of biodiversity, harmonious agreement with native title claimants and environmentally sensitive resource utilisation.

Opportunity – including realisation of major development infrastructure that delivers direct benefits for the community, population growth and appropriate utilisation of natural assets.

Governance – including processes and systems to ensure open, transparent and accountable decision-making.

6.3 Strategic Plan

The Shire of Derby–West Kimberley adopted its strategic plan for 2008 to 2012 in April 2008. The Shire's mission is documented as:

We work with our community and other partners to achieve prosperity and maintain the Kimberley lifestyle.

Lifestyle result area outcomes include:

- a quality lifestyle;
- a healthy and attractive place to live that reflects the Kimberley spirit;
- a responsible balance of development and preservation of biodiversity;
- continued and improved road access within an to Derby–West Kimberley;
- environmentally sensitive resource utilisation; and
- harmonious agreement with native title claimants.

Associated strategies include:

- defining a consolidated CBD area for Derby in the Local Planning Scheme Review;
- assessing all public open spaces and develop a plan to increase public amenity; and
- developing a concept plan to invigorate beautification of Loch Street and Claredon Street.

Opportunity result area outcomes include:

- encourage investment in four and five star accommodation in Derby to cater for the business and tourism markers;
- advocate for the development of Point Torment with government and the private sector; and
- ensure availability of required land in the District Planning Scheme to meet future demand in Fitzroy Crossing, Derby and Camballin.

6.4 Local planning schemes

Town Planning Scheme No. 5 applies to the greater Derby area. It includes the townsite and extends to lots zoned Rural south of the Gibb River Road. The Scheme includes provisions for the Settlement zone that require development within Aboriginal communities to be consistent with a layout plan (prepared in accordance with State Planning Policy 3.2

Aboriginal Settlements) that has been endorsed by the Community and Council.

Town Planning Scheme No. 7 applies to the Special Rural zone known as Birdwood Rise and to that surrounding Rural areas accessed along Bungarun Road.

6.5 Interim Development Orders

The Shire of Derby–West Kimberley also uses interim development orders to manage development in areas of the Shire not covered by Scheme No. 5 and Scheme No. 7. Interim development orders allow Council regulatory control over activities within the area defined in the order. The use and development of all land requires the approval of the Shire of Derby–West Kimberley, except for public authority infrastructure and Shire land where development is in keeping with the vesting purpose or functions, and the land is owned or managed by the local government.

Extensions, alternations, renovations and maintenance to existing buildings and their surrounding area also are permitted, subject to no increase of floor space of such buildings without the prior approval of the Shire.

Fitzroy Crossing and Camballin are subject to an interim development order. Interim Development Order No. 7 has expired and a new one is currently being prepared.

6.6 Layout Plans

Layout plans provide a mechanism for the Shire of Derby–West Kimberley to be involved in land use planning within individual communities. The Shire co-operates with the WAPC in the preparation of plans for the communities. Once the layout plans have been endorsed by a community, Council and the WAPC, the approved plan provides the basis for all future expansion and servicing of that community.

Current Layout Plans can be viewed on the Department of Planning website at www.planning.wa.gov.au

6.7 Planning policies

The Shire of Derby–West Kimberley has a number of planning policies to guide Council's decision regarding a range of development including:

- caretakers' residences in industrial areas
- mining
- aquaculture
- radio masts
- minimum finished floor levels for new buildings in Fitzroy Crossing and Camballin
- town centre development
- subdivision/development – road upgrading
- transportable/re-locatable dwellings.

6.8 Municipal Heritage Inventory

The Shire of Derby–West Kimberley prepared a municipal inventory (Heritage Site Assessment) in 1995. The inventory includes sites in or near Derby, in Fitzroy Crossing and throughout the region such as:

- Derby Jetty Tramway
- Royal Flying Doctor Service House and Office
- Myall's Bore
- Crossing Inn
- Second School, Buruwa
- Telegraph Station at Blue Bush Swamp
- Cave School and Homestead Gogo Station.

A number of the sites in the municipal inventory are also listed on the State's Register of Heritage Places.



7.1 General

There are three gazetted townsites within the Shire. Derby is the most populous centre located in the western portion of the Shire and located at the bottom (southern) end of King Sound. Fitzroy Crossing is the next largest centre, located some 250 kilometres east of Derby on the banks of the Fitzroy River and serving many of the needs of those communities located within the Fitzroy Valley. Camballin is the smallest of the townsites and is located approximately half way between the other two centres and is accessed via the Great Northern Highway. Both Derby and Fitzroy Crossing largely function as service centres to many Aboriginal communities, pastoral stations and mining interests located within the Shire's boundaries. They also service an emerging tourist population.

The economy of the Shire is primarily driven by mining, pastoral activities, tourism, government and community services. Although the population is relatively small, the rate of growth is amongst the highest in the state. Additionally, there has been a renewal of interest in the area from the resource industry. These emerging trends in the resource industry are in addition to strong growth in the tourist sector over a number of years.

7.1.1 European settlement

The Shire of Derby–West Kimberley originated as the West Kimberley Road Board in 1884. In 1961 the name was changed to the Shire of West Kimberley and a further name change occurred in 1983 to the current name of the Shire of Derby–West Kimberley.

The Derby town site was declared under the Land Act on 27th November, 1883 and was occupied by a Government Resident and a police detachment. Several stations existed by this time and Yeeda's wool awaiting shipment was swept away by a tidal wave resulting from the Krakatoa volcanic explosion in Indonesia.

The town was named after Edward Henry Stanley, Lord Derby (1826-1893), Secretary of State for Colonies 1882-1885.

7.1.2 Indigenous history

The area now known as the Shire of Derby–West Kimberley has a diverse Indigenous heritage. Across this area a large number of language and cultural groups have a long history that predates European contact.

Generally, across this area the cultures and traditions of the desert and Kimberley meet. Traditionally, prior to contact, Indigenous people from the Worowa, Bardi, Jawi, Ngarinyin, Nyikina, Mangala, Unggumi, Bunuba, Walmajarri and Gooniyandi groups (among others) would interact for law and ceremonial business.

The movement of people from traditional lands and lifestyles began with the influence of missionaries; and the establishment of pastoral enterprises, government ration stations and later, facilities such as the leprosarium outside of Derby. It was after the Pastoral Wage decision in 1968 that the movement to towns like Derby and Fitzroy Crossing accelerated with people no longer staying on pastoral stations.

The Shire of Derby–West Kimberley provides a number of services to remote Indigenous communities, including an award winning Environmental Health program, service delivery agreements for major communities and leads efforts to establish partnerships that will continue to improve the way that contracts for road maintenance and other municipal services are delivered.

The Shire of Derby–West Kimberley is one of the first local government authorities in Western Australia to progress towards an Indigenous Land Use Agreement (ILUA). An ILUA has been entered into with the Nyikina/Mangala peoples, which recognises them as the native title owners for a specific area of the Shire and commits to a protocol of involvement and consultation for future works.

Service delivery to Indigenous communities is a growth area. However, commensurate increases in resources from other government agencies are not always provided. As town-based and large remote Indigenous communities seek to regularise municipal services such as roads, street lighting, power and water supply additional financial resources to support the Shire's role in their provision must come from State and Commonwealth agencies.

7.2 Population

7.2.1 Current situation

The estimated resident population [ERP] of the Kimberley region at 30 June 2011 was 34,768. The region accounts for 1.6 per cent of the State's population. The region's population density is 0.3 persons per square kilometres (ABS, 2012).

Of the Kimberley's local government authorities, the Shire of Broome with 14,999 people accounted for the largest share (43%) of the region's 2011 population; followed by the Shire of Derby–West Kimberley with 8,435 people (24%); the Shire of Wyndham-East Kimberley with 7,798 people (22%); and the Shire of Halls Creek with 3,536 people (11%).

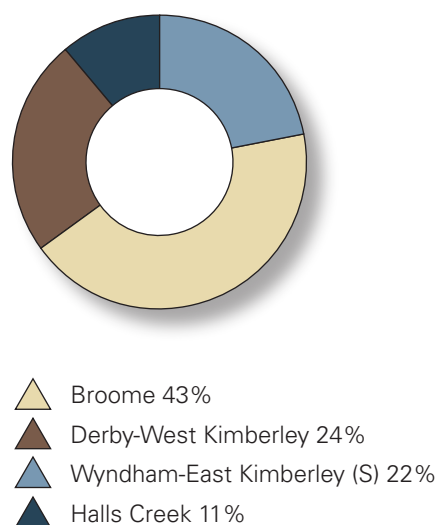


Figure 1
Proportion of population by local government area (2011) Kimberley region
Source: ABS (2013)

7.2.2 Historic growth

The annual population growth rate over the past 10 years has been calculated at 1.6 per cent per annum. During this period, the Kimberley region grew at 1.7 per cent per annum, regional WA at 2.1 per cent and the State as a whole grew at 2.4 per cent per annum. More recently the Shire of Derby–West Kimberley grew at 4.1 per cent per annum between 2007 and 2012. This represents the highest average annual growth rate (AAGR) for any local government within the Kimberley region (Figure 2 and Table 1).

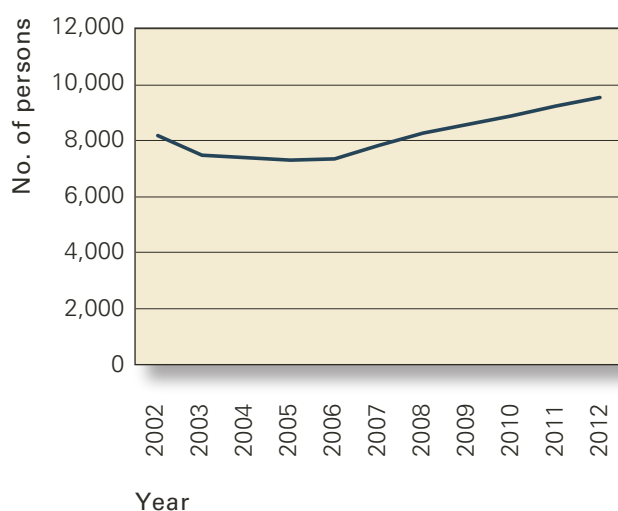


Figure 2
Historic population growth (2002-2012)
of Shire of Derby–West Kimberley
Source: ABS (2013)

	2002	2007	2012	2007-12 5 years	2002-12 10 years
Derby–West Kimberley	8,172	7,827	9,556	4.1	1.6
Kimberley	32,682	33,339	38,850	3.1	1.7
Regional WA	524,168	567,316	643,995	2.6	2.1
Western Australia	1,926,111	2,113,841	2,430,252	2.8	2.4

Table 1
Selected growth rates
Source:ABS (2013)

7.2.3 Future population

Forecasts

In early 2012, the WAPC in its capacity as the State Demographer released a new edition of its *Western Australia Tomorrow* publication. This publication provides updated population forecasts for the State's regions (including the Kimberley) and local government areas, such as: the shires of Broome, Derby West-Kimberley, Wyndham-East Kimberley, and Halls Creek between 2011 and 2026.

The data published in *Western Australia Tomorrow* is referred to as 'forecasts', which have been calculated using an internationally accepted statistical model that utilises past and emerging trends in key demographic variables, such as: birth/death rates and net in/out migration to determine probable future growth scenarios. Typically, the trajectories of these forecasts 'smooth' as they progress into the future due to reduced certainty about the input variables. This accounts for the flattening of the trend line apparent in Figure 3.

Key points

The following trends are evident in the forecasts and aspirational scenarios for the Shire of Derby–West Kimberley:

- Population growth of three per cent per annum between 2011 and 2036 would see the population of the Shire of Derby–West Kimberley grow to approximately 20,000 persons.
- Population growth of five per cent per annum between 2011 and 2036 would see the population of the Shire of Derby–West Kimberley grow to approximately 33,000 persons.
- As outlined in the Kimberley Regional Planning and Infrastructure Framework, population growth is likely to be attributed to:
 - potential growth in the resources sector;
 - greater economic diversification opportunities;
 - expansion of the service sector that currently meets the needs of regional facilities; and
 - enhanced economic opportunities for the Aboriginal population.

Expansion will have implications for land, dwellings and infrastructure capacity.

Figure 3

Forecast population growth and aspirational growth (2011-2026) Kimberley

Source: WAPC (2011); WAPC (2012)

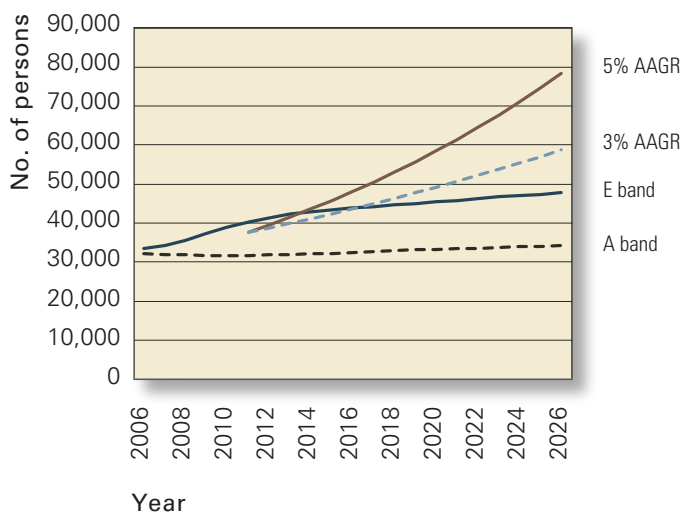
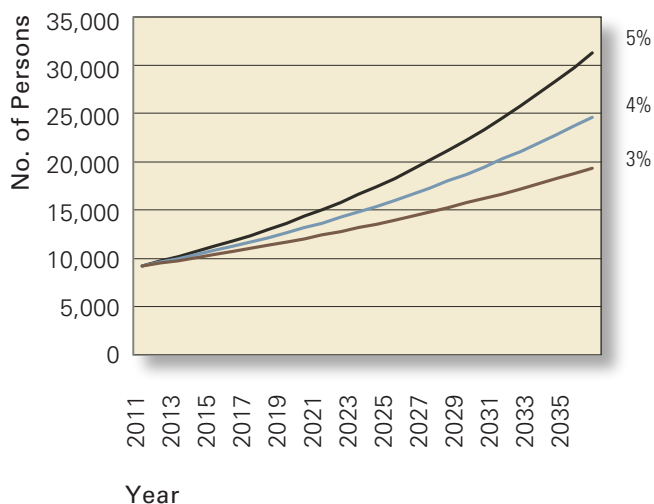


Figure 4

Forecast population growth (2011-2026) Shire of Derby–West Kimberley

Source: WAPC (2011); WAPC (2012)



7.2.4 Settlement hierarchy

Achieving population targets is likely to require significant change within many of the region's urban places. To provide direction for future development the Kimberley Regional Planning and Infrastructure Framework has defined a settlement hierarchy has been determined based on:

- current population and expectations about future growth;
- current and future economic opportunities; and
- current and future capacity requirements of infrastructure.

In a practical sense, the Kimberley Regional Planning and Infrastructure Framework hierarchy will provide guidance to State and local government agencies and the private sector in regard to future commitments, particularly for land use and infrastructure planning.

One important feature of the hierarchy is the integration of the larger Aboriginal settlements into the 'Towns' category. It is undesirable to consider these settlements separately as many of these places already provide a comprehensive range of services in support of their respective populations. Further, given that a considerable proportion of the region's population is Aboriginal, the high likelihood of considerable growth in this group in the future planning for growth in specific Aboriginal settlements, will be essential.

In terms of the settlement hierarchy, the following designations are made in regard to existing settlements within Shire of Derby–West Kimberley:

- Derby is designated as a 'Sub-regional Centre'.
- Fitzroy Crossing, Looma and Yungngora are designated as 'Town'.
- Aboriginal settlements (e.g. Imintji), pastoral stations and roadhouses with populations of less than 250 persons are designated as 'Settlement'.

Table 2
Kimberley Regional Planning and Infrastructure Framework settlement hierarchy
Source: WAPC (2013)

Regional city	Broome
Regional centre	Kununurra
Sub-regional centre	Derby
Town	Fitzroy Crossing , Halls Creek, Wyndham, Bidyadanga, Balgo, Kalumburu, Looma , Ardyaloon/Bardi, Warmun, Beagle Bay, Yungngora , Djarindjin-Lombadina
Settlement	Examples: Camballin ✧, Wangkatjunka , Djugerari , Ngumpun , Kadjina , Yakanarra , Koorabye , Ngalingkadji , Moongardi, Jimbalakudunj , Pandanus Park , Imintji , Kupangarri

Notes:

Place names in bold represent those Sub-Regional Centre, Towns, and Settlements that are located within the Shire of Derby–West Kimberley.

✧Camballin is predominantly public servants i.e. teachers, social workers etc. that support the nearby Looma town site.

Small area populations

DERBY

Population growth

In the Kimberley Regional Planning and Infrastructure Framework Settlement Hierarchy, Derby is designated as a 'Sub-regional centre', which will have the following characteristics:

- in 2011, Derby's estimated resident population was 2,844, which accounts for 34 per cent of the population living in the Shire of Derby-West Kimberley;
- approximately 28 per cent of the town's population is classified as Aboriginal;
- the 'E-Band' forecast published in *Western Australia Tomorrow* show that the population of the Shire of Derby-West Kimberley in 2026 will be 10,700; and
- according to the aspirational growth model an average annual growth rate of four per cent would see Derby's population increase to 9,946 by 2036 (Table 4.8 and Figure 4.5).

Economic development and employment drivers

Future economic development opportunities in Derby are expected to be driven by:

- establishment of a supply base at Point Torment;
- development of a service centre for resource projects (e.g. Rey Resources);
- increased economic opportunities for the Aboriginal population;
- construction and operation of key regional facilities (e.g. prison); and
- commercial sector growth driven by the expanded economy.

Table 3

Derby – Aspirational population targets (3%, 4% and 5% AAGR) 2011-2036

Source: ABS (2012); WAPC (2012); KRPC (2012)

	2011	2016	2021	2026	2031	2036
3%	3,261	3,780	4,383	5,081	5,890	6,828
4%	3,261	3,968	4,827	5,873	7,145	8,693
5%	3,261	4,162	5,312	6,779	8,652	11,043

Notes:

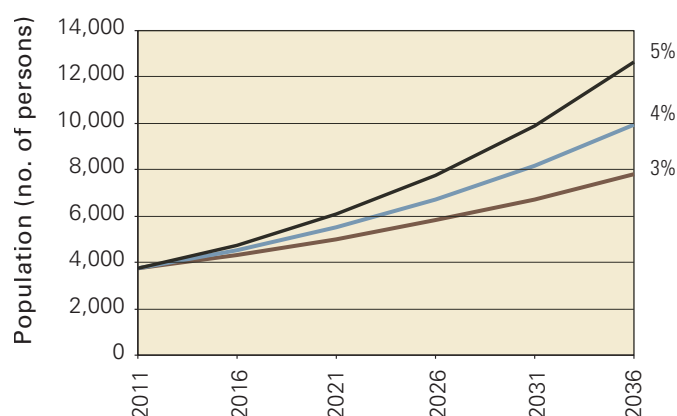
Base population figures are those published as part of the second release of data from the 2011 Census of Population and Households (released by the ABS in November 2012). Data has been calculated using the Urban Centre Locality spatial extent.

The Kimberley Regional Planning Committee designated that an AAGR 4% be applied to the Derby town site when calculating aspirational scenarios. The 3% and 5% AAGR are presented to provide context.

Figure 5

Growth targets for Derby (3%, 4% and 5% AAGR)

Source: ABS (2012); WAPC (2012); KRPC (2012)



Notes:

Base population figures are those published as part of the second release of data from the 2011 Census of Population and Households (released by the ABS in November 2012). Data has been calculated using the Urban Centre Locality spatial extent.

The Kimberley Regional Planning Committee designated that an AAGR 4% be applied to the Derby town site when calculating aspirational scenarios. The 3% and 5% AAGR are presented to provide context.

FITZROY CROSSING

Population growth

- In 2011, the town's estimated resident population was 1,518 people, which accounts for 17 per cent of the population of the Shire of Derby–West Kimberley.
- Approximately 65 per cent of the town is Aboriginal.
- According to the Kimberley Regional Planning Committee's aspirational growth scenarios, Fitzroy Crossing's population may increase to 3,062 people by 2036.

Future economic development and opportunities in Fitzroy Crossing are expected to be realised from the town continuing to fulfil the role of principal administrative, service, accommodation and employment centre for the Fitzroy Valley.

Table 4

Fitzroy Crossing - population targets (based on 2.2% AAGR)

Source: KRPC (2012); ABS (2012)

	2011	2016	2021	2026	2031	2036
2.20%	1,144	1,316	1,525	1,768	2,050	2,377

Notes:

Base population figures are those published as part of the second release of data from the 2011 Census of Population and Households (released by the ABS in November 2012). Data has been calculated using the Urban Centre Locality spatial extent.

The KRPC determine that 2.2% is the average annual growth rate that was applied to calculating aspiration growth for Fitzroy Crossing. This figure represents that rate at which population has grown annually in regional Western Australia between 2001 and 2010. This rate is referred to in the KPIF as 'natural growth'.

Aboriginal towns

These settlements are serviced by self-contained utility infrastructure networks and provide some community services to their respective inhabitants. Housing within these places is provided by various programs that are funded to varying degrees by the Federal and State governments.

Economic development and employment drivers

At the present time, these towns support some economic development and employment opportunities although this may change in the future. As outlined in Section 5, identification of opportunities to promote growth in these settlements is seen as a key future growth strategy that will mean greater opportunities for the Aboriginal population.

Town	2011	2016	2021	2026	2031	2036
Bidyadanaga	595	663	740	825	919	1,025
Balgo	508	566	631	704	785	875
Kalumburu	467	521	581	647	722	805
Looma	374	417	465	518	578	644
Bardi	334	372	415	463	516	575
Warmun	297	331	369	412	459	512
Beagle Bay	285	318	354	395	440	491
Yungngora	283	328	380	441	511	575
Djarandjin-Lombardina	245	273	305	340	379	422

Table 5
Aboriginal towns
- aspirational
population
targets (based
on 2.2% AAGR)
2011-2036

Source: ABS
(2012)

Notes:

Base population figures are those published as part of the second release of data from the 2011 Census of Population and Households (released by the ABS in November 2012). Data has been calculated using the Urban Centre Locality spatial extent.

The KRPC determine that 2.2% is the average annual growth rate that was applied to calculating aspiration growth for aboriginal towns. This figure represents that rate at which population has grown annually in regional Western Australia between 2001 and 2010. This rate is referred to in the KPIF as 'natural growth'.

Those towns that are shaded grey are located in the Shire of Derby–West Kimberley.

7.2.5 Place of enumeration

According to the 2011 Census, there were 3,287 visitors counted in the Shire of Derby–West Kimberley on Census night. This equates to approximately 30 per cent of the population. These visitors were from within WA, interstate and overseas. This significant influx in population has implications for service provision in settlements.

Family composition

The breakdown of family composition is presented in Table 7.

Key trends

The Shire of Derby–West Kimberley has a:

- far greater incidence of 'One Parent Families' than the rest of Western Australia; and
- larger proportion of persons engaged in the 'Other Family' category which includes multiple families living in the same dwelling.

	Total
Counted at home on Census Night	7,700
Total visitors	3,488
Total	11,188

Notes:

Based on Place of Enumeration data collected as part of the 2011 Census of Population and Households.

Table 6
Place of enumeration (2011 Census of Population and Households) Shire of Derby West Kimberley
Source: ABS (2012)

Table 7
Breakdown of family composition. Shire of Derby–West Kimberley
Source: ABS (2013)

Family composition	Derby-West Kimberley (S)	%	Western Australia	%	Australia	%
Couple family without children	395	28.6	226,879	39	2,150,301	38
Couple family with children	545	39.5	262,885	45	2,534,399	45
One parent family	385	27.9	85,067	15	901,637	16
Other family	55	4	10,479	1.8	97,722	1.7

7.2.6 Age Structure

The age structure of the Shire of Derby–West Kimberley is presented in Figure 6. A graph showing age structure for all of Western Australia is presented in Figure 7 for comparison purposes.

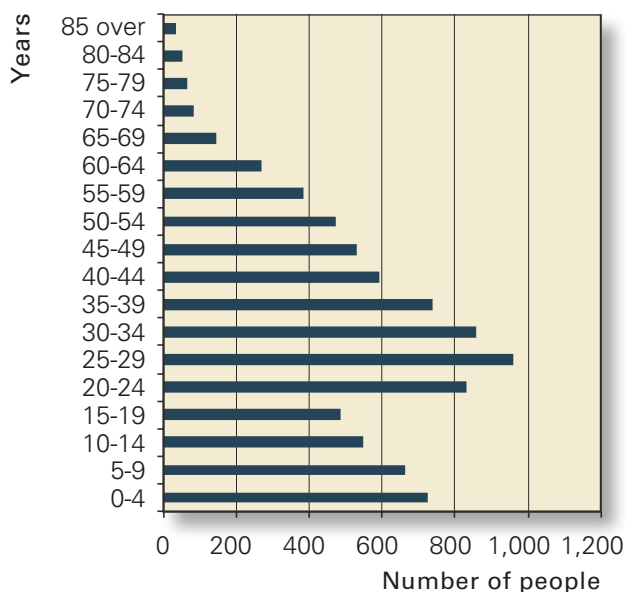
In summary, the following trends are apparent:

- 24 per cent of the Shire of Derby–West Kimberley's population is aged between 0 and 14 years of age compared to 19 per cent for the rest of Western Australia;
- 4.7 per cent of the Shire of Derby–West Kimberley's population is aged over 65 years of age compared to 12.5 per cent for the rest of Western Australia;
- the proportion of the population aged 20-40 years is greater in the Shire of Derby–West Kimberley's compared to Western Australia as a whole; and
- there is a sharp decline (5.9%) in the proportion of population in the 15-18 age bracket compared to the rest of the State (6.97%) and this is likely to reflect movement of this age group out of the region for schooling purposes.

Figure 6

Age Structure (no. of persons). Shire of Derby–West Kimberley

Source: ABS (2013)



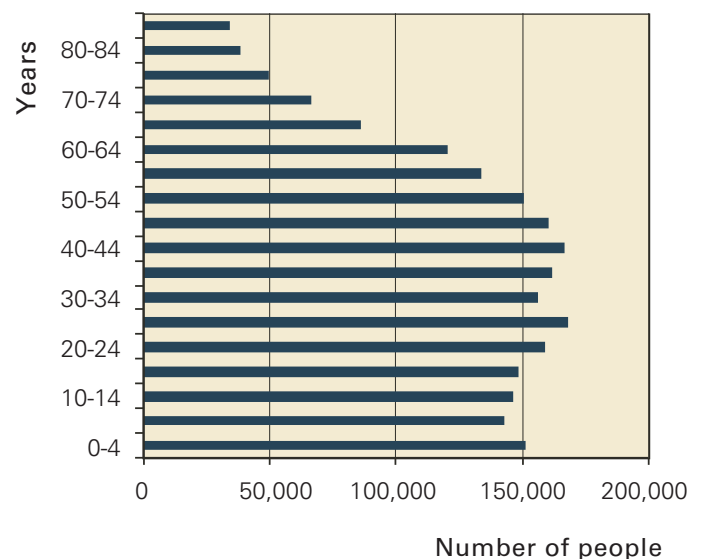
Notes:

Based on Place of Usual Residence data published as part of the 2011 Census of Population and Households.

Figure 7

Age structure (no. of persons) Western Australia

Source: ABS (2013)



Notes:

Based on Place of Usual Residence data published as part of the 2011 Census of Population and Households.

7.2.7 Selected medians

Key points:

When compared to the whole Kimberley region and Western Australia, the Shire of Derby–West Kimberley has:

- lower median age;
- lower median personal and family income;
- significantly lower median rent; and
- larger household size.

Table 8

Selected medians for the Shire of Derby–West Kimberley

Source; ABS (2012)

	2001	2006	2011
Median age of persons	29	32	34
Median total personal income (\$/weekly)	293	384	601
Median total family income (\$/weekly)	656	790	1,048
Median total household income (\$/weekly)	766	900	1,215
Median mortgage repayment (\$/monthly)	780	907	1,733
Median rent (\$/weekly)	63	66	67
Average number of persons per bedroom	1.5	1.4	1.3
Average household size	3.5	3.3	3.2

Table 9

Comparison of selected medians (2011)

Source; ABS (2012)

	Shire of Derby/ West Kimberley	Kimberley	Western Australia
Median age of persons	34	37	36
Median total personal income (\$/weekly)	601	684	664
Median total family income (\$/weekly)	1,048	1,498	1,722
Median total household income (\$/weekly)	1,215	1,310	1,405
Median mortgage repayment (\$/monthly)	1,733	2,383	1,950
Median rent (\$/weekly)	67	128	300
Average number of persons per bedroom	1.3	1.3	1.1
Average household size	3.2	2.9	2.6

7.2.8 Aboriginality

According to the 2011 Census of Population and Households, 48.1 per cent of the Shire of Derby–West Kimberley resident population identified as being of Aboriginal or Torres Strait Islander descent, compared to around 39 per cent of the Kimberley Region and 3.1 per cent for the rest of Western Australia.

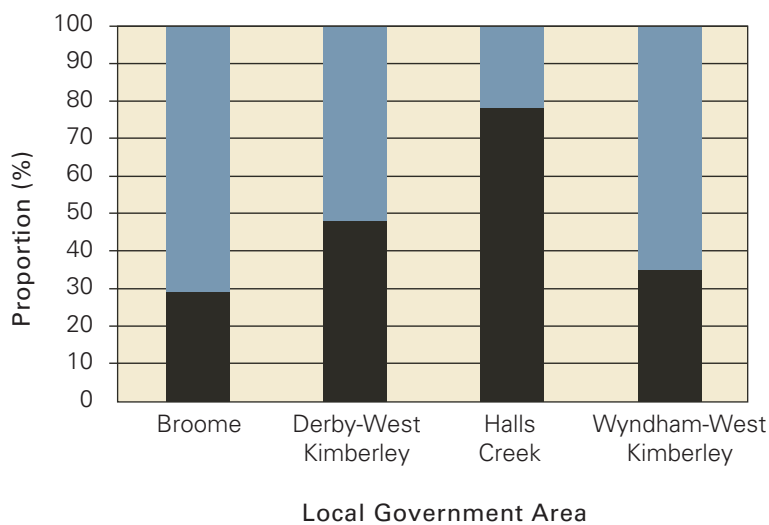


Figure 8
Proportion of population that is indigenous/non-indigenous
Source: ABS (2013)

Aboriginal disadvantage

There is a considerable gap between Aboriginal and non-Aboriginal persons in respect to social and economic well-being across the Kimberley (Table 10).

Table 10
Indicators of Aboriginal disadvantage
Source: CME (2011)

	Aboriginal	non-Aboriginal
Median age	22	35
% population under 15	35.50%	19.40%
Life expectancy (males)	67	79
Life expectancy (females)	73	83
Labour force preparation	41 %	76 %
Weekly income	\$227	\$727
Average individual income	\$36,886	\$51,994
Home ownership	15%	42%
State community housing as a proportion of rentals	88%	40%
Average household size	4.2	2.3

In summary, the Aboriginal population when compared to the non-Aboriginal population has:

- lower median age;
- less life expectancy (for both males and females);
- significantly less persons engaged in mainstream employment;
- substantially less weekly income; and
- smaller rate of home ownership.

These discrepancies need to be taken into account when formulating strategies to manage and facilitate population growth in the region.

1. It should be noted that past Census data has not adequately accounted for the region's Aboriginal population. For example, the 2006 Census of Population and Households recorded a net undercount of 3.2 per cent in Western Australia, which was higher than the national average of 2.7 per cent. While regional figures are not available, it is understood that the undercount is more significant where higher population of Aboriginal communities and young males (aged 20 to 29 years) reside. After adjustments to accommodate the undercount and discrepancies associated with multiple places of residence, the estimated resident population was increased (intra-censal update).

The accuracy of the 2011 ABS census data relating to the region's Aboriginal population is still to be determined.

2. These figures reflect only the resident population, not the total service population (resident plus FIFO and construction workers). Current Census methods do not adequately identify fly-in fly-out (FIFO) and construction workforces - many workers residing in mining towns may report that they usually live elsewhere, such as in a capital city, and are therefore classified as visitors on the basis of their response to the Census.

The ABS reports that the increasing mobility of Australians and use of population numbers for the allocation of resources has created a growing demand for estimates of service populations within local government boundaries. Directions for ABS population estimates in the future will be influenced by the need for service population estimates and their application in matters related to decision making and policy and program formulation

and monitoring. The ABS paper Population Concepts, 2008 (Catalogue 3107.0.55.006) discusses various service population definitions and associated measurement issues.

3. The Estimated Resident Population (ERP) is the official ABS estimate of the Australian population. Among its many uses are the determination of the number of representatives from each state and territory to sit in the House of Representatives, and the annual allocation of Commonwealth funds for state governments and local government. The ERP is based on Census of Population and Housing usual residence counts. It is compiled as at 30 June of each Census year and updated quarterly between Censuses. These intercensal estimates of the resident population are revised each time a population Census is conducted.

In compiling 30 June ERP for a Census year, three important factors are taken into account:

- Census net underenumeration (or undercount). The level of underenumeration is derived from the Census Post Enumeration Survey (PES) which is conducted soon after the Census, and from estimates based on demographic analysis.
- Australian residents who are temporarily overseas on Census Night and are therefore not covered by the Australian Census. The number of such people is obtained from statistics on overseas arrivals and departures.
- The Census does not fall on 30 June. For example, the 2011 Census was held on 9 August. Back-dating of population estimates from 9 August to 30 June is accomplished using data from birth and death registrations, overseas arrivals and departures, and estimates of interstate migration, for the period 1 July to 9 August.

7.3 Housing

The provision of adequate housing in the Shire of Derby–West Kimberley is a challenge for a number of reasons including:

- a high rate of new family formation particularly in the Indigenous population;
- the supply of low-cost public housing and rental accommodation not keeping up with demand;
- the dispersion of the Indigenous population to outstations that hinders the delivery of housing to these communities; and
- housing affordability resulting from the high cost of construction and market conditions.

The limited new housing stock exacerbates problems of overcrowding and use of sub-standard dwellings. Since the early 1990s, the Shire of Derby–West Kimberley has been identified as an area where Indigenous housing needs remain unmet. In 2001, out of 876 households in the Derby ATSI Region, 33 per cent were estimated to be overcrowded (Taylor, 2008).

There are noted differences between the occupancy rates of Indigenous and non-Indigenous dwellings and between the regional centres and outlying communities. This partly reflects a preference to live together with extended family, but also reflects the quality of the housing stock. The average occupancy rate in the Shire is six people per Indigenous dwelling compared to five for non-Indigenous dwellings. The figure for non-Indigenous dwellings masks the notable differences between town-based and more remote communities.

Table 11

Indigenous housing occupancy rates in the Shire of Derby–West Kimberley

Adapted from Table 3 CAEPR Working Paper No. 39/2008

Area	Count of dwellings 2006 census)	Estimated 2006 occupancy rate
Derby	1,539	4.8
Fitzroy Crossing	147	5.8
Bayulu	47	7.3
Looma	65	8.1
Mowanjum	37	9.6

A study undertaken by FaCSIA in 2006 (Community Housing and Infrastructure Needs Survey) identified localities where more than 50 per cent of dwellings require major repair or replacement including 22 localities within the Shire of Derby–West Kimberley (e.g. Bayulu, Ngumpan, Worribah and Yungngora).

7.3.1 Projected housing demand

Based on a three per cent annual population growth and without taking into account additional housing requirements to resolve overcrowding problems, the replacement of old housing stock and resource development driven population increases, it is estimated that an additional 110 houses will be required in the Shire in the next 15 years. (Note: Department of Aboriginal Affairs survey has identified via a survey completed post preparation of local planning strategy that there is an immediate need for some 90 dwellings in Fitzroy Crossing.)

Table 12
Additional new houses required by 2021

	Additional new houses required by 2021
Derby	51
Fitzroy	17
Rest of Shire	42
Total SDWK	110

Table 13
Residential Codes and development status

Source: Department for Planning and Infrastructure internal database (2008)

Zoning and density code	Developed (ha)	Undeveloped (ha)
Residential R5	30.7	0.0
Residential R12.5	20.4	4.9
Residential R12.5/30	17.3	0.0
Residential R15	26.7	0.0
Residential R20	2.8	0.0
Residential R25	1.7	0.0
Residential R30	0.2	0.0
Total	99.8	4.9

7.3.2 Future residential land and housing provision

In order to meet the need for additional residential land and housing in Derby and Fitzroy Crossing, a number of planning strategies are available:

- infill subdivision that allows existing landowners the opportunity to participate in the provision of housing, creating a variety of choice in housing types and tenures. Infill development is preferable to extending the development front as it makes better use of existing infrastructure (roads, water, sewerage, power);
- increase housing density;
- assess reserves within townsites that are under-utilised for their purpose and may be suitable for residential use;
- upgrade the standard of housing stock through redevelopment; and
- provide a greater choice of housing product. Single residential dwellings currently dominate the residential housing stock in Derby, Fitzroy Crossing and Camballin, although there is a wider range of dwelling structures (both formal and informal) in the smaller communities.

In implementing these strategies, there is a need to balance the demands for additional housing and product choice with lifestyle and climatic factors. Separation between houses provides privacy, responds to an outdoor lifestyle and captures breezes. Possible social implications of having people living close together where occupancy rates are relatively high need to be considered.

Opportunities to adopt these strategies in Derby and Fitzroy Crossing are discussed below.

DERBY

Most of the areas zoned Residential in Derby reflect a low density of R12.3/30 or R15. Residential areas to the east of Derby Highway and north of Loch Street are generally at an even lower density (R5). The low density is typical of the town's original pattern of subdivision.

Recent amendments and proposed amendments to Derby's Town Planning Scheme No. 5 have increased the permitted density in a number of areas to allow for better housing choice and respond to changing demographics. For example:

- Lot 500 Bloodwood Crescent that has been rezoned from R12.5 to R20/30; and
- Lot 20 Bloodwood Crescent that has been rezoned from Rural to Residential R20 yielding 30 lots and 69-75 dwellings.

However, few opportunities exist for infill subdivision to the west of Derby Highway and to the east of the highway subdivision opportunities are limited by the lack of reticulated sewerage.

While there is limited undeveloped Residential land in Derby, more than 60 ha have been identified as residential development areas in Town Planning Scheme No. 5. These areas are located between Fitzroy Street and Guildford Street and to the east of Derby Highway on Dampier Drive.

In addition, there are areas of Crown Land and privately owned land that should be sufficient to meet the demand in Derby subject to the resolution of native title, relevant planning approvals and infrastructure provision. The Crown Land areas are generally on the eastern side of Derby Highway. Other potential areas are listed below:

- Richardson Terrace/Ashley Street that is currently zoned for Parks and Recreation and could yield 80 lots (7.9 ha);
- Lot 20 Fitzroy Street that is expected to yield approximately 30 lots (4.1 ha);
- Lot 21 Fitzroy Street, known as Ashley Grove Estate Stage 2 that is expected to yield 37 lots and 75 units (4.8 ha). Council has adopted a development guide plan for Stage 2;
- Lots 22 and 23 Fitzroy Street that are currently zoned Rural (9 ha and a potential 80 lots);

- Lot 61 Dampier Drive (28.2 ha and a potential 214 lots) – a development guide plan has been prepared for this area; and
- Lots 3, 4, 5 and 6 Guildford Street that are currently zoned Rural (18 ha and a potential +270 lots).

This land should be sufficient to meet demand for housing resulting from population growth as well as from the proposed regional prison (an estimated additional 50 houses) and in the longer term from the possible development of Point Torment.

Local scheme reserves that are considered to be under-utilised and are considered to be suitable for future residential use include:

- Lot 1187 and Lot 1188 Loch Street, currently zoned for Public Purposes – Community Health and Parks and Recreation (25 lots);
- Lot 1415 Alfonsas Street, currently zoned Public Purposes – Community Welfare (85 lots); and
- the land was originally transferred to the Shire for the purpose of developing a recreation complex. That facility is now located elsewhere and the lot remains undeveloped. The site is considered to be suitable for residential development given its location, configuration and proximity to all services.

The area south of Kunamarra St and north of Richardson Terrace is considered to be suitable for revitalisation. The area was developed in the 1960s by the State Housing Commission and now contains a high proportion of run-down public housing stock. The land is zoned Residential R12.5 with predominant lot sizes in the order 700-800 square metres.

FITZROY CROSSING

Approximately 70 houses make up the town housing stock, excluding the town-based Aboriginal communities. The majority are single dwellings or duplexes. A considerable amount of houses are provided within the discrete Aboriginal communities in the townsites.

The main demand for residential land and housing originates from government, either through the Government Regional Officers Housing agency or through the public housing part of the Department of Housing. There is additional but limited private sector demand from business owners.

Housing density in Fitzroy Crossing is low, generally in the order of R10 to R12.5. Because of a shortage of residential land and housing in Fitzroy Crossing, Council has supported, as an interim measure, some infill development in discrete locations. For example the area north of Poole Court was considered suitable for increased housing density (R20 to R25) given the lot configuration and supporting road network.

There are very few vacant and currently available lots in the town. The most recent land release in Fitzroy Crossing was a LandCorp subdivision provided some additional housing lots in 2007/8. The 18-lot residential subdivision is contained in two parcels. One parcel is bounded by Millard Road, Flynn Drive and Fallen Road. The other parcel is in Spinifex Place. The residential density is R20/30 and R30/40. The unit yield of these lots is expected to be approximately 48 dwellings given that some of the lots will provide group housing. Ten of the lots were allocated to government and other agencies to house staff and the remaining eight were sold by private treaty.

Residential development will be provided in accordance with recommendation of the *Fitzroy Futures Town Plan* (March 2009). The *Fitzroy Futures Town Plan* was prepared by the Department for Planning and Infrastructure on behalf of the WAPC in conjunction with the Shire of Derby–West Kimberley and Bunuba Inc. The *Fitzroy Futures Town Plan* was published for public comment in December 2004. Following the amendment of the document in accordance with the comment received, a Final *Fitzroy Futures Town Plan* was produced in November 2005 and endorsed by the Shire of Derby–West Kimberley. An updated document was endorsed by the WAPC in March 2009.

A central recommendation of the *Fitzroy Futures Town Plan* is a suite of land use changes and associated land tenure changes. These changes address historical anomalies, and also provide an economic future for residents of Fitzroy Crossing by identifying land ownership and development opportunities for Aboriginal corporations.

The *Fitzroy Futures Town Plan* includes layout plans for five settlements within the town (Bungardi, Darlgunaya, Burawa, Junjuwa and Kurnanki). The five layout plans have subsequently been endorsed by the communities, the WAPC and the Shire of Derby–West Kimberley. The layout plans (in keeping with the *Fitzroy Futures Town Plan*) include several new residential areas except for Mindi Rardi where there is limited scope for expansion.

Housing demand in Mindi Rardi would be met through redevelopment of the existing housing stock.

The *Fitzroy Futures Town Plan* shows the following new residential areas in Fitzroy Crossing including the five communities. The rezoning and development of many of these sites would be subject to the successful completion of a consolidated land assembly strategy:

- Lot 103 Fallon Road (CR 35090) – 4.6 ha, yield not determined;
- Lot 9656 (CR 9658) – 23.2 ha, 107 lots that includes Bunuba Heights. A revision of the Bunuba Heights outline development plan would also be required;
- Lot 213, Kurnangki (CR 39294) – 3.7 ha, 22 lots;
- Lot 49 and 9656, Junjuwa (CR 9656) – 8.4 ha, 53 lots;
- Lot 49 (CR 9656) – 0.7 ha, 6 lots;
- Lot 2, 10, 17 and 49 Burawa (CR 9656) – 5.7 ha, 30 lots;
- Lot 161 and 277 (CR 45046) and Lot 290 (CR 45609) Darlgunaya – 6.3 ha, 26 lots; and
- Lot 289, Munmarul – 4.5 ha, 24 lots.

The *Fitzroy Futures Town Plan* remains relevant and its land use and land tenure recommendations are to be incorporated in the local planning strategy. The recommendations of the *Fitzroy Futures Town Plan* are illustrated in Figure 9b and the associated table provides information in relation to the associated land assembly strategy.

CAMBALLIN

The issue of land supply in Camballin is not likely to become problematical within the life of the local planning strategy. There are approximately 26 parcels of unallocated crown lots within the townsite that would be able to be made available should an increase in demand eventuate. At present, the town primarily serves as a dormitory for school teachers and health workers who work at the nearby Looma Community. A number of other people reside there who are involved in earthmoving and road construction contracting. Some increase in demand may arise if there is an increase in the agricultural activities of the nearby Liveringa Station (pastoral lease) and if there is a decision to proceed with the mining of a coal deposit that is located in the general vicinity of the town.

7.4 Rural living

DERBY

There are two main areas for rural living in Derby. The Hamlet Grove subdivision is located approximately five kilometres east of Derby. The land is zoned Rural Residential under Town Planning Scheme No. 5. Lot sizes are two to four hectares in size, and the subdivision is taken up.

Birdwood Downs rural subdivision is located approximately 20 kilometres east of Derby and accessed from the Gibb River Road. The land is zoned Special Rural under Town Planning Scheme No. 7. Lot sizes are generally eight hectares and the subdivision is taken up. This land was originally excised from the Birdwood Downs pastoral station to provide some rural lots with limited agricultural applications permitted. Generally the lots are being used for rural residential purposes with very little agricultural uses being pursued. Amendments to Town Planning Scheme No. 7 that would allow for 11 extra lots, have been approved by Council.

A development plan has been submitted to the WAPC by the Shire for an additional area of rural residential lots on Lot 2 Derby Highway and Lot 2 and 3 Maxted Street (subdivision approved). This subdivision is 17.3 ha and should yield 13 lots.

FITZROY CROSSING

In Fitzroy Crossing there are several rural living lots on Yurabi and Russ roads. The *Fitzroy Futures Town Plan* shows a number of additional rural living lots, including in Darlgunaya and Bungardi. These lots would require a minimum lot size of 2,000 square metres (no reticulated sewerage) in keeping with the draft Country Sewerage Policy. Development on these lots will also need to comply with the minimum finished floor level requirements outlined in the Fitzroy River 100 year ARI Floodplain Management Strategy.

The rezoning and development of many of these proposed sites would be subject to the successful completion of a consolidated land assembly strategy: The *Fitzroy Futures Town Plan* proposals are:

- Lot 68 Yurabi Road – 77.1 ha, 20 lots;
- Lot 289, Munmarul (CR 45608) – 15.2 ha, eight lots;
- Lot 108 Yurabi Road (CR 23897) – 38.1 ha, 10 lots; and
- Lot 88, 89, 90 Russ Road – 6.7 ha, three lots.

All of these subdivisions have town power supply and rely on individual bores for water. The lots are fully occupied and there has been interest in developing similar sites. The scarcity of lots in these areas has had an inflationary effect on the price of this land, which in turn impacts on affordability. The extension of these areas would provide for market demand and improve housing choices for residents, whilst also having the advantage of being situated close to all the services offered by the towns.

Full assessment into infrastructure, service delivery and land capability would need to be made prior to extending these areas.

7.5 Aged persons accommodation

DERBY

Ngamang Bawoona (Derby Frail Aged and Disabled Hospital) provides accommodation and respite care for frail aged and disabled people. It currently caters for approximately 20 people and there is a proposal to replace the existing run-down facility with a new facility for 26 people. This would be on the existing site and there is no requirement for additional land.

Numbla Nunga provides residential, rehabilitation and respite care for aged persons and younger people with disabilities in the Kimberley Region. It is co-located with Ngamang Bawoona. The old Numbla Nunga buildings are no longer suitable for the purpose and a new purpose designed facility has been approved and will replace the old facilities with a new contemporary designed building immediately adjacent to the old hospital. The new building is anticipated to be completed in the first half of 2010.

Aged persons' units are located on Rowan Street adjacent to the Home and Community Care Centre.

FITZROY CROSSING

The Guwardi Ngadu Frail Aged Hostel facility is approximately 17 years old and provides accommodation for the frail aged. It has 24 beds with two respite beds.

7.6 Short-term accommodation

People from outlying areas regularly visit the major service centres of Derby and Fitzroy Crossing to receive medical treatment, visit relatives, shop and holiday. They generally stay with family members or sleep rough in locations around the townsites. This contributes to overcrowding of existing houses. Provision of services for temporary visitors is a complex issue, not only related to land-use planning.

A limited supply of hostel accommodation is currently available in Derby at Kabayji Booroo Hostel. No such accommodation currently exists in Fitzroy Crossing.

The need for short-term accommodation is expected to be exacerbated when the new regional prison is established in Derby. Family and friends visiting inmates require accommodation as do people being released from prison.

A suggested location in Derby for a managed hostel providing short-term accommodation is the Ashley Street Reserve. The property is owned by the Catholic Archdioceses of Broome and is reserved in the scheme as Public Purposes – Native Purposes.

In Fitzroy Crossing, the *Fitzroy Futures Town Plan* makes provision for a site that could cater for short-term or temporary accommodation associated with the school and/or the adjacent recreation complex. It is situated immediately south of the new school site.

7.7 Construction workforces

Future development proposals associated with the resource sector (such as Point Torment, Woodside, Inpex, Shell, Rey Resources, ASF) brings the potential for construction workforces. Construction workforces have the potential to greatly impact a town, and can involve up to 3,000 people for a period of 2-3 years.

A number of suitable sites to accommodate construction workforces have been identified in Derby. Development of lots in this area could provide ongoing benefits to the Shire post-construction, as public utilities will have been extended to the sites:

- Lot 5 Lovegrove Street, a 28.2 ha site east of the Derby Highway that is currently zoned Special Use – Short Stay Accommodation/Rural Residential. The site is suitably located.
- It is close to the Derby townsite, but is also reasonably distant from existing residential areas so as to minimise disruption to existing residents.
- Lots 9 and 10 Guildford Street east of Derby Highway that has a combined area of 6.4 ha. The land is currently zoned Special Use – Short Stay Accommodation.
- Lots 11, 12, 13 and 538 Maxted Street, a 34.8 ha site currently zoned Special Use – Short Stay Accommodation/Rural Residential.
- Derby Airport could be considered as a site for a construction camp. It is distant from town and would require different solutions in terms of management to make sure that residents have access to services.

7.8 Commercial land

DERBY

Land zoned for Commercial purposes or as Town Centre is located west of Hensman Street and north and south of Loch Street. Its western boundary is Elder Street. There is sufficient land within this zone to cater for all foreseeable commercial uses, as a large part of the commercially zoned land is currently used for residential purposes.

A small number of spot re-zonings are recommended to cater for commercial opportunities based on their unique location, outlook, and in some cases, previous use. These are:

- a site for new tourist accommodation on Elder St, outside Derby's current town centre zone – selected due to its views over the Derby marsh, proximity to the town centre and all its amenities, proximity to services and its ability to meet the land requirements of a hotel; there are however, reasonably significant environmental matters to be addressed before this site could be developed;
- two lots along the Derby Highway (Lot 692 and Lot 201 Wodehouse Street) proposed to be rezoned from residential to commercial – they have little amenity value for residential purposes and have direct frontage to Derby Highway, are adjacent to an existing commercial use and have previously been utilised for commercial purposes; and
- a mixed use zone proposed on unallocated Crown Land on Derby Highway, west of Forrest Street to allow for showroom type uses on the highway, with residential uses facing Forrest Street – would provide a transition between commercial uses and the future development of Lot 1 Wodehouse St for residential purposes.

FITZROY CROSSING

Fitzroy Crossing's commercial and business areas are centred on Forrest Road. There is growing demand for additional commercial land and a very limited supply.

The *Fitzroy Futures Town Plan* made no provision for additional commercial land. Options such as reallocating light industrial land for commercial or business purposes or allocating some land within the Bunuba Heights area (at a time when the outlined development plan is revised) require further assessment.

7.9 Industrial land

DERBY

The Town Planning Scheme provides for port industry, general industry and light industry. The area west of Elder Street is zoned port industry.

The Derby Light Industrial Area (LIA) is located west of Derby Highway on the approach to town. The majority of privately owned industrial blocks are being fully utilised but government land zoned for this purpose still requires land assembly and clearances of native title (where applicable) and remain vacant. These government owned areas include:

- Lots 646, 647 and 649 Le Leveire Street with a total area of approximately 5.1 ha;
- a 12.6 ha site on the corner of Fitzgerald and Steel Street;
- Lot 686 and lot 687 Fallon Street (2.2 ha); and
- Lot 637 Wodehouse Street (CR 26732) that is five ha.

The Shire of Derby-West Kimberly is fielding increased enquiries for industrial land in a range of sizes and intensity of use. This is due in part to the cost and scarcity of industrial land in Broome, and to increased mining and construction activity in the region. Some of the future industrial land use can be accommodated within the existing industrial areas.

Areas where industrial uses could occur in the future include:

- Lot 824 Yates Street (CR 34426) and Lot 650 and 651 Broome Street (CR 28761), which are Public Purpose reserves used by the Water Corporation and the Shire as a depot (3.9 ha);
- Lot 1444 Derby Highway and Lot 629 Russ Street that are zoned Rural and Rural residential (9.2 ha);



- Lot 626 Wodehouse Street, a Public Purpose Main Roads Depot (3.5 ha);
- Lot 705 and 706 Le Lievre Street, a Public Purpose reserve vested in the Water Corporation (1.8 ha) but understood to be surplus to their needs; and
- Fitzroy/Steel Street – a 39.7 ha unallocated Crown Land site currently zoned rural. It is not envisioned that this land would be required within a 20 year timeframe.

Structure planning should be undertaken over the future industrial land to assemble industrial lots that meet industry requirements and provide suitable access and egress to the area.

FITZROY CROSSING

There is very little vacant industrial land in Fitzroy Crossing. The existing light industrial area east of Forrest Road is fully occupied, and though there are some infill opportunities, these will not meet demand beyond the next few years.

The main option for future industrial land is further north on Scrivener Road with average lot sizes of 4,000 square metres. Future commercial/business activities and light industries could be established, thus utilising a significant segment of the existing road.

The creation of a new light industrial area south of Junjuwa will also allow for the relocation of the Junjuwa workshop compound, which will free up more land for community uses.

An area for general industry uses is available in the buffer zone adjacent to the new power station west of Mindi Rardi community. These lots are not compatible for caretakers' or retail activities, and depending on the intensity of use, would be subject to licensing approvals. This could affect the ability of the site to support intense industrial use, due to the proximity to Mindi Rardi.

The only areas considered suitable for industrial land release are on Crown Reserves 9656 and 35167, which are currently vested for the use and benefit of Aboriginal inhabitants.

7.10 Long-term development options

This strategy has an outlook of 10-15 years; however, a long-term growth option needs to be secured for Derby, which is likely to experience the greatest growth of all towns in the Shire.

Long-term townsite expansion will occur in a south-easterly direction, east of the Derby Highway. As such, land has been allocated for future development in this area, subject to detailed structure planning and other investigations. The subject land has a variety of public and private ownership and significant land assembly would be required. It is not anticipated that this land would be required within 20 years.

A large triangular portion of unallocated Crown Land west of Steel Street and south of Fitzroy Street has been set aside for long-term light industrial use. It is not envisioned that this land would be required within a 20 year timeframe. Any development occurring on this land in the interim years would be undertaken with the knowledge that the land is earmarked for long-term townsite expansion.

7.11 Community facilities

Table 14
Current community facilities

Facility	Derby	Fitzroy	Other
Primary school	2	1	
Secondary school	1	1	
School of the Air	1		
Tele-centre	1	1	
Hospital/health services	1	1	
Clinic			Noonkanbah (Yungngora) Wangkatjungka
Aged care facilities	2	1	
Airports	Curtin and Derby		
Library	1	1	
Swimming pool	1	Construction 2009	
Civic centre			
Recreation centre	1	1	
Oval	1	1	
Netball/basketball courts	1	1	
Squash courts	1		
Turf club	1		

7.12 Land ownership

Outside of the townsites the vast majority of land tenure is made up of pastoral leases, as well as Aboriginal Lands Trust (ALT) reserves, conservation reserves, unallocated Crown Land and service reserves.

7.13 Native title

The *Native Title Act 1993* recognises in Australian law that some Indigenous people have rights in relation to lands and waters because they had those rights before European settlement. For native title to be recognised, Indigenous groups must among other things, show that they have maintained their traditional connection to the land and water.

To date, four native title applications within the Shire have been determined:

- Wanjina-Wunggurr Wilinggin Determination No.1 (63,000 km²) in the area around Kupingarri;
- Noonkanbah determination that covers 1,805 square kilometres including the Noonkanbah Pastoral Lease and some unallocated Crown Land;
- Dambimangari determination extending from the area around Walcott Inlet, north to the Prince Regent River;

- Ngurrara Part A determination that lies partly in the Shires of Broome, Derby–West Kimberley, East Pilbara and Halls Creek (at the junction of the Great Sandy Desert and the Kimberley);
- Bunuba (mostly in the Shire of Derby–West Kimberley); and
- Gooniyandi Combined No. 2 (mostly in the Shire of Derby–West Kimberley).

Currently there are nine active native title applications within the Shire of Derby–West Kimberley (Figure 7). The claim applicants are:

- Kurungal (mostly in the Shire of Derby–West Kimberley)
- Mayala
- Nyikina and Mangala
- Bunuba 2
- Bunuba 3
- Yarrangi Riwi Yoowarni Gooniyandi
- Mawadjala Gadjidgar
- Warrwa
- Warrwa 2.

The Shire has been actively involved in the progression of the Nyikina and Mangala peoples' native title claim. To this end, the Shire of Derby–West Kimberley, the Nyikina and Mangala peoples and the Kimberley Land Council entered into an Indigenous Land Use Agreement (ILUA) in October 2005. The ILUA was a landmark achievement for the Shire and is the first of its kind in Western Australia and only the second ILUA completed by a local government and a claimant group in Australia.

The ILUA sets out the protocols that the Shire will follow in respect to certain works that the Shire undertakes. Additionally, other social and cultural matters outside the scope of land use issues are encapsulated within a Memorandum of Understanding that was entered into as a precursor to the ILUA.

7.14 Conservation estate

Three National Parks (NP) and three Conservation Parks (CP) are located within the Shire of Derby–West Kimberley:

- Geikie Gorge (NP)
- Tunnel Creek (NP)
- Windjana Gorge (NP)
- King Leopold Ranges (CP)
- Devonian Reef (CP)
- Brooking Gorge (CP).

7.15 Natural environment

The Kimberley Region is an area of dramatic landscapes and a huge variety of habitats that support very diverse animal and plant communities.

7.15.1 Climate

The Kimberley has a monsoonal climate. The climate is characterized by dry winters and a hot, wet summer. January and February are the wettest months, but rain can occur anytime between October and March. Rainfall varies throughout the Shire, but it generally exceeds 1,200 millimetres per annum closer to the coast and decreases in the south around the arc of the Fitzroy River.

Average yearly rainfall for towns in the Shire:

Derby:	584mm
Fitzroy Crossing:	525mm
Halls Creek:	498mm.

During the wet, flooding can occur. The Fitzroy River Catchment is 85,000 square kilometres and is prone to flooding. Peak flood levels in Fitzroy Crossing have equated to 15,000–20,000 cubic metres per second, which is enough to fill 15-20 Olympic swimming pools in a second.

Evaporation rates are high and range between 1,000 millimetres and 3,000 millimetres per annum. Average yearly temperatures (°C) for towns in the Shire:

Derby:	Max 34.4 – Min 21.7
Fitzroy Crossing:	Max 35.7 – Min 19.2
Halls Creek:	Max 33.6 – Min 19.9.

7.15.2 Vegetation

Variations of vegetation across the Kimberley region are reflective of the distribution of rainfall and soil types. Beard's 1979 survey of the area divided the region into three discrete botanical districts.

- Dampierland (Dampier Botanical District) - incorporates two sub-regions being the Fitzroy Trough (the semi-arid northern periphery of Canning Basin and middle and lower catchments of the Fitzroy River), which has extensive coastal mud flats associated with its delta and Devonian limestone barrier reef; and the Pindanland sub-region, which is the coastal, semi-arid, north-western margin of the Canning Basin and supports Pindan vegetation on the plains and hummock grasslands on hills;
- Central Kimberley (Fitzgerald Botanical District) - from the central Kimberley to the Cambridge Gulf presents as hilly to mountainous country with parallel siliceous ranges of Proterozoic sedimentary rocks with skeletal sandy soils supporting *Plectrachne pungens* hummock grasses with scattered trees and with earths on Proterozoic volcanics in valleys supporting Ribbon Grass with scattered trees; open forests of River Gum and Pandanus occur along drainage lines; and
- North Kimberley (Gardner Botanical District) - from Walcott Inlet to the Northern Territory border presents with Savannah woodland of Woollybutt and Darwin Stringbark over high Sorghum grasses and *Plectrachne schinzii* hummock grasses on shallow sandy soil on outcropping Proterozoic siliceous sandstone strata; Savannah woodlands on *Eucalyptus tectifica* – *E. grandiflora* alliance over high Sorghum grasses on red and yellow earths mantling basic Proterozoic volcanics; riparian closed forests occurring along drainage lines; extensive Mangal occurring in estuaries and sheltered embayment's; and numerous small patches of monsoon rainforests scattered through the district.

There has been substantial vegetation change generally associated with changed fire regimes, feral animals, livestock and weeds. Mining and tourism have had localised impacts on vegetation and the proliferation of tracks has a notable but dispersed impact.

Patches of monsoon rainforest have been degraded and in places the Northern Cypress

Pine *Callitris intratropica* has suffered population crashes. Localised weed and exotic plant problems exist. The Noogoora Burr has invaded the Fitzroy River and its tributaries and buffalo grass *Cenchrus ciliaris* has spread.

7.15.3 Fauna

The Kimberley region is highly bio-diverse. It has a huge variety of habitats which support very diverse animal and plant communities. The regions geographic positioning and the barrier provided by desert conditions to the south has resulted in the Kimberley having flora and fauna distinct from elsewhere in Western Australia. It is the only region that appears to have retained its complete fauna in the period since European settlement.

The impacts on fauna since that time have resulted primarily from changes in the fire regime, the effects of pastoral land use and feral predators. For example, degradation of riparian vegetation is thought to have led to a decline in populations of purple-crowned fairy wren. Other presumed declines include the golden bandicoot, golden-backed tree rat, pale field-rat, common brushtail possum and the northern quoll.

7.15.4 Priority ecological communities

The Department of Parks and Wildlife list a number of priority ecological communities that occur within the Shire:

- Monsoon vine thickets of limestone ridges - Nimbing Range, Napier Range and Jeremiah Hills (Priority 1);
- Invertebrate communities of Napier Range Cave (Priority 1); and
- Invertebrate communities of Tunnel Creek (Priority 1).

7.15.5 Coastal environment

The Shire of Derby-West Kimberly has an extensive area of coastline that extends from the bottom reaches of the King Sound and extends into the highly convoluted coastline of the Buccaneer Archipelago. The King Sound is a wide, open gulf which encompasses the seasonal Fitzroy estuary and Stokes Bay. The coastline to the north of Stokes Bay is described as a sunken coastline with extensive coastal archipelagos. The region and

coastal areas are also characterized by high tidal ranges that peak at 11.8 metres in the King Sound.

The coastline and adjacent waters provide a range of habitats for species, including reefs, rocky headlands, mudflats, sandflats and mangroves. Many marine species use this area as a nursery and feeding grounds. The rugged coastline, numerous islands and reefs support a high diversity of tropical species.

With the exception of Derby and Cockatoo and Koolan Islands, there is minimal coastal development and as such the coast has remained relatively undeveloped. The isolated location and lack of access to many parts of the coast means that they are only accessible from the sea and extensive coastal development is unlikely to occur.

7.15.6 Wetlands

Four nationally important wetlands listed in the Directory of Important Wetlands in Australia are found in the Shire.

- Tunnel Creek (1 ha);
- Windjana Gorge (20 ha);
- Gladstone Lake (Mt House Station) (100 ha); and
- Camballin Floodplain (Le Lievre Swamp System) (130 ha).

7.15.7 Water

The entire Shire is located in the proclaimed Canning Kimberley Groundwater Area. The north-west of the Shire is part of the Fitzroy River and Tributaries Catchment Area and the north-east is part of the Ord River and Tributaries Catchment Area. These Areas are proclaimed under the *Rights in Water and Irrigation Act 1914*.

Fitzroy Crossing, Camballin and Derby all have Water Source Protection Plans:

- Fitzroy Crossing Water Reserve Drinking Water Source Protection Plan, July 2005;
- Camballin Water Reserve Drinking Water Source Protection Plan, June 2006; and
- Derby Water Reserve Drinking Water Source Protection Plan, September 2008.

The Department of Water prepares these plans to assess risks to water quality within the town water reserves and to recommend management

strategies to avoid, minimise and manage any identified risks. The intention is to protect drinking water source areas to meet public health requirements and ensure the supply of safe, good quality drinking water to consumers.

The aquifer from which Fitzroy Crossing's town water supply is sourced is unconfined and fractured. Recharge is via direct rainfall infiltration and river flows from Brooking Creek and the Fitzroy River. The Water Source Protection Plan proposed the modification of the boundaries of the water reserve to include future bore sites and a larger part of the recharge area. This recommendation has been included in the Fitzroy Future Town Plan (November 2005).

The Water Source Protection Plan for Camballin concluded that the quality of the groundwater source is potentially at risk from existing land uses within the town. The highest potential risks are in the southern part of the town where the aquifer is unconfined and shale layers are absent. The Camballin well field is situated in this unconfined area. Recommendation set out in the Plan include that all Unallocated Crown Land in the Water Reserve be managed for Priority 1 source protection and that the Water Reserve, including the Priority 1, 2 and 3 areas, should be recognised in the Shire's land use planning documents.

The town of Derby's water supply is sourced from the Lower Erskine Sandstone Formation - a confined aquifer situated at a minimum depth of approximately 200 metres from the surface. This means that land-use planning within Derby is not constrained by the water quality protection measures. The Water Source Protection Plan for Derby recommends the following to maximise the protection of the public drinking water supply:

- the five existing production bores to be proclaimed as water reserves under the *Country Areas Water Supply Act 1947*;
- the five water reserve boundaries and their priority one (P1) classification are to be recognised in the Shire of Derby-West Kimberley local planning scheme and other applicable schemes and strategies;
- the management principles outlined in the Water Source Protection Plan should be incorporated into the Shire of Derby-West Kimberley local planning scheme and other applicable land use planning schemes and strategies; and
- best management practices for existing or future bore construction (or abstraction

licensing) in close proximity to the five water reserves should be implemented.

To set the strategic direction for water resource management in the Kimberley over the next 10-20 years, the Department of Water is currently in the process of preparing a Kimberley Region Water Plan. Discussion papers have been prepared for the six sub-regions of the Kimberley region. The Shire of Derby–West Kimberley falls within three of these sub-regions – Dampier, Fitzroy and North Kimberley. Water Corporation planning identifies capacity issues, which will require new confined aquifer bore (proposed 2015) and the allocation licence requires increase – currently 1.6GL/year and abstraction over 1.4GL/year. Water treatment is close to limit. The water conveyance system is currently inadequate, location of future ground storage systems to be determined – an upgrade is scheduled for 2019.

7.16 Economic activity

The Kimberley region has a diverse regional economy. The mineral and petroleum industry is the biggest contributor to the Kimberley economy, followed the retail trade, tourism and construction. Government is the largest employer in the region, followed by the retail and wholesale trade, agriculture and fishing, tourist related services and mining.

In the Shire of Derby–West Kimberley, the mineral industry (particularly iron ore and diamonds) and the pastoral industry (live animal trade) are important contributors to the local economy. Additional information can be sourced online at www.drd.wa.gov.au and www.kdc.wa.gov.au.

7.16.1 Pastoral

The pastoral industry commenced in the mid-1800s with the development of sheep-grazing properties in the vicinity of Derby. Pastoral activity is now associated with the live cattle trade to Indonesia, Malaysia and the Middle East. The cattle are exported through ports at Broome and Wyndham.

There are currently 34 pastoral leases in the Shire of Derby–West Kimberley. Approximately 10 of the leases are held by Aboriginal corporations and support Aboriginal communities.

The *Land Administration Act 1997* provides for the development of alternative economic enterprises on pastoral land through the issuing of diversification permits. The following table shows the permits that are in place in the Shire.

Table 15
Pastoral leases with diversification permits

Station	Category	Purpose	Area (ha)	Expiry Date
Brooking Springs	Tourism	Tourism: Camping near billabong (10 sites over 2ha); 1 ablution block; small shop at homestead; bore runs.	Whole of lease	30 June 2015
Charnley River	Tourism	Tourism: accommodation, meals and camping. Accommodation: 2 rondavels, 1 cottage, camping ground and 1 ablutions block.	5 ha	30 June 2015
Liveringa	Agriculture	Pivot-irrigated, non-indigenous pasture production over 3 x 100 ha sites for use in station cattle yards, along with some in- situ grazing of stubble on the land as identified on maps submitted as part of the application. Water to be drawn from Uralla/Snake Creek under a relevant and current licence. Crops permitted to be grown are forage sorghum, forage maize and Centro stylosanthes and are to be harvested for silage before seed maturity.	300 ha	30 June 2015
Quanbun Downs	Tourism	Homestead and nine single brick units to accommodate 20 people. Museum and Station Tours.	10 ha	30 June 2015
Mornington	Tourism	Tourism: Camping and tourist activities at Old Mornington Bushcamp (f 882 Vol. 4). Eating area, kitchen, licenced bar, workshop, ablutions, 12 furnished tents (on concrete pads and removed over Wet), camping ground.	no further info	30 June 2015

7.16.2 Mining

Several mining operations are located within the Shire.

- Iron Ore: Koolan and Cockatoo Islands – both these relatively small sites operate offshore and have a limited life span. The current facilities are serviced by landing barges from Derby.
- Diamonds:
 - Kimberley Diamond Company operates diamond mines on the Ellendale 4 and Ellendale 9 lamproite pipes located approximately 130 kilometres east-south-east of Derby. Staff and transit requirements are minimal; and
 - Blina Diamonds NL has extraction rights to alluvial diamonds from within the Kimberley Diamond Companies mining lease.
- Lead and Zinc: The Lennard Shelf mine is approximately 80 kilometres east of Fitzroy Crossing but was closed and put into care and maintenance in 2008. Mineral concentrate was transported by road to Derby and then barged to ships in King Sound.
- A number of mining activities could potentially be developed within the next 15 years.
- Rey Resources, Canning Basin Coal Projects (Liveringa, Duchess Paradise and Myroodah areas): The company hopes to develop a thermal quality coal resource located in the Fitzroy Trough near Camballin and Paradise Station some 140 kilometres south-east of Derby. The company's exploration drilling program ended in late-2008. In August 2012, the project was progressing through the WA Public Environmental Review process.
- Frome Salt is investigating the feasibility of salt production south of Derby on the Yakkamunga Road. The proponent could consider possible port locations at Point Torment or on the east coast of the Dampier Peninsula.
- Blina Diamonds NL has conducted bulk sampling and exploration operations within tenements that cover approximately 1,100 square kilometres and include portions of the Ellendale Diamond Field.

7.16.3 Oil and gas industry

The Blina-Boundary-Lloyd-Sundown-West Terrace oil fields are situated approximately 80 kilometres east of Derby in the Canning Basin. Production from these fields first commenced in 1983 and in 2006, the entire project, oilfields and associated permits were purchased by ARC Energy Ltd.

In the future, onshore petroleum resources in the highly prospective Canning Basin may be exploited.

Offshore, there are large reserves of oil and gas within the Browse Basin. INPEX Browse Ltd, the operators of the Ichthyos Field and the Woodside Joint Venture (Brecknock, Calliance and Torosa) are currently progressing their planning for the production of condensate and LNG from these fields.

INPEX has announced its intention to process its gas in Darwin. The Woodside Joint Venture intends to make a decision in relation to the location of their LNG trains to process the gas from their fields in the near future. Woodside is considering two options for gas processing - one at a LNG precinct identified by the State Government in the vicinity of James Price Point on the Dampier Peninsula and one at their existing facilities on the Burrup.

Detailed information relating to the Browse Basin and Kimberley LNG precinct can be found on the Department of State Development's website at www.dsd.wa.gov.au.

7.16.4 Tourism

Tourism is a rapidly growing industry in the Shire of Derby-West Kimberly and the entire region, and this is expected to continue. In the period 2004-2007, tourism in the Shire generated an average \$23 million per year in accommodation revenues with an average stay length of 3.5 nights per person.

During the peak tourist season (April to September) visitors to the region may exceed more than 68,000. The main activities undertaken by visitors in 2005-2007 were eating out (27%), general sightseeing (25%), visiting National Parks (21%), bushwalking (16%), and guided tours (11%).

Tourism impacts upon the demand for and supply of infrastructure and services. Local government's provision of services such as rubbish removal,

street cleaning, public landscaping, and public toilets etc. play a crucial part in maintaining the appearance and attraction of a tourist destination. The delivery of these key services during peak seasons however, may be difficult. Acquiring and keeping staff to cater for the peak season influx of tourists can be problematic.

The average age of visitors to the Shire is predominantly in the 45-64 years category, followed by the 25-44 age group. Grey nomads (generally over 55 years) are predominantly self-drive travellers who usually visit in the winter months. Tourism WA research indicates that the majority of domestic visitors to the Shire arrive by private or company vehicle (50%), and stay in either caravan/camping grounds or hotels, motels or resorts. In recent years there has been an upward trend of people choosing resort/motel stays over caravan and camping grounds.

The following caravan parks, camping grounds or nature-based parks are licensed under the *Caravan and Camping Grounds Act 1997*:

- Fitzroy Crossing – Fitzroy River Lodge Caravan Park, Crossing Inn Caravan Park, Tarunda Caravan Park;
- Derby – Kimberley Entrance Caravan Park, West Kimberley Lodge; and
- other areas – Bells Gorge, Manning Gorge, Windjana, Charnley River, Birdwood Downs, Camballin, Imintji, Mornington, Willare.

There are a number of other unlicensed (free) areas that present ongoing management issues to the Shire. These include Ellendale Lakes and Munkayarra Pool, which do not have any facilities, yet attract a considerable number of visitors because of their beauty and abundance of bird species. Both wetlands are under increasing pressure from the public and need to be protected. Munkayarra Pool is a reserve vested to the management of the Shire and designated for the purpose of a Stopping Place for Travellers and Stock Water, Parklands and Recreation.

Approximately 30 per cent of visitors are business travellers, usually from, or on behalf of Government, to deliver services to remote parts of the State.

National parks and conservation areas are the lead attractions in the Shire, containing some of the region's most notable icons such as Geikie Gorge, Windjana Gorge and Tunnel Creek. Other major attractions include the Gibb River Road and Gibb River Road Gorges, the Buccaneer Archipelago, the Fitzroy River and the Derby Wharf.

In Derby there is the annual Boab Festival and Outback Rodeo Festival, both of which attract large visitor numbers. In Fitzroy Crossing there is also an annual Rodeo Festival held the first weekend in July.

A significant growth area in the tourist sector is in Indigenous tourism with tourists willing to pay a premium to learn approximately the history and culture of Aboriginal people and interact with Aboriginal communities. The communities in the Fitzroy Crossing and Camballin areas operate several such tourism-related businesses.

Indigenous art and cultural centres also make a significant contribution to the tourism industry. The Mowanjum Art Centre located within the Mowanjum Community – some 10 kilometres outside the Derby townsite showcases, and is a catalyst for, the indigenous art and culture sector. Mowanjum artists have an established international reputation and hold an annual festival showcasing their artworks and music.

A Nyikina Cultural Centre is proposed to be developed at the intersection of the Gibb River Road and the Derby Highway. This centre will provide a further opportunity to showcase Indigenous culture to a broader audience. The Nyikina and Mowanjum Centres will combine to create an Indigenous cultural precinct close to Derby.

Fitzroy Crossing also has a number of outlets where visitors may view and buy local art and craft.

A number of opportunities to further develop and better manage tourism and recreational opportunities within the Shire occurred through the pastoral exclusion process. The process allowed local governments and other stakeholders to nominate areas within pastoral leases that are required for purposes other than pastoral purposes. These areas would be excised from pastoral leases when the leases expire in 2015. A number of sites were identified within the Shire, and while future management and ownership is yet to be determined, all areas are existing tourist destinations and need to be zoned and managed as such. Areas within the Shire of Derby–West Kimberley that were nominated include:

- Dimond Gorge, Glenroy Station
- Camping area, Kimberley Downs
- Recreational area and historic structures, Liveringa
- Recreational area, Luluigui

- Moll Gorge, Marion Downs
- Mary River Crossing, Meda
- St John Gorge, Mornington Station
- Galvans and Manning Gorges, Mt Barnett
- Adcock and Moll Gorges, Mt House
- Recreation area, Napier Downs
- Recreation area on Fitzroy River and King Sound, Yeeda.

There are also land parcels within the town sites where tourism related business can locate. In Derby's Town Planning Scheme No. 5 - Derby Townsite, three sites for potential future tourism use are identified.

- Lot 5 Lovegrove Street (28.2 ha) east of the Derby Highway: this land is currently zoned Special Use – Short Stay Accommodation/ Rural Residential and would be capable of development subject to extension of services. The site is suitably located due to its proximity to Derby townsite, but is also reasonably distant from existing residential areas so as to minimise disruption to existing residents. The site is privately owned.
- Lots 9 and 10 Guildford Street (combined area 6.28ha), east of Derby Highway. This land is currently zoned Special Use – Short Stay Accommodation and would be capable of development subject to extension of services.
- Lots 11, 12, 13 and 538 Maxted Street land is currently zoned Special Use – Tourism Accommodation Uses/Rural Residential. The combined size of the lots is 40 ha. This site could possibly be relinquished for other uses such as residential/rural residential and/or mixed use as it is considered that the other two sites will be able to adequately cater for future tourism requirements.

In the event that construction camps should be required in Derby, these three land parcels can function initially as temporary accommodation for a construction workforce and then be developed later once construction has finished.

Town Planning Scheme No. 7 – Birdwood Rise does not permit tourism in the area. It is not considered that this area has any compelling reason for any land to be zoned tourism.

In Fitzroy Crossing, two lots with frontage to the Great Northern Highway have been identified for tourism uses (refer to the *Fitzroy Futures Town Plan* November 2005). One of the lots has been



designated for potential motel development. The development of the other is dependent on the construction of Fallon Road to the Great Northern Highway. Land to establish a tourist information bay/rest area for self-drive tourists who travel to the Fitzroy area during winter months is needed – possibly adjacent to Lot 281 Emmanuel Way.

Opportunities to attract visitors to Camballin are centred on the nationally important Camballin Floodplain (Le Lièvre Swamp System), which provides refuges and breeding grounds for waterbirds. The Caravan Park should be encouraged to draw on this potential and discourage informal and illegal camping, and consequent litter and waste, contamination of the water, and environmental damage elsewhere in the area.

7.17 Transport and infrastructure

The predominant transport modes in the Shire of Derby–West Kimberley townsites consist of motor vehicle, walking and cycling. Registered taxi services exist within both the Derby and Fitzroy Crossing townsites and perform an important public transport function. A regular coach service provides transport to other major towns in the Kimberley region. A licensed school bus operates between the Mowanjumb and Pandanus Park communities and Derby. Mowanjumb, Jarlmadangah and Pandanus Park

operate their own community buses to transport people between the communities and the towns. Some Aboriginal corporations in the townsites own coaster buses for community and client use.

7.17.1 Roads

The strategic roads that service the Shire are the Great Northern Highway, the Derby Highway and the Gibb River Road. These are the main networks that connect the Shire to other centres such as Broome, Fitzroy Crossing, Halls Creek and Kununurra. There are numerous other gazetted and informal roads/tracks that service communities, outstations, pastoral stations and recreational/fishing spots.

The Gibb River Road is not always passable during the wet season. While pastoralists and Aboriginal communities that live along the road use it year-round, tourist traffic peaks during the winter months.

The establishment of all-weather road access for communities south of the Fitzroy River (approximately 1,000 residents) is considered a priority. The general alignment of this road has been determined; however detailed design and heritage approvals would be required prior to construction. Some funding has been accessed to construct the road between Koorabye and the Kalyeeda homestead.

7.17.2 Ports and marine facilities

Derby Wharf

The first wharf, built in 1894, was a wooden T-shaped structure located at the northern end of the present steel and concrete wharf. It was linked to the town of Derby by a horse drawn tramway, crossing the mud flats via a causeway where the present day road is located. Wool and pearl shell were the major exports at that time.

The new wharf was built in 1964 with live cattle were and fuel the main exports and oil and provisions the main imports. The last passenger ship visited in 1973. Derby wharf was closed by the Department of Transport in 1994 but was reopened as an Export Facility in 1997 for barges exporting lead and zinc concentrates from the Cadjebut Mine near Fitzroy Crossing.

The wharf currently operates as a supply base for the mining operations on Koolan and Cockatoo

Islands and is also used by pleasure and tourist craft.

The wharf is a popular place from which to view the sunsets over King Sound and to fish for catfish, shark, golden grunter, northwest salmon and mud crabs on the incoming tides.

Marine and industrial support facility

A number of companies are considering primary gas processing projects in the West Kimberley based on offshore gas reserves in the Browse Basin. Exploration activities in the area are currently being supported from the Port of Broome. There is an expectation that demand for marine and industrial support facilities in the area will continue to rise and may be supplemented by potential export of resources from the hinterland.

The primary driver for a marine and industrial support facility would be a large foundation client such as INPEX Browse Ltd or Frome Salt. The key characteristics of such a facility would be:

- safe wharfage and bulk materials handling;
- fuel, water and sullage services;
- landside laydown areas, storage and support services; and
- administration, covered storage and workshops, all-weather road access to Derby, utility services, open storage and access to logistics supply services by land or air.

In 1983 a study that considered the possibility of establishing a new deep-water port at two potential sites in the West Kimberley was completed. The study suggested that a development at Black Rocks/Point Torment (eastern shores of King Sound near Derby) had potentially better operational features and lesser costs than a similar development in the Inner Anchorage, Broome.

In 1998, a report by the Department of Industry and Resources, *Feasibility of support base for offshore oil and gas industry – Kimberley Region*, focused on existing facilities and opportunities arising from the development of the Browse Basin gas field.

In 2006/07 the level of exploration activity in the Browse Basin (INPEX, Woodside and Shell) prompted the Shire of Derby–West Kimberley to re-look at the Point Torment site (identified in the 1983 study). The subsequent involvement of Department of Industry and Resources and the

Kimberley Development Commission broadened the scope of the study to the West Kimberley. The report (*West Kimberley Marine and Industrial Support Facility, Pre-feasibility study and options evaluation*, GHD) identified the need for marine and industrial support facilities in the west Kimberley in addition to and complementing facilities at the Port of Broome.

The success of such a project would largely depend on a foundation oil and gas or minerals client committing to the location and facilities. A multi-criteria matrix evaluation identified Point Torment as the preferred location for marine and industrial support facilities in the West Kimberley. GHD concluded that the planning issues identified for Point Torment did not seem to provide insurmountable problems.

A subsequent report (December 2007) prepared for the Department of Industry and Resources (*Kimberley offshore oil and gas supply base at Point Torment, Selective fatal flaw analysis position paper*, Voran) concluded that Point Torment has a difficult access to shipping, that is currently restricted by good practice to the times when slack tides and daylight hours coincide. The window for vessel movements could be widened with navigation aids and local knowledge. Voran suggested that the views of rig tender vessel operators be canvassed and that further investigation of marine safety issues be undertaken.

A number of companies (including offshore oil and gas operators and onshore resource companies) have expressed an interest in utilising marine support facilities at a Point Torment site and the Shire of Derby West Kimberley, these companies and State Government continue to evaluate the feasibility of establishing such a facility.

7.17.3 Airports

The Shire of Derby–West Kimberley has three airports.

Curtin Aerodrome: RAAF Base Curtin was opened in June 1988. RAAF Curtin is a designated Bare Base and covers a total area of 260 square kilometres. The fenced area of 19 square kilometres incorporates the airfield including operational facilities and domestic area.

Curtin Aerodrome operates under a Civil Lease Agreement with the Shire, a joint user airfield, with a civil terminal and fuel farm on the northern side of strip. The main runway is 10,000 feet long by 130 feet wide and the civil apron is limited to B737 size aircraft and below.

Skywest Airlines operates the route with a combination a 154 seat, A320 Airbus and 100 seat F100 service from Perth airport on Monday through to Friday.

Derby Airport: The site for the Derby airport was selected in 1922. The airport reduced to light aircraft status in 1989. It is used by charter and tourist operators, private craft and the Royal Flying Doctor Service.

Fitzroy Crossing Aerodrome: The airport is located approximately 3.5 kilometres from the Fitzroy Crossing townsite and is utilised by charter and tourist light aircraft and helicopters and the Royal Flying Doctor Service.

There is also a number of airstrips that provide emergency access to Aboriginal communities, pastoral stations, conservation areas and mine-sites.

7.17.4 Power

The Shire of Derby–West Kimberley has benefited from Horizon Power’s West Kimberley power project to replace ageing power stations with more modern and energy efficient power supply and quieter facilities. Three new power stations were commissioned in 2007 and should meet the needs of the communities for the next 20 years.

The power stations at Derby and Fitzroy Crossing are fuelled by liquefied natural gas (LNG) sourced from near Karratha and transported to the power stations using purpose-built fleet of road tankers. The power station at Looma is diesel-powered.

Horizon Power has entered into a 20-year Power Purchase Agreement with Energy Developments Limited (EDL) under which EDL built, own and operate the new power stations and supplies LNG for the four gas-fired power stations and diesel to the power station at Looma.

7.17.5 Wastewater

The Derby wastewater treatment plant is located south east of the main townsite off Conway Street. Although the treatment plant is located within the Water Reserve, its operation is considered to pose little or no threat to water resources due to the impermeable clay used for construction.

The capacity of the treatment plant is approximately 2,000 kilolitres per day and is currently at approximately 25 per cent capacity. Groundwater quality monitoring is undertaken in compliance with Department of Water’s licence conditions. The Water Corporation requires a buffer of 500 metres around the treatment plant in order to minimise the potential for land use conflict, especially in terms of noise, odours and visual impacts.

Parts of the Derby townsite (on the eastern side of Derby Road) are not connected to reticulated sewerage. The Shire of Derby–West Kimberley has continued to advocate for the Water Corporation to connect these areas through their infill sewerage program as opportunities have arisen.

Wastewater planning is recent (2011) and upgrades to Pump Stations Numbers 2 and 4 are needed. An upgrade to wastewater treatment plant scheduled for 2021, until work done, available capacity is a risk in medium term. Future land releases will need to be aware of possible servicing implications.

The Fitzroy Crossing waste water treatment plan is situated on Reserve 40827, Great Northern Highway, on the south side of the Fitzroy River. It is licensed for a maximum inflow of 700 kilolitres a day that is equivalent to approximately a 3,000 person capacity. The plant services the majority of the town. Bungardi, Darlungaya and Burawa utilise septic tanks and leach drains. Old and New Looma are both connected to a reticulated sewerage system.

7.17.6 Waste management

The Derby solid waste disposal site is located approximately three kilometres south of the town centre with access from Steel Street. The facility is owned and managed by the Shire of Derby–West Kimberley and is licensed by the Department of Environment Regulation.

The Shire expects that the solid waste disposal site is large enough to accommodate the townsite’s needs for at least the next seven years. The intention is to identify a site for a new waste management facility on the Blue Holes Road and to establish it concurrent with the construction of a road to Point Torment. The existing landfill would operate as a waste transfer station.

Fitzroy Crossing’s waste disposal site is located west of Plum Plain on Mangkurla Road, approximately three kilometres from the town. It is managed by the Shire and is licensed by the Department of Environment Regulation. A site for a new waste management facility needs to be identified.

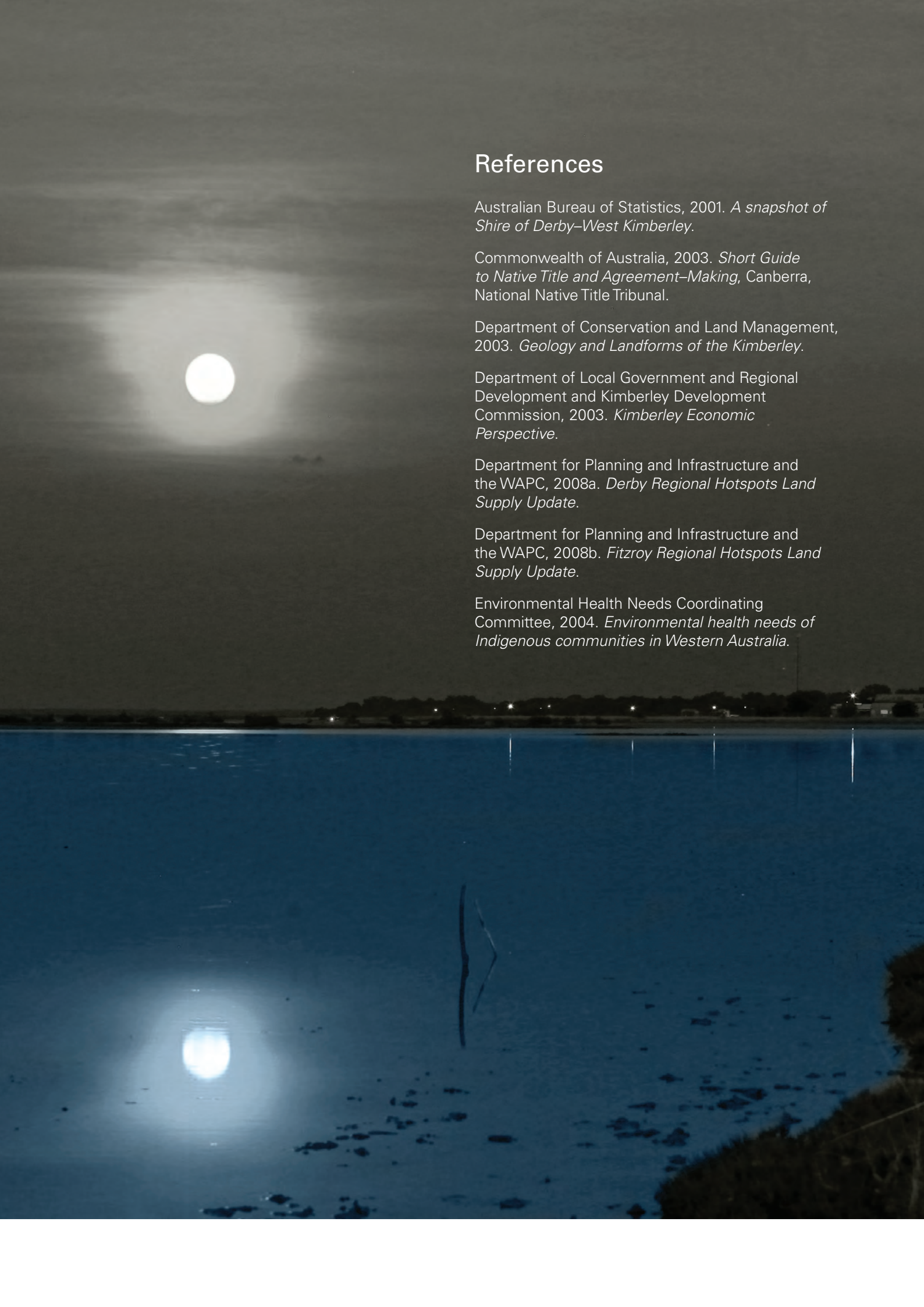
The existing Looma rubbish tip is located south of the sewerage ponds. The facility has recently been formally registered with the Department of Environment Regulation and has adequate capacity for future expansion.



Glossary

The following terms and abbreviations have been used in this document:

ALT	Aboriginal Lands Trust
DAA	Department of Aboriginal Affairs (formally Department of Indigenous Affairs)
DER	Department of Environment Regulation (formally part of Department of Environment and Conservation)
DoH	Department of Housing
DoL	Department of Lands (formally part of Department of Regional Development and Lands)
DoP	Department of Planning
DoT	Department of Transport
DoW	Department of Water
DPaW	Department of Parks and Wildlife (formally part of Department of Environment and Conservation)
DRD	Department of Regional Development (formally part of Department of Regional Development and Lands)
DSD	Department of State Development
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs (Commonwealth Government)
ILUA	Indigenous Land Use Agreement
KLC	Kimberley Land Council
KRSP	Kimberley Regional Service Providers
MRWA	Main Roads Western Australia
NNTT	National Native Title Tribunal
ONT	Office of Native Title
PLB	Pastoral Lease Board
SEWPAC	Department of Sustainability, Environment, Water, Population and Communities (Commonwealth Government)
TWA	Tourism Western Australia
UCL	Unallocated Crown Land
WAPC	Western Australian Planning Commission



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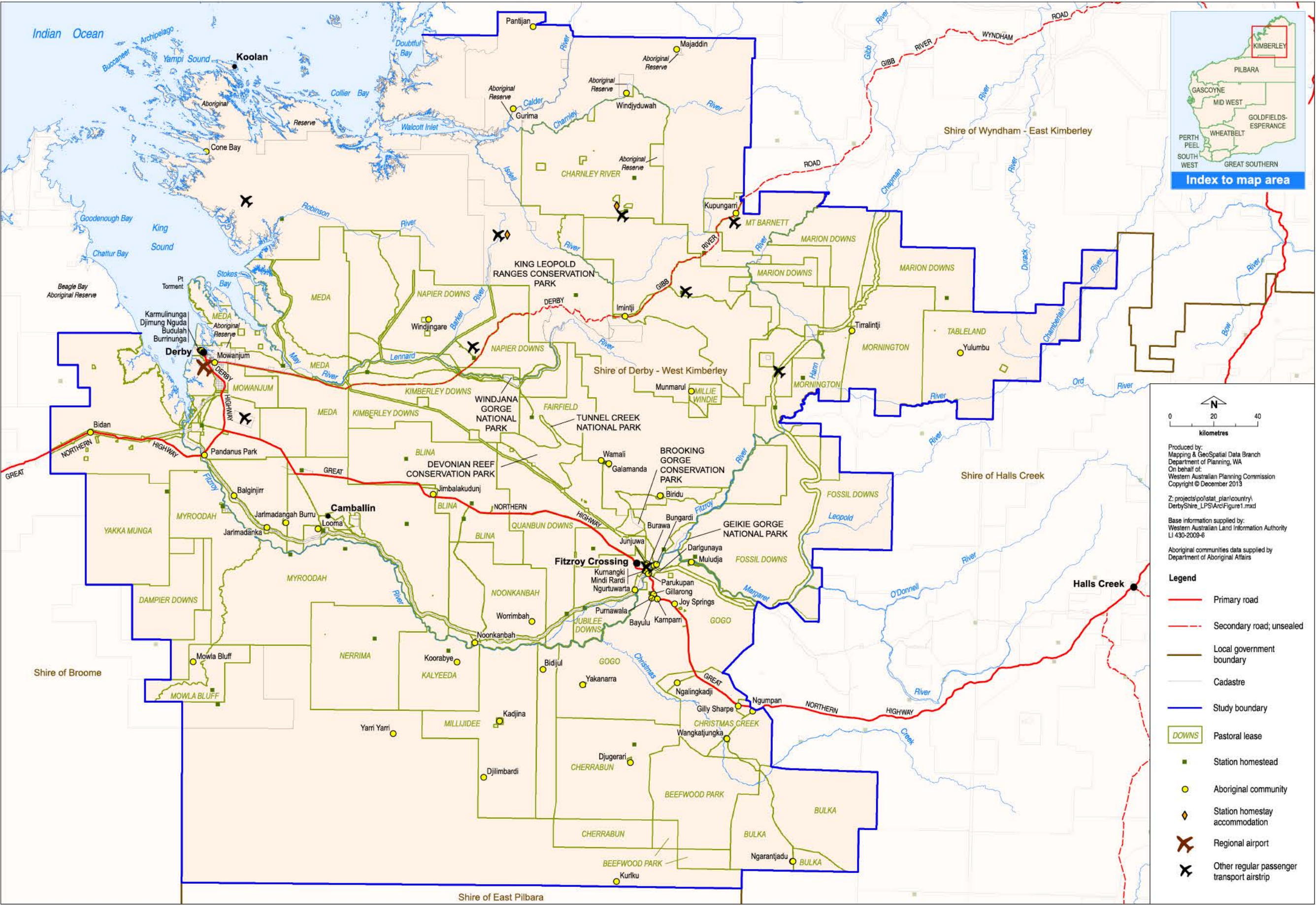
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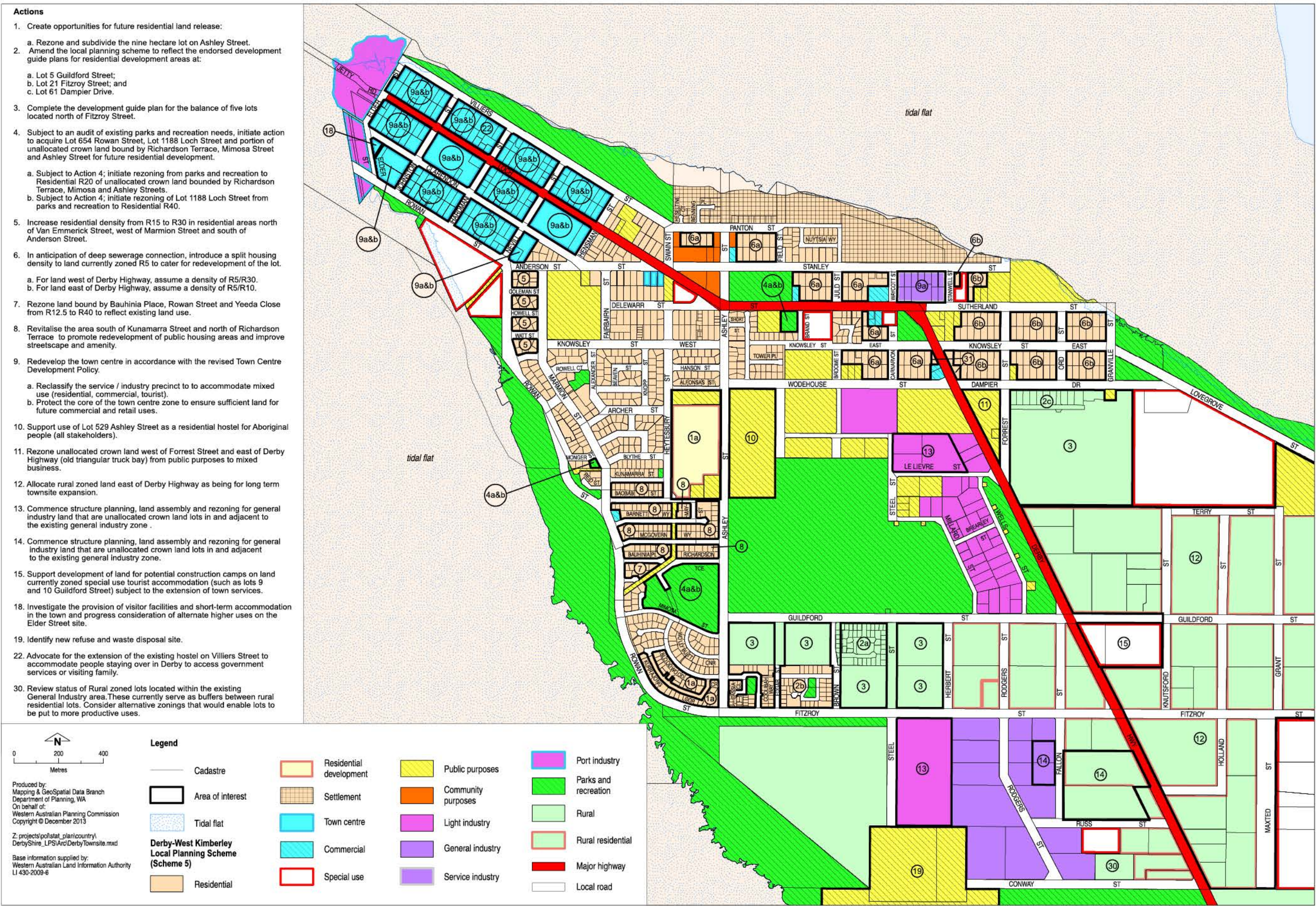




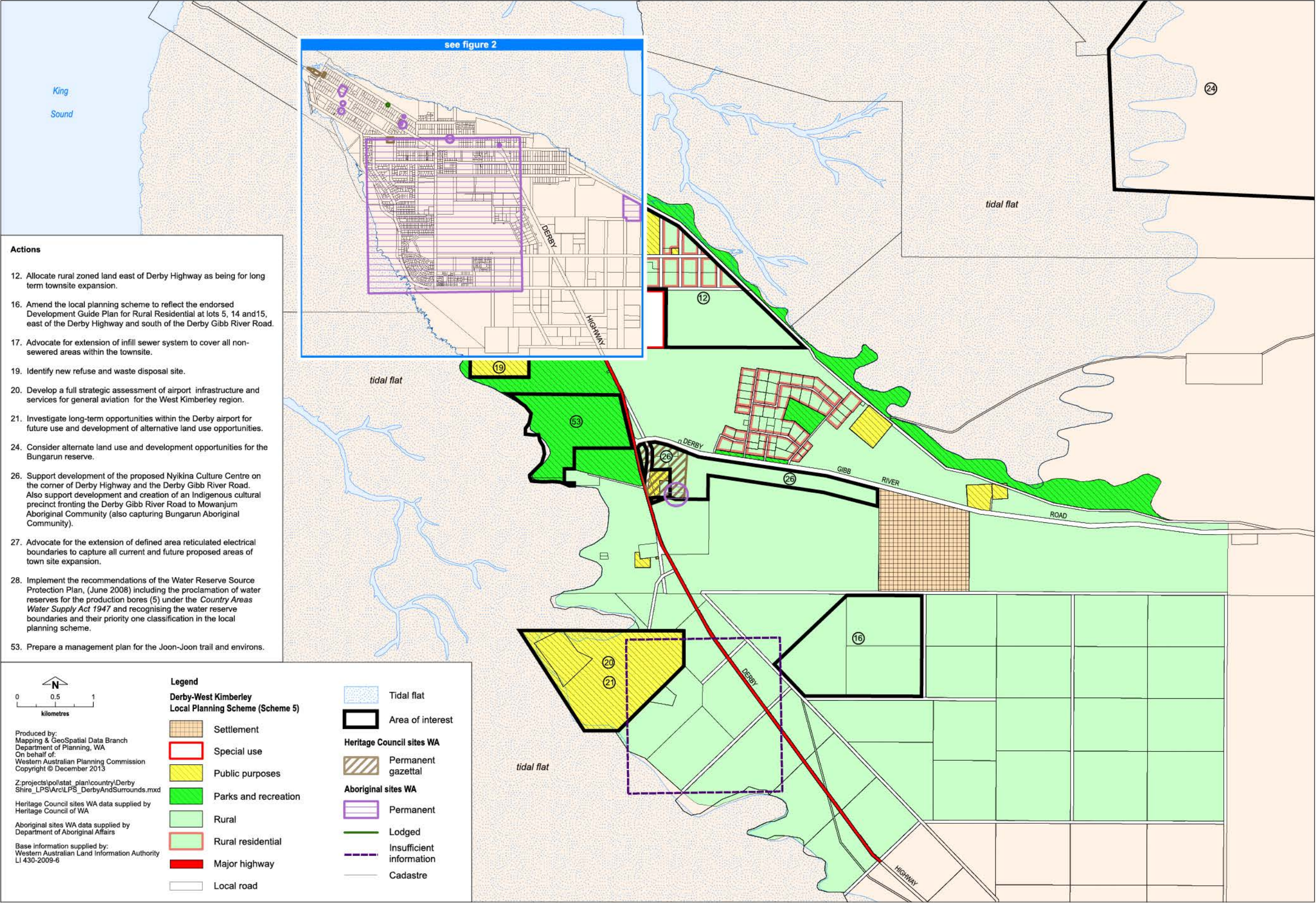
Map 1
Shire of Derby/West Kimberley locality map



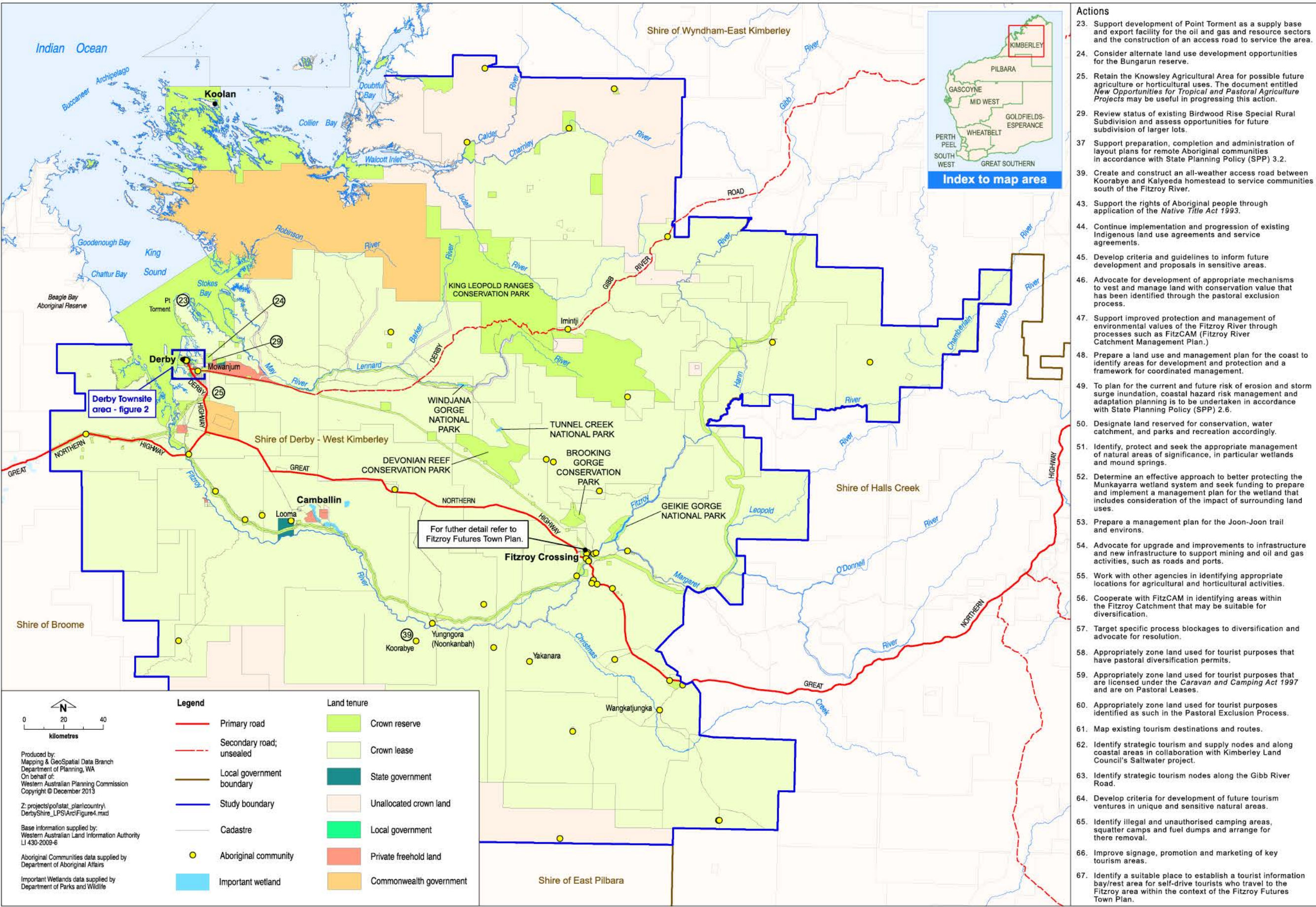
Map 2
Derby townsite



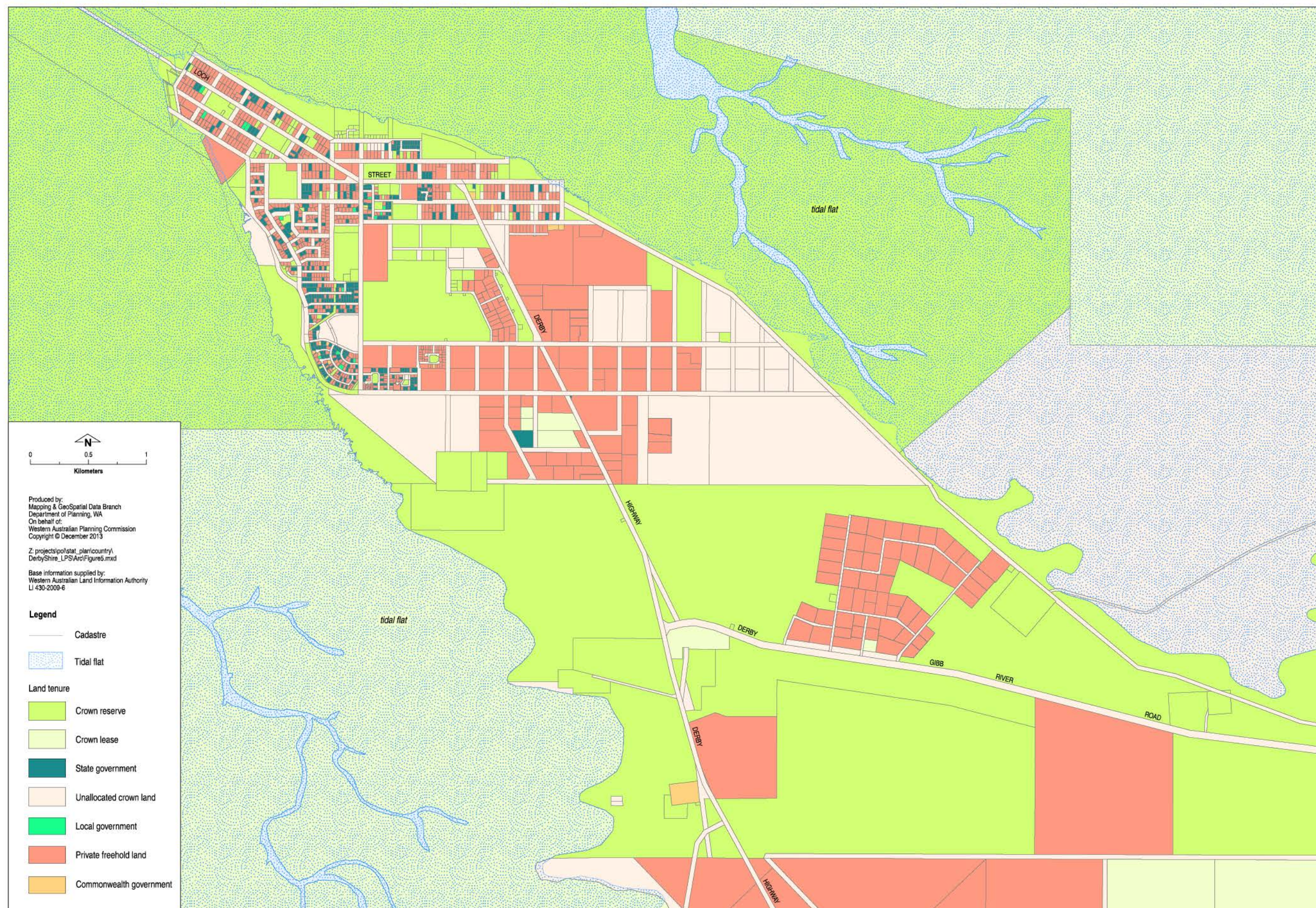
Map 3
Derby and surrounds



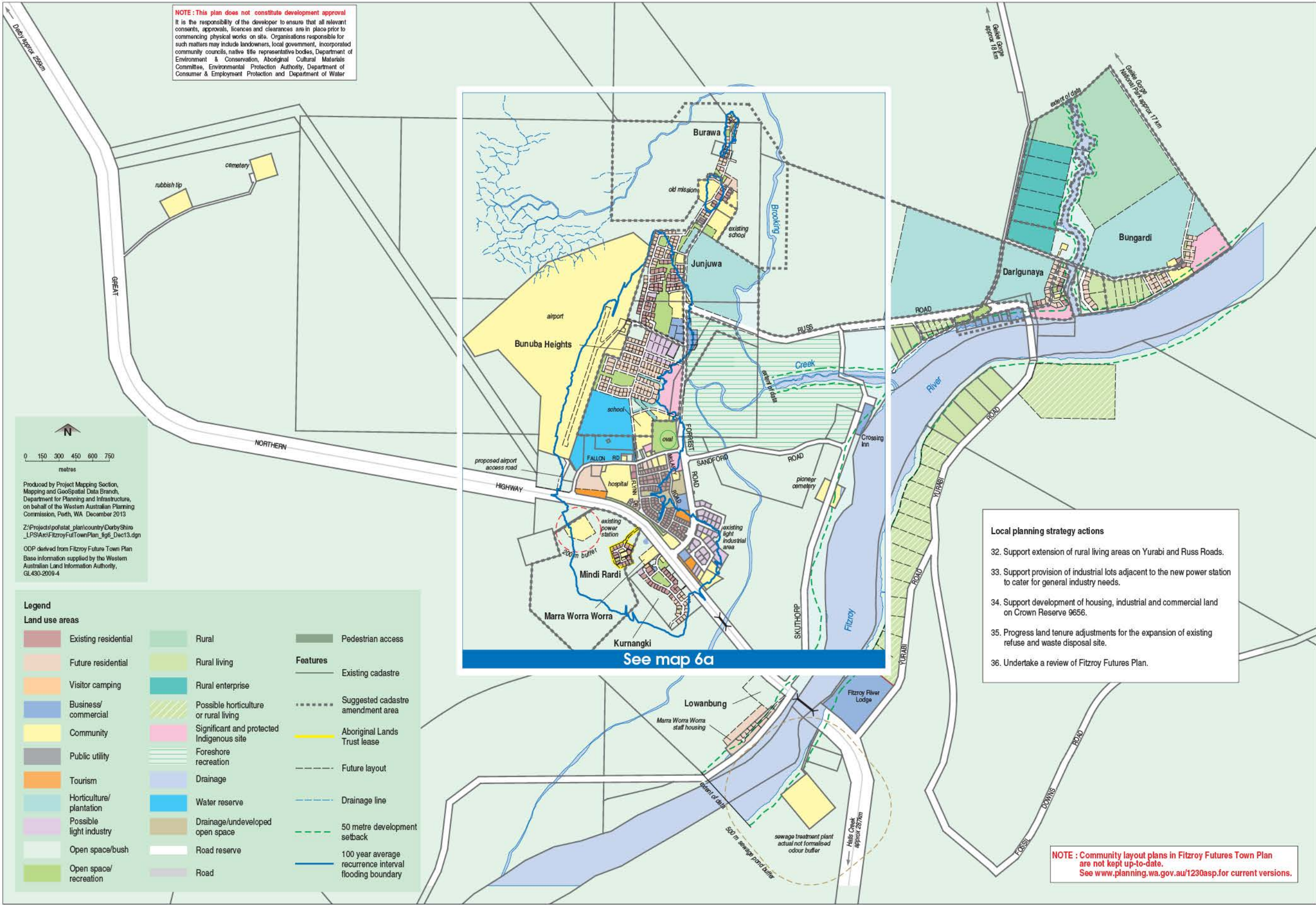
Map 4
Derby, Fitzroy Crossing, Camballin and surrounds



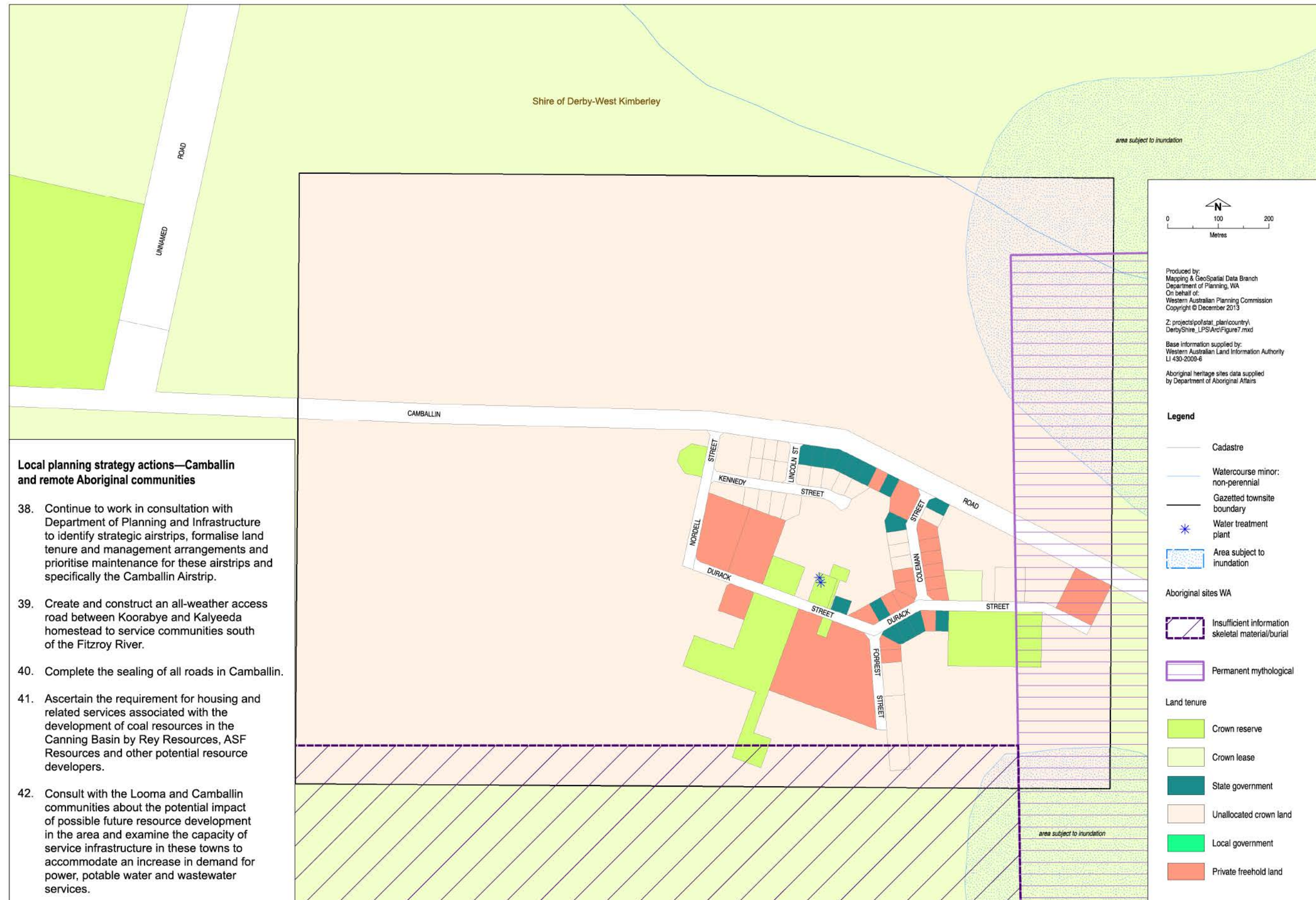
Map 5
Derby land tenure



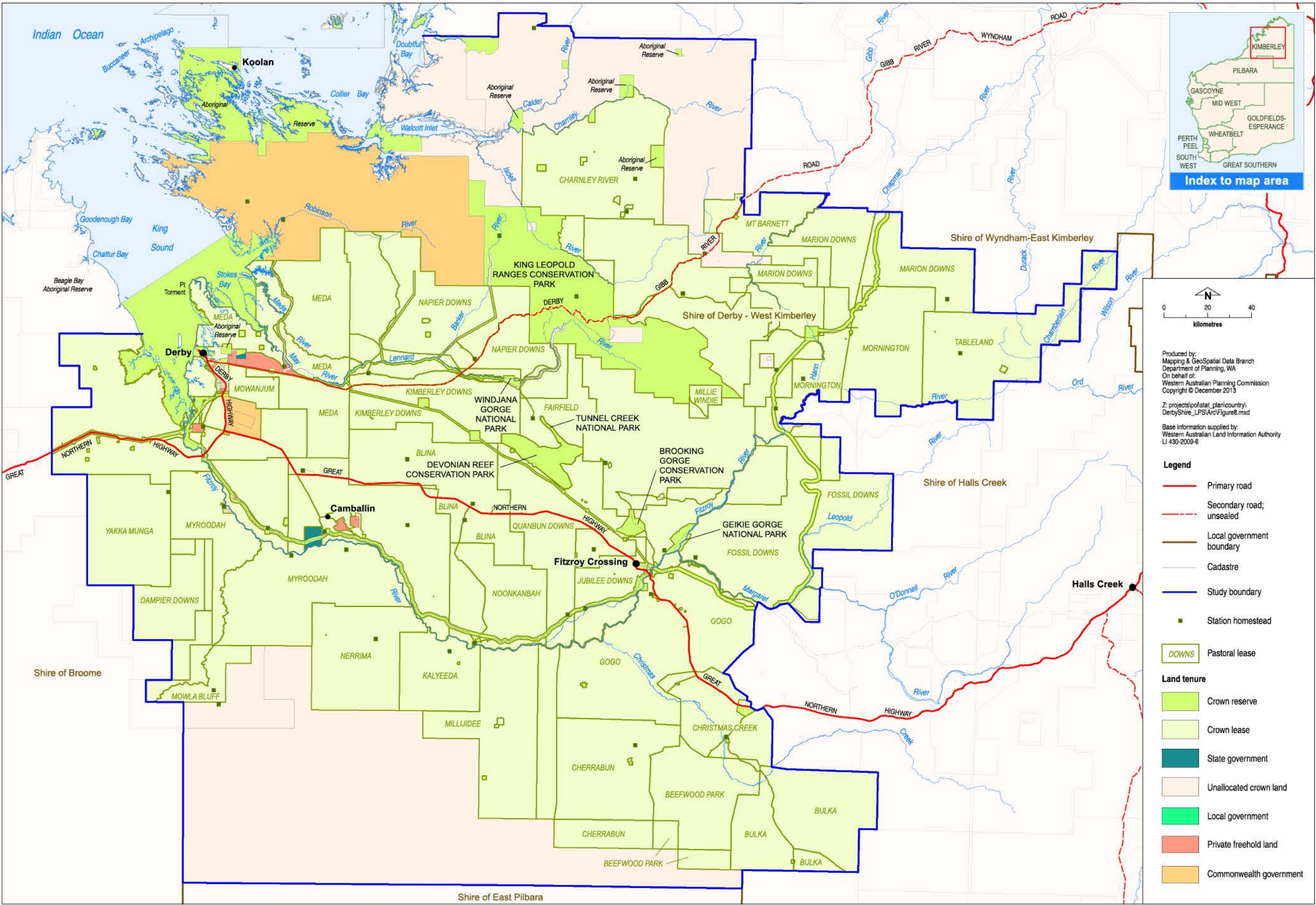
Map 6
Fitzroy Futures Town Plan (Overview)



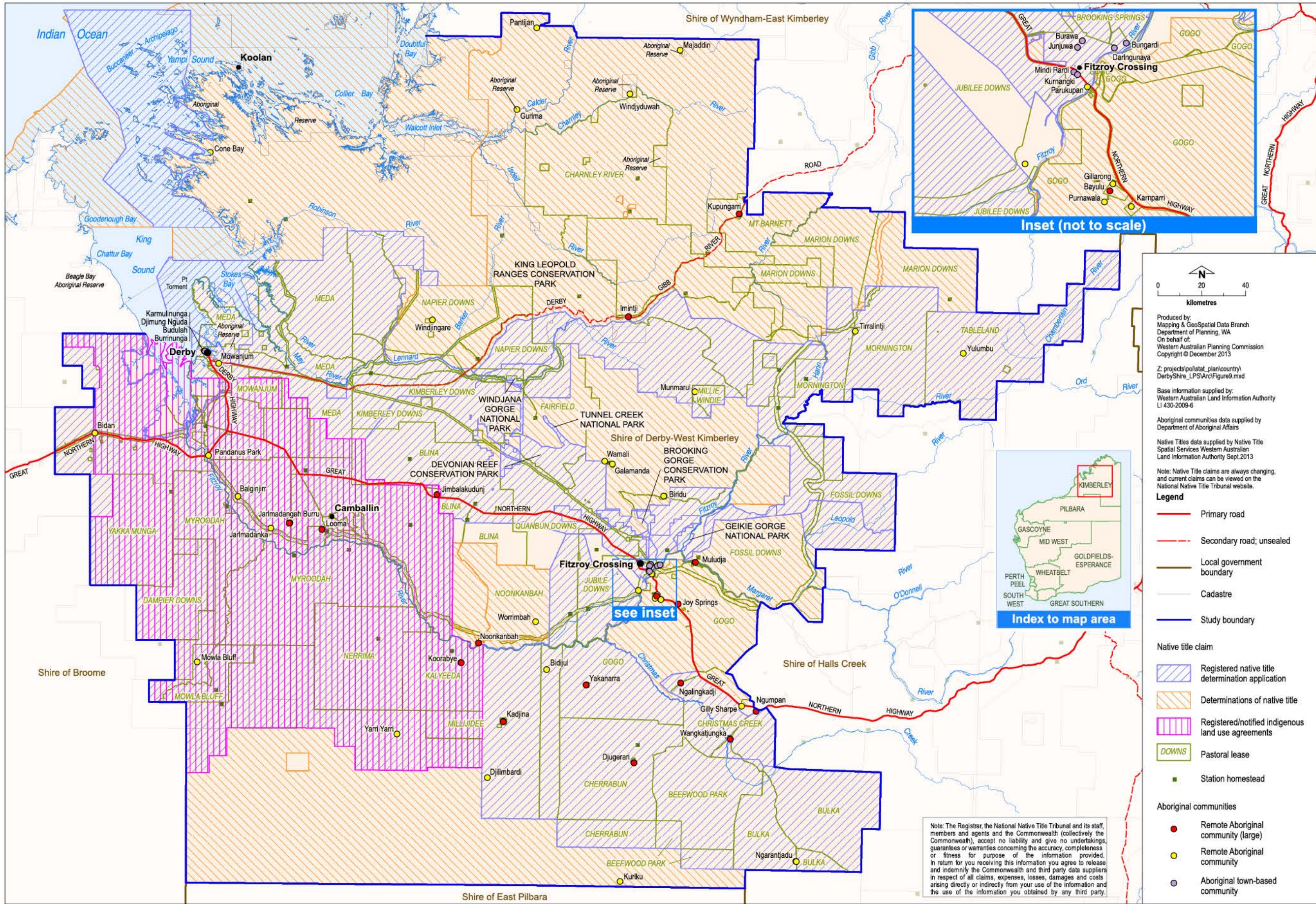
Map 7
Camballin townsite



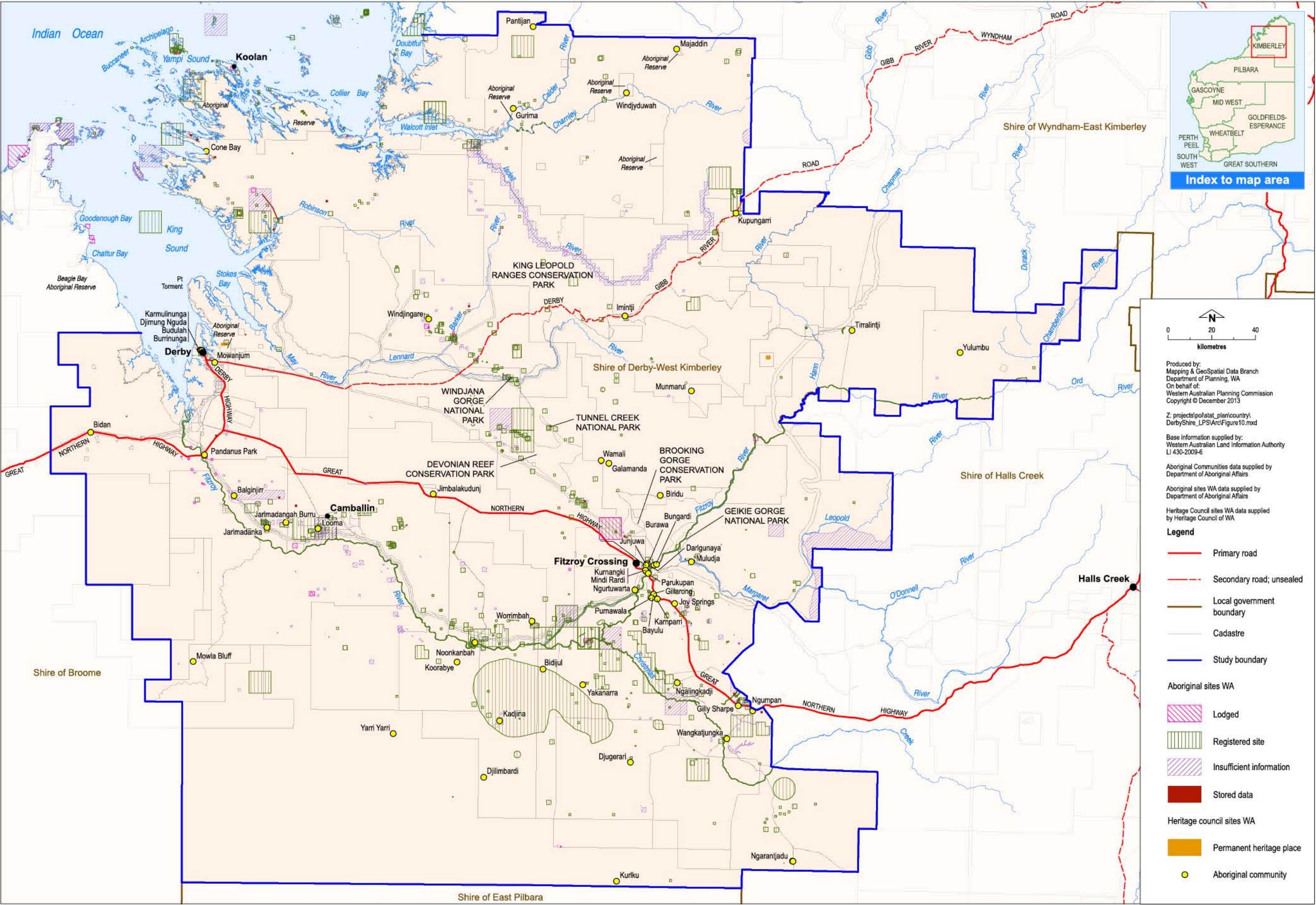
Map 8
Shire of Derby/West Kimberley land tenure



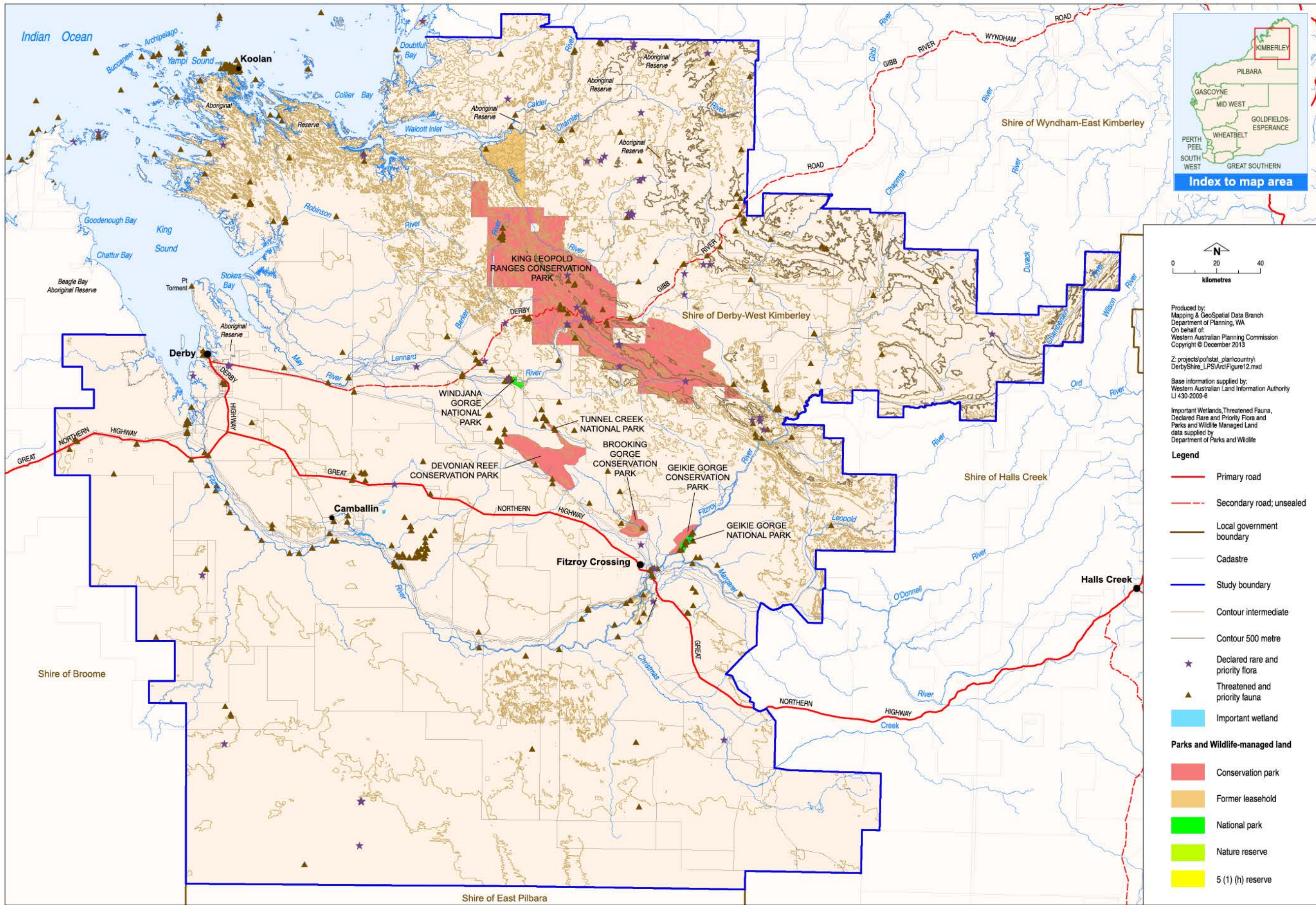
Map 9
Shire of Derby/West Kimberley native title and Aboriginal communities



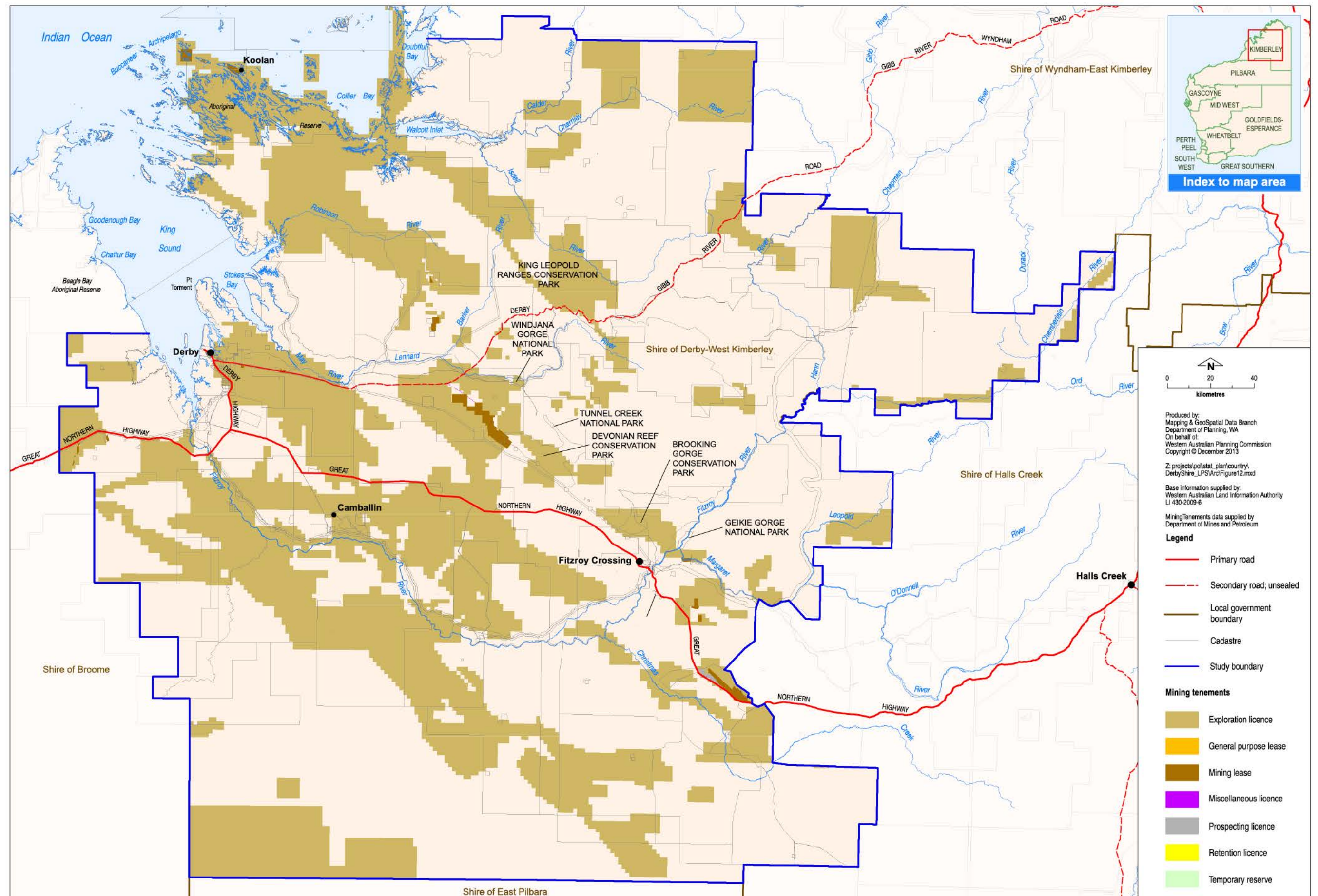
Map 10
Shire of Derby/West Kimberley heritage sites



Map 11
Shire of Derby/West Kimberley environmental assets



Map 12
Shire of Derby/West Kimberley mining leases and exploration areas



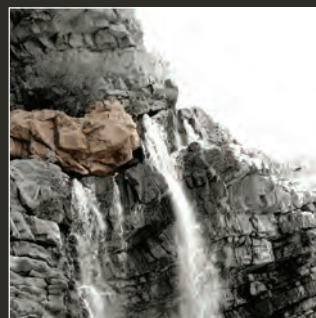
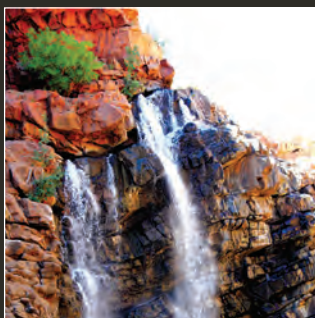


cover

Cate Gustavsson
Kimberley Boabs on Blina rangelands

section **one**

Melanie Houghton
Lennard Gorge



section **two**

Melanie Houghton
Fishing



section **three**
Melanie Houghton
Driftwood



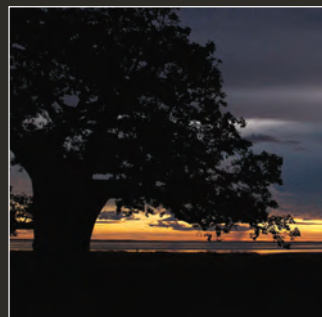
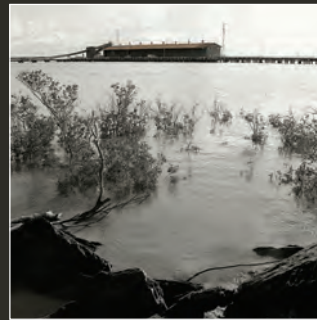
section **four**
Melanie Houghton
Glass sunset



section **five**
Melanie Houghton
Derby Jetty



section **six**
Melanie Houghton
Boab glow



section **seven**
Melanie Houghton
Boab sunset



section **eight**
Cate Gustavsson
Down the wire fence:
Kimberley rangelands



Other photo credits

Page

ii–v	<i>Melanie Houghton</i>	Altered rain cloud
2	unknown	Windjana Gorge
3	<i>Cate Gustavsson</i>	Sunset over Yeeda
13	<i>Robert Hadley</i>	Manning Gorge Sunset
15	<i>Cate Gustavsson</i>	Windmill
22	Shire of Derby/West Kimberley photo library	Black kites
24 left	<i>Cate Gustavsson</i>	Geikie Gorge reflection
24 right	<i>Cate Gustavsson</i>	A still Fitzroy River
27	<i>Melanie Houghton</i>	Galvans Gorge (Waterfalls)
54 left	<i>Noel Myers</i>	Derby port
54 right	Shire of Derby/West Kimberley photo library	Road trains
62	Shire of Derby/West Kimberley photo library	The new visitors centre
68–69	<i>Rumal Jayamuni</i>	Moon rising on high tide