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Western Australian Community Layout Plans: The Case of Ardyaloon

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WESTERN AUSTRALIAN COMMUNITY LAYOUT PLANS:

THE CASE OF ARDYALOON

By

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I dedicate this to my niece Savannah, your life is a blessing and your success is certain.
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ABSTRACT

The Western Australian Planning Commission, Planning Policy 3.2: “Planning for Aboriginal Communities” provides a framework for the planning of large permanent Aboriginal communities through Community Layout Plans. The policy also provides a basis for negotiation between Aboriginal communities and local government about planning control and fosters the development of cooperative strategies, which aim to minimize the need to use strict regulatory powers.

This author proposes that the CLP process is one that should be considered for emulation among historically oppressed communities here in the United States. CLPs are successful due to the fact that they provide direct representation for residents, a formalized system of plan preparation, and are official in nature due to their state authorization. Of specific intrigue is the facilitation of citizen participation that is embedded in the process, and the affect it has on the community and finished product.
CHAPTER 1

INTRODUCTION

Throughout American history, racial and ethnic groups have experienced the denigration or exploitation of their language and cultural practices. The process of exploitation has oftentimes been executed through social marginalization, and policy mandates (Umemto, 2001). Occurrences of exploitation are not unique to ethnic groups in the United States (U.S.); and in Australia, planning efforts are in place to help ameliorate the living conditions of Aboriginal groups. The inception of the Western Australian Planning Commission (WAPC) Statement of Planning Policy No. 3.2: Planning for Aboriginal Communities (Planning Policy 3.2) led to the formal adoption of Community Layout Plans (CLP). CLPs ensure that Aboriginal communities in Western Australia have a coordinated and formalized planning process. The need for such a policy stems from the historic inadequate delivery of services, and development standards in many of the large permanent indigenous communities. The CLP program results in community plans that are authorized by the state, which is vital in terms of plan validity as well as financial backing for proposed projects.

The purpose of this study is to shed light on an innovative process in the international realm of community planning. By focusing on such a unique strategy, lessons learned may be patterned from the Ardyaloon community that may prove useful in the U.S. The issues of culture, race, and class are not exclusive to the nation state of Australia. Throughout the world, neighborhoods and communities take on a very pronounced ethnic identity, and because of that, Aboriginal communities bear many similarities with ethnic communities found worldwide. Racial and ethnic identification can be associated with marginalized groups and oftentimes results in deferring methods of policy application. The CLP process represents an avenue for ameliorating disparities in the realm of providing service and city layout.

This author proposes that the CLP process is one that should be considered for emulation among historically oppressed communities here in the United States. Certain aspects of the program are very appealing to the climate of decentralized planning, as it currently exists in the United States. Moreover, the primary reasons for their appeal are that CLP successes derive from the fact that they provide direct representation for residents, a formalized system of plan preparation, and are official in nature due to their state authorization. Of specific intrigue is the
facilitation of citizen participation that is embedded in the process, and the affect it has on the community and finished product.

Like many plans here in the United States, CLPs are the result of governmental policy. It is here that this research attempts to establish the historical setting for their creation. As policy seeks to fulfill goals and objectives, many actors and stakeholders are required to take a role that helps shape and mold the resulting CLP. These groups will be discussed with additional focus given to their perceived motivation and desired results from engaging in the planning process. The analysis will delve beyond the roll call of participants to conduct overview of process and methodology. Taking into account that each CLP is designed to be unique to the targeted community, a stringent focus on process and procedures will help in conducting a general evaluation of the implemented planning policy. Analysis of CLPs concludes at the point of WAPC approval, it is from here that comparisons are made by observing popular theory surrounding citizen participation and cultural sensitivity in planning. The concluding assessment of this piece reflects on lessons learned from aspects of the CLP process that.
CHAPTER 2
HISTORY

Pre-colonization

Aboriginal people are the Indigenous population of Australia. They arrived in Australia by migrating from parts of southern Asia more than 50,000 years ago. It is widely accepted that as the earliest inhabitants of Australia, the Aborigines, arrived via the Indonesian islands (University of Wollongong, 2004). Of recent debate is the idea that the Aborigines were entirely nomadic before the emergence of white settlers within the past 200 years. The belief was part of the argument claiming that Australia was terra nullius - the Latin term for land that belonged to no one (Memmot, 2001). Much of the inequalities inflicted among Aborigines resulted from this concept that their culture lacked clearly defined and distinguishable permanent communities.

Colonization

Once a European presence was established, the Aboriginal way of life was immediately threatened. White settlers viewed the land as a commodity in which to be capitalized upon. “Aboriginal relationships with land do not readily adapt to European concepts of real estate and economics. European land administration -- intimately linked to the economic system -- does not yet have the vocabulary to readily adapt to an Aboriginal language of land” (ALT Review Team, 1996).

The process of European settlement began in the latter half of the 18th century. High demand for labor, the vastness of the land and new wealth based on farming, mining and trade made Australia a land of opportunity. Yet during this period, Aborigines suffered enormously. Foreign diseases caused illness and death among many colonized communities. Displacement and dispossession upset traditional practices and norms since European cultures and customs were foreign to the Aboriginal people. (Department of Foreign Affairs and Trade, 2009). As a result, Aboriginal land and resources were taken advantage of by European settlers.
20th Century

As white settlers began to take control of the land and establish a European form of governance, the relationship between them and the Aboriginal population hinged on the concept of assimilation. It was the view of the white majority that current living conditions and the cultures of the Aborigines were insufficient. In order to address this deficiency the Australian Government implemented policies to conform select Aborigines to a more Eurocentric way of living. Assimilation occurred in a fashion that diminished existing Aborigines cultures and traditions. Several policies implemented in the 1900s illuminate this fact. Nineteen thirty-nine marked the introduction of the policy of assimilation of Aboriginal people into European society. This policy, implemented vigorously under Minister Paul Hasluck was influenced by the great upheaval of the Second World War. However during the same time period a growth of grassroots movement began to occur in Aboriginal communities. Much of the focus during the 1920s and 30s were on mobilization to enact policy changes. One such organization leading the mobilization efforts of the time was the Australian Aboriginal Progressive Association (AAPA). The AAPA, led by activist Fred Maynard, was formed Sydney in 1924, and served as the first entity of united, organized Aboriginal political mobilization on a national level (Maynard 2004). Nonetheless, by 1945 Aboriginals still had virtually no rights in their own country. The West Australian Native (Citizens Rights) Act (1944) was an example of feeble governmental attempts at appeasing Aborigines. “The Act allowed a magistrate to decide that an Aboriginal could become a citizen, if he or she was of good character, lived a civilized life, could speak good English, and did not suffer from leprosy, syphilis, granuloma or yaws” (Peterson, 1998). Both of these acts functioned as a way to limit the amount of control and influence Aboriginals had on their cultural identity. The Commonwealth Citizenship and Nationality Act established in 1945 made all Aboriginal people Australian citizens. Over the next two decades, small victories were claimed in the political realm for portions of the Aboriginal population. During this time period, the Federal Council for the Advancement of Aborigines was established in 1958. Later known as the Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAA TSI), they helped to enact key policy in the 1960s.

In 1962, Aboriginal people finally won voting rights for Commonwealth and Territory elections, due to the work of varied mobilization efforts (Wilmsen, 1996). A victory in the realm of access to the political process was pivotal as it represented a major breakthrough in the
struggle for Aboriginal rights. Two years later a comprehensive social welfare Ordinance was enacted that lifted all major restrictions on Aboriginal people. The 1967 referendum removed the constitutional barrier to the Commonwealth Government and provided the power to legislate for all Indigenous people. These political victories, while pivotal, did not represent the end of Aboriginal hardship.

An example of the displacement and dispossession that disrupted traditional lifestyles of Aborigines, as well as their agency against such oppression is documented in the following account (National Archives of Australia, 1976):

Organized Aboriginal protest against poor living and working conditions on cattle stations began at Newcastle Waters in 1966 and continued at Wave Hill from 1968. In 1963, Yolngu people at Yirrkala sent petitions to Parliament to protest the excision of more than 300 square kilometers of their land for bauxite mining. Their battle was lost in the Northern Territory Supreme Court decision in Gove Land Rights case eight years later, with judgment against them.

The establishment of the Western Australia Aboriginal Lands Trust occurred in 1972 under the Aboriginal Affairs Planning Authority Act (ALT Review Team, 1996). The significance of this trust is that it established the basis upon which Aboriginal people had the first legal opportunity to claim rights to land based on traditional occupation. Moreover, this act was the first one of its kind, and set precedence within Australian law (National Archives of Australia, 1976). These policies were some of the first steps toward formal designation of Aboriginal communities.

**Modern Day Efforts**

Many modern efforts targeted toward improving the lives of indigenous communities throughout Australia suffer many similar obstacles. These obstacles include; difficulty identifying and locating communities, lack of reliable statistical information, and few established contacts within these communities. Groups like the Aboriginal Affairs Legislative Review Reference Group championed many of these efforts, some of which led to the WAPC Planning Policy 3.2.

The 2004 report from the Environmental Health Needs of Indigenous Communities in Western Australia identified 274 remote Indigenous communities in the state (Department of
Indigenous Affairs, 2005). With the locations of these communities spread out over the most rural locations of the state obtaining a list of the exact geographic and demographic information for the entire group is virtually impossible. The map in Appendix A identifies the geographic disparity of Aboriginal communities located in Western Australia.

As the Aboriginal people were left to commune in rural regions scattered across the continent it became apparent that adequate policies addressing neighborhood planning in a typical sense failed to be sufficient. In the Education and Health Standing Committee of the Western Australian Parliament 2008 report on successful initiatives in indigenous communities, it was identified that the findings from data sets were insufficient. This sentiment is evident in the third finding of the DIA Report (2005) as stated here;

*There is a lack of co-ordination and collaboration in the consistency, scope and collection timing of data surveys conducted in remote Indigenous communities by State and Federal agencies. This creates data sets that are inconsistent, unreliable and incomparable, resulting in flow-on effects for the development of new policies in Indigenous affairs (e.g. per capita funding calculations, resource distribution and variable service provision calculations).*
CHAPTER 3

HISTORY OF RACISM

Race is a prevailing feature veiled within most activities of planning that more times than not is the last approach used to frame the problem (Mier, 1994). Race relations have been a key issue throughout many aspects of Australian life. For example, the disparities in health are stark, taking into consideration that the life expectancy at birth for Aboriginal people is approximately 20 years less than that of non-aboriginal people (Henry, 2004). In rates of land ownership, a particular measure of wealth, the percentage of non-Aboriginal people is significantly higher than that of Aboriginal people. This disparity is evident throughout Australia; Figure 1 depicts land ownership rates of Indigenous populations as compared to the total population of various areas in New South Wales (NSW).

![Figure 1. Indigenous Land Ownership Rates in New South Wales, Australia. 2000 Source: ABS 2001 Census of Population and Housing](image)

In Figure 1, the highest percentage of indigenous ownership occurs in the city of Sydney and is just below 40%, while comparatively the lowest ownership figure reported for the total population is just below 70%. Taking into consideration that the Indigenous population is accounted for in the total population figures, it can be concluded that the percentage of land ownership for non-Indigenous people is even greater than those reported for the total population. Racial issues have recently increased in prominence as an object of debate amongst politicians
and legal authorities (Augoustinos, 1999). Considering the inequitable distribution of power and resources, race has often manifested itself in ways detrimental to Aboriginal people. The prevailing theory of the late 20th century was that the racism directed toward the Indigenous people of Australia had become more covert as overt cases of racism are deemed culturally unacceptable. Augoustinos (1999) argues that this has been replaced with a more subtle and socially acceptable variant, known as ‘modern’, ‘symbolic’, or ‘subtle’ racism. However, Mellor (2003) argues that subtle racism is the viewpoint of the perpetrator, and not necessarily representative of decline in experiences of racism reported by victims. In the Western world, racism does not always manifest itself in the subtle ways presumed by popularly theory. Mellor (2003) then concludes that categorizing types of racism ignores the larger fact that racism still impinges directly on the daily life of victims. This is significant when addressing the role, and or responsibility of authority. Following modern aspects of racism, liberal notions of individualism are constructed that portray minority disadvantage as the result of personal shortcomings, and therefore structural intervention by governments is unwarranted.

Existing conditions in Aboriginal communities are greatly inferior to that of white communities. Aboriginal communities lack many of the standard services and amenities deemed normal. The uncoordinated approach service delivery in many of these remote communities has led to much of this disparity including inappropriate location of housing. Services are often provided haphazardly such as water supply, sewerage, power and roads (WAPC 2000). These existing circumstances speak toward the necessity and relevancy of the planning profession in taking on the charge of normalizing services toward Aboriginal communities.
CHAPTER 4

LITERATURE REVIEW

Historically there has been little or no focus placed on Aboriginal planning. As it currently stands, official Town Planning Schemes frequently omit these communities. Subsequently, the literature reviewed for this research includes planning, policy analysis, and the active roles of participants in the policy formulation process. However, before assessing ways in which planning facilitates the normalization of Aboriginal communities, a claim must be made for why planners are essential in addressing the conditions of minority communities. Lane (2005) builds such a case:

... planning is a relevant discipline for a number of reasons: it is fundamentally concerned with the organization and management of land and resource use; it is commonly concerned with mediating between diverse claimants in the use of urban and rural landscapes; it has a problem-solving focus; and it has a future-seeking dimension that means it is concerned with improving the circumstances of human existence, commonly expressed as equality and sustainability. Most important is the emancipatory role of planning, its potential to transform the structural dimensions of oppression.

This theory expressed by Lane promotes the idea of the planner as more than just a facilitator, but one of advocate. The review is split into two sub sections. The first will be concerning the aspect of citizen participation. The latter focuses on culturally sensitive planning aptly titled planning for difference.

Citizen Participation

The unique opportunity for public participation within the process of planning makes it a prime field to address the direct concerns of citizens. With this taken into account the efforts of planning agencies must make sure to avoid marginalization of its targeted population. In the management plan for the World Heritage Area in Queensland, Lane (1997) points out that much of the control of land development and ideology was, in fact, stripped from the indigenous population throughout this process. The stripping of control from indigenous people stemmed from the management authority ineffectively taking into account, and understanding; the unique
perspectives, ideals, and concerns, of the diverse Aboriginal culture (Lane, 1997). This outcome falls far short of the ideals inherently promoted by the profession of Urban Planning. As it pertains to Aboriginal populations, Lane (2006) surmises that we are responsible to protect, advocate for, and help develop their user-defined objectives through a community-based planning approach. (Lane, 2006).

Scholarly work in the field of analyzing participation, questions who participates, how participation occurs, and why participation is important. Arnstein (1969, pg.1) states “…participation without redistribution of power is an empty and frustrating process for the powerless “. In an effort to decipher between legitimate and illegitimate participatory planning efforts, Arnstein (1969) developed the ladder of Citizen Participation. Ranging from non-participation to citizen power, these rungs of the ladder show variations in activity with a central locus of the community. Of particular instance are the three distinct groupings of citizen participation established. The lowest group, non-participation, is characterized by masked attempts of power holders to form the opinions of the masses under the guise of participation. As it currently stands, Australian public involvement often times consist solely of public exhibitions. It can be argued that these exhibitions may have levels of mid-level of ‘tokenism’, as described by Arnstein (1969). Informing and consultation were deemed forms of tokenism due to the lack of power held by citizens to insure that positive action will be made on behalf of their voiced concerns. This is the general result of typical review periods as presented by Lane (1997). At the upper rungs participants theoretically experience what Arnstein (1969), refers to as citizen power. As citizens evolve their level of influence into decision-making clout resulting plans are proposed to become more representative of individual desires. Active participation alone though has been unable to address the powerlessness of the ‘have-nots’ in the last four decades since the initial publishing of the ladder theory.

Following this work, some planning scholars switched from an activity analysis toward a more results based focus of empowerment. According to Rocha (1997); Arnstein (1969) used an approach that identifies individuals but does not focus on the actions of planners. The actions of planners should be used to place the focus on the power exchange that occurs in the planning process. Through this process planners have the ability to facilitate the actualization of influence for the citizens (Rocha, 1997). If it is agreed that policy has influence over decisions made and
programs adopted, then it is conceivable that herein lies the focal point of analysis. Moreover, if policy has the power to influence, for whom is the adopted policy benefitting?

A mainstream strategy utilized that produced mixed results has been visioning. Shipley (2002) questioned whether or not visioning represented sound theory. Acknowledging the emergence of visioning as an applied planning strategy from the mid 1980s throughout the 1990s, Shipley defines this process as “the notion of creating images of the future to serve as goals or guides.” This often-used phrase visioning began to refer to any process involving public participation. Shipley sought out to examine the validity of most common conceptions of visioning. The four statements produced in his study that prove most pertinent to this analysis of international planning for minorities are the following: 1. “A strong, shared community vision is possible to articulate;” 2. “The broader the involvement in creating vision goals the more effective those goals will be in bringing about social harmony and well-being;” 3. “People who might not otherwise be included in planning will be involved in visioning;” and 4. “All people are equally capable of creating future images and are equally interested in pursuing and inclined to be motivated by future images.”

The statement “A strong, shared community vision is possible to articulate” purports the idea that visioning will enhance the ability for plans to be culturally sensitive. Shipley strongly disagrees with this statement, and argues the opposite. In practice, plans of great vision are much less participatory and more akin to great leadership and direction from influential individuals. As it pertains to the idea of broad involvement and social harmony, Shipley presents a case where genuine planning for the local area was only possible when the indigenous culture was understood. This involvement has also been reported to create an empowered citizen base, more inclined to hold planners and policy makers responsible for stalling agreements. Based on observations, visioning exercises have increased the amount of involvement to include diverse groups of participants (Lane, 2005). For a planning process to be truly transformative, it must empower people to create the images of their future, and strive to achieve these plans (Lane, 2005). Shipley states that the most troubling belief behind visioning is that it is in fact open to any and everyone. Many examples that show exceptions to these (mis)conceptions are derived from academic disciplines outside of planning.

Psychological research discredits the common statement of “All people are equally capable of creating future images and are equally interested in pursuing and inclined to be
motivated by future images.” This is less a knock against democratic pursuits, and more a statement of the fallacy of assuming a universal view of the future. Specifically the lack of uniformity with individuals as it pertains to future desires, and to assume so would be unrealistic. Instead a focus on identifying the appropriate channels to express desired outcomes for the future is essential.

Once the proper approaches and exercises have been determined, Tauxe (1995) argues that ameliorating outcomes are not derived solely from the presence of efforts and mechanisms to involve residents in planning. Outcomes that improve the planning process do so based on the assurance that local voices will not be relegated to lower levels of authority in the face of political pressures. Only through greater cultural sensitivity is it argued that planning can avoid marginalization of vulnerable public participants.

**Planning For Difference**

The focus on the Australian system illuminates the challenges that are ubiquitous throughout planning. This universal application, or desire to strive for universal goals, fails to inherently address difference and subsequently fails to properly plan for targeted groups. Sandercock addressed this topic in her work Cities of (In)Difference and the Challenge for Planning (Sandercock, 2000). She argues that the focus for planning specifically in these regions is not only involving participants, but also embracing differences. The chief ideal is that claims toward a city are not universal across population groups. Groups are often differentiated by ability, age, class, ethnicity, gender, religion, and sexual preference, and their claims around aspects such as the built environment vary. Sandercock argues that the concepts of “right to the city” and “right to difference” represent the key toward constructing a proper built environment. Proper in this instance represents plans that are responsive, tolerant, and accepting of differences while cultivating an environment that supports, or properly acknowledges unique values. The right to city concept is based on the work of Lefebvre (1996), originally produced in the 1960s. His chief observation was that the function of the market (as it existed in 1960) did not aid in representing the city as an intangible value similar to a work of art, but instead placed value on use exchange and observed the city more akin to a product.

Lefebvre (1996) fails to take his analysis of rights and access to an observational level other than that of class. This idea of evaluating groups on the level of cultural identification is
important for this work, as CLPs are more targeted specifically at a cultural group of individuals than a specific class. While there is undoubtedly linkages between social economic standing and community racial composition, (Crowder, 2001) this work is looking at specific differences in planning for Aboriginal communities. Sandercock ultimately resolves that we need to pay attention not only to claims based on class but also to embrace a broader notion of “the right to difference.”

This right to difference approach produces a reflection on necessary changes in practice, changes that will affect the way in which professionals understand, act, and respond. Neither the literature of planning nor recent experiences in planning practice explain, or lay out a charted course for how to achieve this ideal (Milroy, 1999). Sandercock introduces categories that are important to be addressed in future research (gender, age, sexual preference, and income) and how they intersect with individual values and proper planning for areas. It appears to this author that the ultimate desire of her work is to establish federal mandates for multicultural practices of planning. This would consist of adopting strategies of planning, and policy formulation that respect “different claims on the city for a full life and, in particular, on the built environment” (Sandercock, 2000).

The reoccurring theme of value and culture perspective is echoed by Jackson (2000), in her work on water resource management in the Northern Territory. Her primary assertion is that decisions made concerning water management in indigenous areas would be remiss by ignoring the significance placed on water as both property and an element. The natures of these values are concluded to be unique to both specific user groups as well as geography. It can be asserted that efforts enacted in Aboriginal communities cannot assume that methods that work best for one group will be sufficient for all. This is significant when dealing with a program implemented over an area as vast as Western Australia (Jackson, 2005).

Many different methods and approaches are presented on the topic of how best to plan for Aborigines; the participatory approach presented by Moran (2004), utilizes a four-category matrix as presented in Table 1. The adoption of a participatory approach was due to Australian literature on the topic of service delivery in Aboriginal communities. The results of said research found the former planning process to be a very centralized, top-down approach. This program-based strategy results in an approach that is more imposing as opposed to accommodating. To be specific, participatory planning as Moran refers to it is “developmental in nature, and is
otherwise known as community development planning or community-based planning.” Ranging in varying degrees of participation and direction of activity; Ritualistic, Placatory, Autocratic, and Developmental, were used to describe types according to Beneficiary Participation.

**Table 1. Types of Indigenous Planning according to Beneficiary Participation**

<table>
<thead>
<tr>
<th>Periphered, to the decisions and actions of the community</th>
<th>Directional, relevant, linked to the directions and actions of the community</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Centralised</strong>, involving only a small section of the community, usually elites and leaders</td>
<td><strong>RITUALISTIC</strong> (going through the motions: &quot;top down&quot; with token consultation only)</td>
</tr>
<tr>
<td>Participatory, involving the whole community (Council, elders, women, youth, etc.)</td>
<td><strong>PLACATORY</strong> (&quot;wish list&quot;: not linked to action, implementation and decision making)</td>
</tr>
<tr>
<td><strong>AUTOCRATIC</strong> (decisions made by an individual, elected council or interest group)</td>
<td><strong>DEVELOPMENTAL</strong> (non-manipulative participatory process involving whole community, linked to community action and decisions)</td>
</tr>
</tbody>
</table>


In Table 1 the ritualistic type represents a centralized peripheral approach similar to that of the top down, more traditional, methods. This approach is often the result of a desire by the planner to” promote the production of planning documents because of their putative power to attract program funds. The placatory approach while albeit less centralized, represents a communal “wish-list” form of the peripheral approach. In this setting “the planning process becomes an end in its own right - perhaps useful as a social activity in the short term, but bound to generate cynicism and "apathy" in the long term” (Boothroyd, 1986). Neither of these types satisfies the need for direct representation, and accountability for citizens concerns in the planning process. Autocratic planning is “effectively linked to action and decision making but it is centered in one person or group whose values, perceptions, and often interest, become paramount” (Boothroyd, 1986). What the autocratic type misses that is present in the developmental, is the opportunity for direct input from all participants. Due to this assessment, it is perceived that the best way to approach planning for Aboriginal groups is achieved by following the developmental type. The developmental type of indigenous planning is
characterized by directional decisions, and a participatory planning approach. Taking this into consideration, the only approach that promotes the maturation of the whole community in its outcomes and processes is the developmental planning approach. Moran (2004), analyzed the efficiency of participatory planning, and it proved to be contain areas of success as well as shortcomings. The successes were in the areas of housing, infrastructure, and technology introduction. The technology was significant, in that it supported the idea that long term capacity building is the more efficient approach to dealing with cultural differences. The shortcomings are rooted in the examined penchant on the built environment, which tends to ignore more qualitative issues.

After an explanation of the methods used in this research, this study will attempt to tie together the contemporary theory with the practice of CLPs as presented in the Ardyaloon case study. The key tenets of the literature are summarized in the work of Lane (1997, 2005, 2006), Sandercock (2000), and Arnstein (1969). Lane focuses on the necessity for planning to work as a transformative approach for indigenous communities. Sandercock carries this ameliorative perspective as well and lobbies for planning and policies to value the diversity of stakeholders affected by the process. The involvement of Ardyaloon community citizens in the development and implementation of the CLP will be compared to levels of citizen participation depicted by Arnstein (1969).
CHAPTER 5

METHODS

The essential inquiry of this research focuses on whether or not the CLP process is one adequate for emulation here in the U.S. Attempts to answer this question revolves around gaining a better understanding of the process. Once it is established that the existing program is one that is successful, and that the parallels between community types in both regions of the world exist, the prospect of program duplication can be analyzed.

In order to prove the success of CLPs it is necessary to extract specific highlights or characteristics of the program that support the notion of the success of the program. I propose that CLPs are successful because they provide direct representation for residents, a formalized system of plan preparation, and obtain official status from state authorization.

The primary data source for this analysis consists of official documents. The formally adopted CLP process has its origins, methods, and results all thoroughly documented, this insures both the validity of the findings as well as reliability of replication of their efforts. In the case of Ardyaloon, the documents analyzed include the plan itself; plan provisions that outline the objectives, and the layout design map.

The CLP developed for the Aboriginal Community Ardyaloon functions as the single case study for this research. This method provides an empirical inquiry that investigates a contemporary phenomenon within its real-life context (Yin, 1984). The overall objective was to learn more about the specific practice of CLP preparation, resulting in a qualitative determinant on whether or not the process has best practices that should be extended to the United States system. The exploratory nature of this research does not allow for generalizations about the overall structure of the system, but instead it provides a detailed analysis of the micro level of this process. Of particular importance is analyzing how citizen input is processed and responded to on individual levels, which this targeted level of analysis allows for.

Limitations

The initial approach of this research sought to include direct accounts through telephone interviews. Telephone interviews offer the benefit of being less expensive and time consuming than face to face interviews (Dillman 2007). The reasoning behind seeking the interview medium
was to gain a greater qualitative perspective on the positives and negatives of the CLP process. Individuals requested to contribute would have included those who were directly involved in the planning process, as well as residents within affected communities.

Ultimately, the inclusion of first hand accounts was presented with several obstacles. The primary obstacle was that of geographic distance. Conducting an analysis on a program occurring over 9,000 miles away significantly increases the costs affiliated with all direct forms of communication. Coordinating and scheduling across a 14-hour time difference posed many difficulties as it pertained to viable times for conducting interviews. As a consequence direct telephone interviews were not conducted in this analysis.

Attempts at depicting direct parallels between Aboriginal communities and communities in the U.S., ran into a couple of obstacles. Specifically, two concerns that posed challenges for this research were proximity of targeted communities to urban areas, and the breadth of the planning culture in Australia.

As it pertains to proximity, many of the communities participating in the CLP process are located in rural areas. These remote communities are isolated and completely disconnected from the cities of the region. Planning Policy 3.2 focuses on service provisions, large infrastructure, community identity and cultural protection. The focus on services and infrastructure is a direct result of the spatial distribution of these communities. However, in the U.S., many minority communities are located within existing jurisdictions and metropolitan areas that already have large infrastructure in place. Provisions of services are usually provided by the county or city in which the community is located. The focus of a CLP process in the U.S. would be targeted more toward issues of community development and neighborhood identity. The presence of existing plans and planning areas, which include these U.S. communities, does not invalidate the need for a citizen engaged planning process.

Regarding the planning culture in Western Australia, many factors may influence the success of the WAPC implementing policies. As a result, this author faced significant difficulty in isolating CLP success. Certainly, the size and resource capacity of the WAPC greatly helped to bolster the feasibility of the CLP program. A more thorough analysis comparing urban planning settings in the nation as a whole would help to determine the success and viability of similar planning programs targeting Aboriginal communities throughout Australia. Such an in
depth analysis may lead to a determination about whether the actions of the WAPC are unique or more typical of the Australian planning environment as a whole.
CHAPTER 6

ANALYSIS

The analysis has been divided into two key sections. First, the background describes the planning environment in Australia as it compares to the United States, and then proceeds to outline the process, that led to the formation of the CLP program. Second, the case study outlines the Ardyaloon Community in detail. After an introduction to the community is established, the CLP process undertaken for this community is described. Important aspects of the planning document reviewed during this researched are highlighted to indentify levels of community involvement and overall success.

Background of Planning in Western Australia

A primary concern that arises when observing planning programs on an international scale is the influence of the political regime. There are several categories of political regimes that nation states may fall into including but not limited to; social-democratic, corporatist, neo-liberal and communist. Australia falls within the neo-liberal regime classification. Similar to the neo-liberalism practiced in the U.S., this regime type often favors smaller government, and promotes the activity of the free market. (Esping-Anderson, 1990). Hence, there exist no powers to enforce planning at the level of the Australian federal government. Planning falls under the auspices of the six state and two territory governments within the country (Freestone 2007). The absence of centralized national planning mirrors the planning environment represented in the U.S., where planning falls under the authority of the regional state and smaller jurisdictions (Levy 2006).

It is important to note that some scholars consider Australia to be distinct from traditional liberal standards and have categorized the national regime as radical (Svallfors, 1997). While the differences in regime types are worth considering, the context of this scholarship will not delve greatly into these distinctions. For this author, planning in Australia occurs under a neo-liberal regime, which is top-down in its orientation. Occasionally, social movement from below influences top-down planning. Aboriginal movement originating in grassroots organizations led to the creation of government institutions and collaborations that influenced the development of policies more favorable to the Aboriginal Community. It is from this type of movement that the CLP program derives.
The course of action arriving at the CLP program is one that originated through the works of several key institutions resulting from the Aboriginal movement. They include the WAPC, Aboriginal Affairs Legislative Review Reference Group (Legislative Review Group), Aboriginal and Torres Strait Islander Coalition (ATSIC), Task Force on Aboriginal Social Justice, The Ministerial Council for Aboriginal, and the Aboriginal Affairs Department (AAD). These players all understood the necessity of normalizing living conditions and communities in which Aborigines reside. The Provision of Services to Aboriginal People in Western Australia, produced by the Legislative Review Group in 1996, made recommendations regarding appropriate legislation for Aboriginal communities. This reference group was put together by the Government of Australia to specifically look at issues pertaining with the Aboriginal population. In this document, the group attempted to develop an outline and response for government as it pertains to State Aboriginal Affairs legislation. The issues addressed focused on the pertinence for standardized practice of service distribution toward, and within Aboriginal communities, both urban and non-urban. The four issues targeted regarding planning are:

- A whole-of-government approach to service delivery is required for the State based on an overall strategic plan.
- Guideline formulation to resolve the issue of the relative level of service provision in smaller communities or outstations as distinct from larger communities, which smaller associated communities would have access.
- A coherent planning framework emphasizing community self-management would enable services to be better targeted, less costly, more uniform and capable of provision over a planned timeframe reflecting resources available.
- Development of town plans to be framed with sensitivity to the cultural needs of Aboriginal family groups (Aboriginal Affairs Legislative Review Reference Group, 1996).

ATSIC served as the avenue through which Aboriginal Australians and Torres Strait Islanders were formally involved in the processes of government in Australia. In addition to
developing community plans, the ATSIC targeted an increased focus on town planning sensitive to cultural needs and normalization of services. In aggregate, these recommendations serve as remediating forces sought out to address issues of concern regarding aboriginal planning, and are consistent with what has been observed in the literature among planning theorists (Aboriginal Affairs Legislative Review Reference Group, 1996). Significant among these responses is the conclusion that the town planning processes could assist with the coordination and delivery of housing and services to Aboriginal communities. The WAPC took this into account, and formulated a policy targeted toward Aboriginal Planning.

Statement of Planning Policy No. 3.2. Planning Policy 3.2 exists in part because of groups like the Legislative Review Group, and reports written in the mid-1990s by other organizations such as the Task Force on Aboriginal Social Justice and The Ministerial Council for Aboriginal and Torres Strait Islander Affairs (Aboriginal Affairs Legislative Review Reference Group, 1996). The Task Force brought light to the precarious issue of land, and land ownership as it pertains to Aboriginal property. This issue is one deeply rooted in the historical process of British colonization. The Ministerial Council functions to ensure that all levels of government, work together to improve the life and well-being of the Indigenous people of Australia.

The WAPC Planning Policy 3.2 was created to address structural issues within large permanently settled communities. This is because most connections for communication are made within Aboriginal communities that have functioning local councils in place. Therefore, many of the smaller communities who do not have formal community councils, typically those with less than 50 people, are often time left out in widespread planning initiatives. The agreed upon strategy for smaller settlements is that Commonwealths and local governments should be expected to provide sufficient funding for infrastructure. All of these features directly affect the ability for traditional planning approaches to target Aboriginal communities.

Implicit in the recommendations from the legislation, as well as WAPC Planning Policy 3.2, is the idea that the sparse and differing nature of Aboriginal communities creates logistical complications in administering these proposed efforts. Thus, it is the responsibility of the State, and not that of local governments to provide these essential services for selected large permanent aboriginal settlements (WAPC, 2000). The Aboriginal Affairs Reference group echoes this sentiment:
“Funds for service provision are not unlimited. If too widely dispersed, a lower quality of life results for all communities. Priority should be given to provision and proper maintenance of services in larger, permanent Aboriginal communities” (Aboriginal Affairs Legislative Review Reference Group, 1996).

The key intent of this, as defined in Planning Policy 3.2, is normalizing the level of services to these larger and permanent communities. Reports indicated the importance of incorporating the town planning process into Aboriginal communities. This wide spread effort extends the responsibility of the State beyond that of just funding but also toward planning and coordinating the use of said funds. The policy explains specifically, which planning processes to use when considering rezoning and development plans for existing Aboriginal communities. Furthermore, under this policy, both the State and the relevant local government will be responsible for determining layout plans for Aboriginal communities. Key policy objectives include 1) providing a framework to ensure high levels of service, 2) ensuring zoning and land use identification is in accordance with town planning schemes, 3) local and State approval of plans prepared by Aboriginal communities and 4) providing a framework for negotiation and decision making between Aboriginal communities and local government (WAPC, 2000).

Resulting from this new direction in focus on town planning was a joint funding project was established by AAD and the ATSIC. This joint funding project established CLPs for Aboriginal communities in Western Australia. From the administrative standpoint local governments held an important role to play in serving as liaisons between the people living in Aboriginal communities and the designated planning staff.

Community Layout Plans. A CLP consists of a plan showing the physical layout of a community, as well as a set of written provisions and an accompanying report. CLPs are designed to give physical form to community settlement requirements, help in determination of land use functions, and to control and guide land use and development. It is essential that CLPs are prepared with regard to existing infrastructure and land uses. (ATSIC, 1999; WAPC, 2000)

CLPs are prepared in order to establish a ‘vision’ for the particular community. This visionary step takes on implementation functions and serves as a guide to future community growth and development by taking into consideration desires of the community. These desires consist of providing a community focus for the development process and facilitating orderly planning of the community. The establishment of development requirements based on need with
social, physical, environmental and economic opportunities, and constraints also occurs within this process. In addition to these goals, the CLPs function to provide a mechanism for the coordinated provision of services and infrastructure, enabling access to existing services and infrastructure information while promoting development that maximizes health, safety and welfare outcomes for the community.

Once completed, a CLP will provide the community with a plan to form the basis of their future development. It is proposed that the plans will be registered and used for all planning and future development proposals by developers, funding agencies and the community. The relevance of existing regional and community plans varies from place to place. Therefore, they are identified, assessed and taken into consideration on a case-by-case basis during the preparation of CLPs. If citizens or developers wish to make significant changes to layout plans an amendment process must occur. This provides the opportunity for people to comment on the plan and purpose any changes. At the conclusion of any approved plans a formal adoption must occur through the WAPC.

Existing Community Plans need to be identified and taken into consideration in the preparation of a CLP. These plans may include: locally composed housing assessments and business plans. Results from the Environmental Health Needs Survey (EHNS), a part of the Environmental Health Strategy developed through the Environmental Health Needs Coordinating Committee (EHNCC), are included as well. The relevancy of the EHNS comes from the mission of the survey, which is “to provide information for people making funding decisions about placement of environmental health-related infrastructure in Aboriginal communities” (Government of Western Australia, 1997).

Case of Ardyalloon

The Aboriginal communities addressed in CLPs bear many similarities with African American communities in the United States. The Aboriginal people of Australia have endured a history akin to other colonized minorities, and indigenous populations throughout the world. Their struggle for equal treatment and representation is one that rings familiar here in the American landscape.

To place it in perspective the jurisdictional sovereignty of Ardyalloon compares directly with that of many neighborhood communities in the United States. The comparison in Table 2 is
made between the historic Bond Community located on the south side of Tallahassee, Florida and the Ardyaloon Community located in the northern end of the Kimberley Region, Western Australia.

Table 2.

Comparing Bond Community in Tallahassee with Ardyaloon.

<table>
<thead>
<tr>
<th>Spatial Areas: USA/ AUS</th>
<th>United States</th>
<th>Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State/State</strong></td>
<td>Florida</td>
<td>Western Australia</td>
</tr>
<tr>
<td><strong>County/Region</strong></td>
<td>Leon</td>
<td>Kimberley</td>
</tr>
<tr>
<td><strong>City/ LGA</strong></td>
<td>Tallahassee</td>
<td>Broom Shire</td>
</tr>
<tr>
<td><strong>Community/Community</strong></td>
<td>Bond</td>
<td>Ardyaloon</td>
</tr>
</tbody>
</table>

*Source: Author*

Bond is an African American community with clearly defined geographic boundaries, amenities, and distinct characteristics. The city and county are responsible for representation of Bond as well as authorized planning efforts. Historically, Town Planning Schemes (TPS) in Australia were the responsibility of the Local Government Area (LGA). These authorities frequently overlook entire Aboriginal communities, most of which are found in the most rural parts of the LGA.

Ardyaloon CLP Process. The Ardyaloon community is located at the northern end of the Cape Leveque Kimberley Region. It was settled permanently in the early 1970s and has grown quickly to be one of the largest communities in the State. Ardyaloon is home to approximately 500 people and serves as a hub for many outstations that exist in the area. At 2001 (prior to Census), the population level of Ardyaloon was averaged at 450, which included 50 non-indigenous workers. A design population level of 550 people was set in the previous Community Layout Plan, which was prepared in 2001 (WAPC & Department for Planning and Infrastructure, 2004a).
Development of housing generally occurs in a radial pattern around a central hub area containing community and public buildings. Some of the public buildings include the community center, office school, and supermarket. The Ardyaloon Council has a policy to move environmentally hazardous elements out of the community, and this has been occurring over a number of years. This is key because a chief intention of CLPs are to take into account existing desires and plans of communities in order to incorporate them into the sufficient distribution of services.

Specific demographics of the Ardyaloon community played a factor in plan development as well as the consultation process. Future guidelines for growth made sure to take into account observations of the existing age breakdown and its implication on future growth. With 50 percent of the population being under the age of 17, consideration should be given to youth in the community, when determining potential growth within the built environment. Community representation, which occurred at consultation visits, involved the Ardyaloon Council, which is composed of community residents in positions of chairperson, CEO, housing officers, and others.

<table>
<thead>
<tr>
<th>Sequence</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 1</td>
<td>Preparing CLP</td>
</tr>
<tr>
<td>Step 2</td>
<td>Endorsement by Community Council</td>
</tr>
<tr>
<td>Step 3</td>
<td>Endorsement by Local Government</td>
</tr>
<tr>
<td>Step 4</td>
<td>Endorsement by Landowner</td>
</tr>
<tr>
<td>Step 5</td>
<td>Registration &amp; Endorsement by WAPC</td>
</tr>
</tbody>
</table>

*Source: AAD & ATSIC GUIDELINES FOR THE PREPARATION OF COMMUNITY LAYOUT PLANS, 1999*
The process examined in this case is the 2004 amendment to the 2002 Ardyaloon CLP. This specific process was selected because of the relative large size of the Ardyaloon community. Also, the 2004 amendment will allow for observations of the updates and responses to issues and concerns addressed by community members between the initial plan and the current CLP. The initial step of the basic process for preparing a CLP involves collaboration with community and stakeholders, including landowner, local government, and service providers. These stakeholders help to create the initial draft of the document. From this point, the CLP is reviewed and endorsed by several authorities. First the community council endorses the documents as the accepted development plan for the community. This is followed by local government endorsement, and concluded with the approval of the involved landowner(s). Landowner involvement is currently an informal requirement that may become required in the future. The official authorization of the CLP is bestowed by the WAPC where the document is lodged and registered.

The objectives of the CLP are defined as follows. 1.) Provide for the future growth of Ardyaloon based on expected population growth, 2.) Consolidate the existing CLP and rectify problems with the existing layout, 3.) Protect areas of cultural significance, 4.) To have new sites fully serviced, available for housing, and other specified uses, 5.) Provide new housing areas for all family groups, 6.) Include a distinct area for staff housing, and 7.) develop a way of clearly identifying street and blocks. These objectives are in place to function as measures of the overall goals of the program, outlined in the Planning Principles below:

Planning Principles adopted are to:

• Support lifestyle, cultural and social needs of the community
• Promote environmental protection and sustainable settlements
• Provide framework for economic growth and community initiatives
• Support good land use planning decisions with adherence to buffers and clear delineation of different land uses (zones)
• Recognize and protect existing assets and unique aspects.

Site visits by planning staff to the communities is the form in which direct representation occurs. During these visits, citizens and community council voice their concerns, ideals and desires for the plan. This input is recorded, and subsequent results derived are reported back to
the group. The formal structure of the CLP process assures citizens that the process is one that will be reliable and consistent. Opportunities for plan amendments, updates, and appeals are all present. This results in increased confidence of participants that the product will be viable and not formed haphazardly. The WAPC approval, provided at the conclusion of the process, is regarded as the formal approval of the State for these plans. This approval works to authenticate the plan, as well as make sure that future servicing and expansion of these communities should have regard to the approved plans (WAPC, 2000).

The primary means of community consultation were site visits. The CLP process provides opportunities for residents to reflect and respond to the efforts of previous plans. A review of notes taken from site visits of the initial Ardyaloon CLP drafted in 2002 identified the primary concerns of residents. These concerns were primarily in regards to implementation effects of the CLP. Specifically, the 2002 CLP resulted in housing construction that residents believed was too large given the existing lot sizes. These concerns have been assuaged through new development standards represented in the Plans Provision document; see Appendix B (WAPC 2004b). Particular concerns arise regarding consideration to setbacks and waste management, tying in to the concerns of street and block identification and accessibility. Notes from the 2004 consultation process indicated the following:

Being able to determine actual block sizes was a primary concern from past planning efforts. Problems exist in being able to read survey data and the actual pegging (i.e. evidence of the survey on site). Permanent survey markers are often abandoned or gone and marked as such on survey drawings. Some of the reasons are cars damaging pegs, fire damaging pegs (burning firebreaks) and kids pulling pegs from the ground. The council expressed concern in this area and would request that a more permanent survey marker be left that allows the community to relate the survey to the actual geometry on the ground. Some options would include guttering markers set in concrete, road marker plates in the center of the roads at intersections and the like. With more of a grid starting to emerge (particularly in the newer areas), the corners of the overall block could be marked with a more permanent marker set in concrete. This could include a steel plate with co-ordinates, a hook to attach a string line, and a relative level. The inclusion of such measures helps to ensure a consistent vision among residents, and uniformity to future development and plan guidelines.
Some early meetings were with a Council quorum in place. Later meetings were mainly with the Chairperson, Acting CEO and Housing Officer present. The council quorum served as the liaison between the full Council and the planners. In an effort to establish a wider base of consultation, an organization known as the West Kimberley Aboriginal Community Planning Group (WKACPG) was formed to function as a steering and cross consultative committee. Individuals from these agencies were also consulted on an individual basis as the need arose. Organizations serving on the WKACPG include: The Design Institute of Australia (DIA) whose mission is to promote and assist the effective excellence, political influence, and co-operative spirit of the Australian design professions and enhance their relevance to Government, business and society. Also the ATSIC; The local authority Shires of Broome and Derby/West Kimberley; Kimberley Public Health Unit; and the Western Australia Department of Housing and Works are apart of the WKACPG.

The result of this consultation and review process is the CLP diagram presented in Appendix C, as well as a formal report. The recommendation section of the CLP is depicted in three sections, 1) Proposal and Initiatives, 2) Service Transport, and 3) Community Development. Each section represented the agreed upon terms for the 10-year horizon of the plan. In addition to stated recommendations, lead organizations are identified as well as key supporting organizations. In this CLP, land use types and area zonings are allocated according to traditional Australian Towne Planning. The land uses included are: Residential, Community Purposes, Commercial Areas, Industrial, Public Open Space, Public Utilities, Roads, Rural Purposes, and Cultural Purposes.

**Plan Provisions.** The primary purpose of the plan is to serve as a guiding force for the location of future activities and services. The desire for this plan is to ensure that existing structures are conformed to normalized standards and that new development is placed in areas that are most suitable given the desires of the community. It is critical that the overall health, safety, convenience, and general welfare of Ardyaloon community members are enhanced by the CLP. Within the plan provisions lie the description of each land-use color code broken down to the level of objectives and development standards. The process of determining the breadth and depth of land uses allows the greatest opportunity for citizen participation. Furthermore, each land use type has community defined objectives and corresponding Development Standards.
In the Residential Area, the primary citizen concerns reflected during the site meetings were that of correcting access and space issues of the previous layout plan. Objectives that reflected these ideals include: Providing adequate Lot sizes for houses, maintaining a clear fire break between houses or between houses and landscape buffers, and providing proper access to essential services. These objectives are implemented by measurable development standards proposed by the consultants. For instance, in order to maintain a clear fire break between houses, development standards cite a 3 meter minimum distance for firebreaks. The chief concern of residents for parcels designated as Community Purpose areas was that there are specifically designated areas for special activities and training centers.

The other land use zones follow this particular pattern of objectives coupled with technical development specifications. Of particular interest is the final category entitled Cultural Areas. Cultural areas, as defined by the Provisions document, are no-go areas where visitors are not permitted and development is banned. These areas are delineated by the traditional norms of residents. The cultural reverence for land and space is duly addressed and helps to ensure future development will not encroach upon these desires.
CHAPTER 7

CONCLUSION AND REFLECTIONS

The purpose of Planning Policy 3.2 is to ensure that basic services and the right to spatial structure are delivered toward Aboriginal communities. By placing this responsibility in the hands of state authority this ensured that capable resources were in place to support this initiative. CLPs, which are the implementing tool of this policy, have introduced a standardized comprehensive planning process that is recognized by state authority. The benefits of this include normalization of services, avenues for governmental communication, and increased opportunities for collaborative interaction. In the case of Ardyaloon, community interests are being recorded and responded to over the duration. This process ensures that as the needs of the community residents progress and evolve, so will plans that dictate growth and outline future development.

The Ardyaloon case illuminates the process of CLP preparation. The process followed is clearly defined and outlined through reported documentation. The transparency of the process allows for replication as well as modification for future endeavors. The importance of the CLP process derives from the fact that they provide direct representation for residents, a formalized system of plan preparation, and are official in nature due to their state authorization. The historical nature of oppression that produced the distressed communities of several predominately minority neighborhoods in the U.S. parallels those of the Aboriginal Community.

The formalized system of plan preparation involved in creating CLPs produces a plan that seeks to ameliorate existing disparities that resulted from the aforementioned historic policies of inequality. The overall objective of the CLP process was to engage the Aboriginal communities in a formal town planning process. Currently, many minority communities in the U.S. are under the direction of existing city and regional plans. As indirect beneficiaries, these communities are not specifically represented, or planned for in the process. A unique process like CLP would provide direct representation, a formalized process, and political authority.

Direct representation

The CLP process includes specific avenues for community involvement. Site visits represent the most observable instance of this form of representation. Through CLPs, residents are allowed to voice their concerns on existing community conditions, as well as visions and
desires regarding future developments. After the implementation of the 2002 Ardyaloon CLP, citizens expressed concerns surrounding the new development standards. Through the amendment process of the 2005 CLP direct changes occurred responding to these concerns. A planning process that involves direct avenues for input as well as revisions increases the likelihood that the affected residents will feel a sense of ownership on the plan.

**Formalized process**

The report “Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities” explicitly lays out requirements and procedures for executing CLPs. The standardization of this process instills a sense of regularity to involved participants. With regularly scheduled site visits, in addition to the formal endorsements provided by community council and landowners, the succession of CLPs is one that remains completely transparent throughout. Citizens benefit from the regularity of site visits, amendments, and new development that result from the CLP.

**Political Authority**

The official authorization of the CLP is bestowed by the WAPC. It is here that the document is lodged and registered. Through state authorization public funding is provided for the construction of new dwellings, infrastructure and community buildings. This authorization represents the actualization of power. Historically, jurisdictions responsible for planning for Aboriginal Communities lacked the resources necessary to initiate large scale developments. Governmental authority also ensures that the results will direct and control the growing built environment. Citizens are empowered by the knowledge that each CLP and subsequent edition, once formally adopted, will be the guiding force for all future development.

The key policy objectives brought forth by the WAPC included 1.) Insuring high levels of service, 2.) Appropriate zoning and land use identification, 3.) Local and state approved plans prepared, and 4.) Providing a framework for negotiation between Aboriginal communities and local governments. These ideas were then expressed in the Ardyaloon case within their chief objectives. The primary question is whether the objectives take into account native users rights to the areas in which they reside. The concept of normalizing being addressed through the delivery and maintenance of service, focus on service from the desires of residents allows community
values to remain intact throughout the planning process. On its face, the policy does not appear to ignore or oversimplify the uniqueness of Aboriginal communities. Observation in practice shows how well objectives are met through the creation and collaboration process.

**Response to Literature**

The WAPC utilizes planning in a way to accomplish much more than the organization and regulation of future land development. Through the innovative CLP process, planners are fully realizing what Lane defines as the “emancipatory role” of planning. The CLP process incorporates Aboriginal communities into the planning process in ways not previously attempted. Lane (2005) argues that planning has the ability to incorporate social goals within a bureaucratic landscape. This theory is brought to life through this program. The CLP process helps Aboriginal communities by protecting existing areas, advocating for adequate provision of services, and developing their user-defined objectives through a community-based planning approach.

Sandercock (2000) emphasizes aspects that are most pertinent when analyzing the intent and purpose of planning efforts targeted towards culturally diverse groups. Focuses on the innate value of difference is what the WAPC has done by ensuring the CLP is inclusive of Aboriginal desires for their community. Specifically, the plan Provisions allow for this to occur; see Appendix B. An example of this is observable within the area designated as Cultural Areas by the CLP. Aboriginal respect for the land is an intrinsic cultural value and one that Sandercock would argue is essential in planning efforts for indigenous communities. Put another way, the category of Cultural Areas is directly representative of the ideals and perspectives of local citizens, in an effort to ensure culturally sensitive land is protected. The land use pattern provisions are significant because they represent the result of citizen input. This input coupled with the opportunity to amend existing plans represents ideal Citizen Power.

While Arnstein (1969) describes consultation as a level of tokenism, the CLP consultation process is strikingly different. Arnstein (1969) describes consultation as such:

> [w]hen they are proffered by power holders as the total extent of participation, citizens may indeed hear and be heard. But under these conditions they lack the power to insure that their views will be heeded by the powerful.
The Ardyaloon CLP is described as being created collaboratively. Throughout the process, results are presented to the community as well as responses to questions and concerns regarding the existing plans, and community needs. This research suggests that CLP engagement is not a form of tokenism; however, it has its limitations. There is limited mention of training or capacity building of residents. Without obtaining significant knowledge on the creation process, true Citizen Power remains difficult for residents to achieve. Community input on several visits was relegated to select community council members, leaving a fear of limited representation of all interests, and thusly diminished access to power.

When establishing new policies and programs it is essential to include a respect of cultural values and place. This respect of place helps to foster an environment that promotes genuine citizen control. Taking Planning Policy 3.2 and CLP to the next level would include analyzing the current community involvement process of consultation. What problems may arise from the process as it is today, and what efforts can be made to avoid tokenism of citizens? One such step would be involvement of training activities and other capacity enhancing techniques for citizens.

Lessons Learned

As with any case study, it is of serious concern that the results establish reliability or generality of findings. Whether or not the Ardyaloon case is more the exception or the norm for the CLP process, is not of particular importance. This is because the lessons learned from the Ardyaloon case are those that are supported by and strengthen the theories outlined in the literature review.

Should consideration be given toward the adoption of the CLP program, or CLP attributes, future research should be undertaken to assess the financial feasibility of such endeavors within the U.S. context. It is, however, beyond the scope of this scholastic endeavor to address such concerns, and additional research is necessary to determine the financial constraints and fiscal impacts of implementing such a process. Adopting such a process would undoubtedly require a massive increase in the number of planning staffs, and agencies focusing on such issues. Adoption of the CLP process, or its attributes, requires competent personnel as well as existing funds to increase staff or compensate increased workload of existing staff.
Aboriginal movement throughout the 20th century led toward a call for policies and institutions supportive of their concerns. These institutions, through reports and recommendations, ultimately laid the groundwork that helped shaped policy. Planning Policy 3.2 is a direct result of movement from below having an impactful change on social policy within a neo-liberal political environment.

This research began with the intent to bring the CLP process into focus and determine whether its unique strategy, may be patterned from Ardyaloon, and prove useful in the U.S. Illuminated in this analysis is the importance of grass roots movements that influenced policy. The CLP process derived from Aboriginal movement originating in grassroots organizations. This movement led to the creation of government institutions and collaborations, which in turn influenced the development of policies more favorable to Aboriginal Communities. This case shows that political will is essential in order to create official plans that target historically oppressed communities. As it currently stands, the U.S. has yet to address such communities through the production of plans, similar to the CLP process in Australia, that are official in nature.
APPENDIX A

MAP OF WESTERN AUSTRALIAN ABORIGINAL COMMUNITIES
APPENDIX B

ARDYALOON COMMUNITY LAYOUT PLAN NO. 2

PROVISIONS
Residential Area (dark purple / pink)  

Comprises residential uses such as houses, duplexes, single persons accommodation and elderly accommodation.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Provide adequate Lot sizes for houses</td>
<td>• All new houses connected to Power, water and deep sewer.</td>
</tr>
<tr>
<td>• Provide proper access to essential services</td>
<td>• Not sited within buffer zones of potential contaminants</td>
</tr>
<tr>
<td>• Provide residential uses in locations convenient to amenities including shops, community office, school and health services.</td>
<td>• Housing lots should be fenced. Front fences no higher than 1.2 meters unless approved by community council</td>
</tr>
<tr>
<td>• Ensure Non- residential uses do not disturb amenity and safety of residential areas.</td>
<td>• All fences should be of a material that is termite resistant.</td>
</tr>
<tr>
<td>• Provide new areas for housing for community growth in traditional family groupings.</td>
<td>• All vehicle gates in fencing to be a min. 3.5 metres wide and all crossovers should be 3.5 min. wide to match.</td>
</tr>
<tr>
<td>• Attempt to keep as much existing garden as possible (without compromising safety of contractors) when new developments are sited on Lots.</td>
<td>• All corner posts and posts supporting gates should be rigidly braced and reinforced beyond a normal intermediate post.</td>
</tr>
<tr>
<td>• Maintain a clear fire break (min. 3 meters) between houses or between houses and landscape buffers.</td>
<td>• Frontage setbacks will endeavour to be 6 metres min. The council can approve less.</td>
</tr>
<tr>
<td>• Provide different areas for community and staff housing</td>
<td>• Side boundary setbacks shall attempt to site the building centrally on the Lot and allow for landscape buffers, vehicle access (including parking spare cars, boats, fire fighting equipment access, tree lopping equipment access and access for services maintenance)</td>
</tr>
<tr>
<td></td>
<td>• Maintenance of 3m min. firebreaks</td>
</tr>
<tr>
<td></td>
<td>• Consideration as to tree types and their eventual size with reference to fire, cyclones, leafmatter, vermin and services in ground.</td>
</tr>
</tbody>
</table>

Community Purposes (Yellow)  

Comprises civic buildings used by all community members, including clinic, church, hall, offices, school, police post, women’s centre, cultural centre.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To provide for appropriate location of special activity centres, meeting areas and special interest groups.</td>
<td>• Allow for public car parking in accordance with Shire of Broome car parking requirements</td>
</tr>
<tr>
<td>• To provide for schools and training centres.</td>
<td>• All car parking spaces are to be min. 6 x 3 metres.</td>
</tr>
</tbody>
</table>
Commercial areas (Blue)

Comprises shops and commercial activities, including the community store / supermarket.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To provide distinct, centrally located areas for shops</td>
<td>• Access for deliveries must be considered as part of development.</td>
</tr>
<tr>
<td>• To provide adequate car parking in a safe layout</td>
<td>• Locked separate areas for stock and equipment must be provided</td>
</tr>
<tr>
<td>• To consider vehicle movements with particular emphasis on delivery of supplies by truck.</td>
<td>• Public car parking spaces should be provided in accordance with Shire of Broome car parking requirements</td>
</tr>
<tr>
<td>• To ensure adequate future growth areas</td>
<td>• All car parking spaces are to be min. 6 x 3m.</td>
</tr>
</tbody>
</table>

Industrial (Purple)

Comprises areas for noisy activities, and where tool and chemical storage and usage is prevalent. Includes mechanics' workshop, fuel bowsers, workshops, nursery and storage sheds.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To provide distinct areas for large sheds for equipment storage.</td>
<td>• Appropriate fencing should be provided to protect areas</td>
</tr>
<tr>
<td>• To separate potential hazards (noisy, dangerous, dusty, smelly) from living areas</td>
<td>• Signage should be constructed in accordance with relevant standards and warning of hazards.</td>
</tr>
<tr>
<td>• To minimise traffic flow (large trucks etc.) from living areas</td>
<td></td>
</tr>
</tbody>
</table>

Public Open Space (Green)

Comprises areas for recreation activities, including active [oval, basketball courts] and passive [playgrounds, walkways]

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To make sure children have safe areas to play</td>
<td></td>
</tr>
<tr>
<td>• To provide a variety of spaces to suit active and passive uses</td>
<td></td>
</tr>
<tr>
<td>• To give sporting teams areas to train and drill.</td>
<td></td>
</tr>
</tbody>
</table>
Public Utilities (grey)

Comprises areas for public utilities, including sewage pumping stations, sewerage ponds, power station, telephone exchanges, water tank compounds, chlorinators and water treatment equipment and bores.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Ensure adequate land is allocated for the uses of essential services supply and easements</td>
<td>• Provide adequate fencing to these areas to safeguard against inappropriate access.</td>
</tr>
<tr>
<td>• To provide strategic locations for utilities that conform with buffer standards</td>
<td>• No buildings to be constructed over easements, reserved sites or within buffer zones.</td>
</tr>
</tbody>
</table>

Road Reserves (white)

Comprises reserves for roads whether gazetted or not to allow for construction of clearly defined roads. Also allows for normalisation of services as per Code of Practice – Utility providers through creating a distinct nature strip area.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Defining road reserves for future sealing</td>
<td>• Surveys to reflect actual layout and planned layout on ground</td>
</tr>
<tr>
<td>• Defining services corridors to allow for all services to run as per Code of practice and to ensure services enter via front boundaries</td>
<td>• Survey markers to be more permanent and robust</td>
</tr>
<tr>
<td>• To have dust control by sealed roads</td>
<td>• Updated copy delivered to community in readable format, size and laminated</td>
</tr>
</tbody>
</table>

Rural Purposes (light green)

Comprises land outside the living area, and land that could either be developed, or retained as natural bush. This is land that is outside of the CLP proper and does not have a zoning or dedicated land use. In most cases it is remnant bush land that is inside of the community lease area.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To protect natural bushland from development</td>
<td>• Development proposals can be considered in the Rural Purpose area, provided that the Community Council and local government support the application.</td>
</tr>
<tr>
<td>• To protect tidal areas from development</td>
<td>• If a proposal is considered acceptable, the WAPC should be advised of the new land use so the layout plan can be updated</td>
</tr>
<tr>
<td>• To permit use of land for agricultural, horticulture &amp; farm activities, aquaculture and other activities that need a dedicated land use</td>
<td></td>
</tr>
<tr>
<td>• To provide for future roads and easements</td>
<td></td>
</tr>
<tr>
<td>• To provide flexibility for future development proposals</td>
<td></td>
</tr>
</tbody>
</table>
Cultural Purposes (red line)

This area is to show areas for cultural purposes, or no go areas where visitors are not permitted and development is banned.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To ensure culturally sensitive land is protected against incursion.</td>
<td>• No buildings are to be constructed within a no-go area</td>
</tr>
<tr>
<td></td>
<td>• Access is not permitted to no-go areas without the permission of the Community Council</td>
</tr>
<tr>
<td></td>
<td>• Signage should be provided on land where access is not permitted.</td>
</tr>
</tbody>
</table>

Other requirements

• Buffers - Buffers to potential points of contamination are indicated on the CI P. This is minimal at Ardyaloon due to the policy of placing these outside the settlement area. Sewerage pumping stations are the most obvious points of concern other than the Power station, which is due for relocation. Buffer zones should not have built form within them or inappropriate land use.

• Lot numbers should be clearly displayed on the property. This could be on buildings or street kerbs.

• Surveys of new development - All new development, including houses, roads, buildings and essential service infrastructure must be surveyed and information supplied to the program manager of the Aboriginal community survey program.
APPENDIX C

ARDYALOON (BARDI) COMMUNITY LAYOUT PLAN NO.1
APPENDIX D

TABLE OF ACRONYMS
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAD</td>
<td>Aboriginal Affairs Department</td>
</tr>
<tr>
<td>ALT</td>
<td>Aboriginal Land Trust</td>
</tr>
<tr>
<td>ATSIC</td>
<td>Aboriginal and Torres Strait Islander Coalition</td>
</tr>
<tr>
<td>CLP</td>
<td>Community Layout Plan</td>
</tr>
<tr>
<td>DIA</td>
<td>Design Institute of Australia</td>
</tr>
<tr>
<td>DPI</td>
<td>Department of Planning and Infrastructure</td>
</tr>
<tr>
<td>EHNCC</td>
<td>Environmental Health Needs Coordinating Committee</td>
</tr>
<tr>
<td>EHNS</td>
<td>Environmental Health Needs Survey</td>
</tr>
<tr>
<td>FCAA TSI</td>
<td>Aborigines and Torres Strait Islanders</td>
</tr>
<tr>
<td>LGA</td>
<td>Local Government Area</td>
</tr>
<tr>
<td>NSW</td>
<td>New South Wales</td>
</tr>
<tr>
<td>TPS</td>
<td>Town Planning Scheme</td>
</tr>
<tr>
<td>U.S.</td>
<td>United States</td>
</tr>
<tr>
<td>W.A.</td>
<td>Western Australia</td>
</tr>
<tr>
<td>WAPC</td>
<td>Western Australian Planning Commission</td>
</tr>
<tr>
<td>WKACPG</td>
<td>West Kimberley Aboriginal Community Planning Group</td>
</tr>
</tbody>
</table>
LIST OF REFERENCES


Aboriginal and Torres Strait Islander Coalition, & Aboriginal Affairs Department. (1999). Guidelines for the preparation of Community Layout Plans for Western Aboriginal Communities.


Augoustinos, M; Tuffin, K and Mark Rapley (1999). “Genocide or a failure to gel? Racism, history and nationalism in Australian talk”. Discourse & Society 10; 351-378


Government of Western Australia. (1997). *Environmental Health Needs of Aboriginal Communities in Western Australia*. Perth; W.A.


BIOGRAPHICAL SKETCH

Brian Raynard Larkin, Jr. was born October 11, 1984 in Flint, Michigan. After graduating from Flint Northern High, School he attended Morehouse College in Atlanta, Georgia and received his Bachelors of Arts in Business Administration-Marketing with a minor in Economics. Upon graduation from Morehouse, he served as an AmeriCorps intern at the Genesee County Land Bank for one year. In the fall of 2007, he enrolled in the Department of Urban & Regional Planning at Florida State University. During his graduate studies he served as the Vice President of Synoptikos, the student planning organization at Florida State University. Also, he served as the Community Service Chair of the Black Graduate Students Association, both of which occurred during the 2008-2009 Academic year. After receiving his Masters of Science in Planning from Florida State University he will pursue the Doctorate of Philosophy in Urban and Regional Planning at the Taubman College of Architecture, Urban + Planning, at the University of Michigan-Ann Arbor.