25. IMPROVING THE LIVING ENVIRONMENT: HOUSING AND INFRASTRUCTURE (RECOMMENDATIONS 321-327)

1. Introduction

There are 7 Recommendations,¹ numbered 321-327, in the National Report which deal with the impact that addressing Indigenous-specific housing and infrastructure needs would have on improving quality of life for Indigenous communities.

In previous chapters of the National Report, Commissioner Johnston investigated the historical factors which resulted in Indigenous people being:

> by nearly every economic measure... significantly poorer than any other sector of Australian society... The resulting effect is that for many Aboriginal people, dependency on welfare payments is an inescapable conclusion... [this is partly the result of] the historical legacy of the dispossession of Aboriginal people and their continuing exclusion from economic power structures rather than the making of Aboriginal people themselves.²

Chapter 18³ of the National Report examined problems resulting from the poor quality and/or culturally inappropriate housing provided to Indigenous communities to date. What is evident from the Commissioner's findings is that traditional European-style housing does not fit comfortably with the manner in which Indigenous people (particularly those in remote communities) use their homes. Accordingly, the 'assimilation' policies of decades past have resulted in inevitable failure. The Commissioner attributes this to "Aboriginal people [losing] control over the location, design and functions of their living spaces, with serious adverse consequences."

Chapter 35⁴ of the National Report looked at contemporaneous Indigenous housing policies and programs, the extent to which the need for alternative housing had been assessed and funding requirements for infrastructure.

2. Summarised below are the seven Recommendations made based on these findings:

- Future accommodation needs surveys should incorporate assessments of management, administrative and housing support needs. Surveys should establish the need for hostel accommodation in towns providing essential services otherwise unavailable to remote communities (Recommendation 321).

¹ Commonwealth, Royal Commission into Aboriginal Deaths in Custody (RCIADIC), National Report (1991) ('National Report') vol 4, [35.1.1] - [35.5.3].
² Ibid vol 2, [17 - Introduction].
³ Ibid vol 2, [18 - Introduction].
⁴ Ibid vol 4, [35 - Introduction].
• Quantification of required housing stock should take into account the number of people likely to share a house, its location and potential impact on infrastructure requirements (Recommendation 322).

• Increased funding should be made available to Indigenous community groups for the implementation of homemaker schemes. Adult education providers (particularly Indigenous community controlled providers) should be supported to provide courses in homemaking and domestic budgeting and to train Indigenous persons to teach such courses (Recommendation 332).

• Tangentyere Council's model for integrating service delivery and administrative needs associated with Indigenous housing should be studied in other regions (Recommendation 324).

• Assistance given to Indigenous housing organisations regarding administration and housing stock repair costs should be closely reviewed: the Community Development Employment Projects (CDEP) scheme can assist with the cost of housing repairs whilst supplying work which provides a grounding in skill development training (Recommendation 325).

• Governments should introduce procedures to enable Indigenous communities to participate in the determination of tenders awarded for construction contracts.

• As far as possible, contracts should provide for the employment of community labour and that the work be undertaken by reasonably priced local tenderers. Training of local persons for such labour should be a high priority.

• Governments and authorities should take into account housing organisations' need for assistance with recurrent costs and funding for new dwellings. (Recommendation 326)

• Relevant Indigenous training and housing organisations, in consultation with Department of Employment, Education and Training (DEET)\(^5\), should devise and implement specific training of Indigenous people to build and maintain housing. Such training should be co-ordinated with employment strategies established under the Aboriginal Employment Development Policy (AEDP) and CDEP (Recommendation 327).

This Report is a non-exhaustive record of information currently available online regarding recent initiatives put in place at the Federal, State and Territory levels which implement the abovementioned Recommendations.

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\(^5\) The Department of Employment, Education and Training has, since 18 September 2013, been divided into the Department of Employment and the Department of Education.
3. Future accommodation needs surveys and quantification of required housing (Recommendations 321-322)

**Recommendation 321:** That any future accommodation needs survey include not only an emphasis on the physical housing needs but also incorporate assessments that relate to management, administrative and housing support needs; in respect of remote communities such surveys should also establish the need for hostel accommodation in service towns where people may be required to spend time utilising services not available in remote areas.

**Recommendation 322:** That quantification of required housing stock take into account community aspirations as to the number of people who are likely to share a house, its location and potential impact on present and future infrastructure requirements.

There is no available evidence to suggest that any of the States and Territories have established policy or created legislation specifically to implement these two Recommendations.

In fact, evidence would suggest States and Territories are still failing as regards even quantifying the numbers of their Indigenous residents: a joint project between the University of Melbourne, Monash University, Onemda VicHealth Koori Health Unit and the Australian Research Council to quantify the number of Indigenous births in Victoria, Queensland, the Northern Territory and Western Australia which were never registered covers a period as recent as 2000 to 2009.\(^6\)

However, Recommendations 321 and 322 are addressed to varying degrees in the surveys and schemes identified in this section.

### 3.1 Commonwealth

There have been numerous surveys conducted into housing and associated needs of Indigenous communities on a national basis. They include:

- Australian Bureau of Statistics Population Census (5 yearly cycles)^7
- Community Housing and Infrastructure Needs Survey 2006\(^8\)
- 2007 National Social Housing Survey\(^9\)
- National Aboriginal and Torres Strait Island Social Survey 2008\(^10\)

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• Discussion Paper: Aboriginal and Torres Strait Islander Peoples Perspectives on Homelessness, 2013\(^\text{11}\)

The Steering Committee for the Review of Government Service Provision\(^\text{12}\), established by the Federal Government and each of the States and Territories (collectively, the Council of Federal Governments ("COAG"), generates 4 types of reporting:

• Indigenous Expenditure Report\(^\text{13}\): expenditure information for Indigenous specific services and the estimated Indigenous share of mainstream services.

• Overcoming Indigenous Disadvantage\(^\text{14}\): examines whether policies and programs are achieving positive outcomes for the wellbeing of Indigenous people.

• Report on Government Services - Indigenous Compendium\(^\text{15}\): compilation of all Indigenous data contained within the National Report on Government Services which notes the overall efficiency and effectiveness of government service delivery.

• National Indigenous Reform Agreement performance report\(^\text{16}\): compilation of performance data on the objectives and outcomes all governments have committed to in order to achieve 6 COAG "Closing the Gap" targets (see below).

These reports inform government assessments as to the adequacy, effectiveness and efficiency of government services to Indigenous people.

In addition, numerous studies\(^\text{17}\) on Indigenous housing have been undertaken by the Australian Institute of Health and Welfare over the last 15 years.

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view=>.


Data has also been gathered from various agencies such as Indigenous community housing organisations, State owned and managed Indigenous housing, crisis accommodation programs and the Federal Rent Assistance\textsuperscript{18} program.

The key areas focused on in the surveys were:

- homelessness
- overcrowding
- affordability
- dwelling condition
- connection to essential services (power, water and sewerage).

In 2008 COAG agreed to 6 targets or "Building Blocks"\textsuperscript{19} relating to life expectancy, infant mortality, education and employment in order to combat Indigenous disadvantage. The Building Blocks are set out in the National Indigenous Reform Agreement\textsuperscript{20} (‘NIRA’). NIRA was revised in February 2011 and the current version is effective from 2 November 2012.

Building Blocks (b), (d) and (e) relate to Schooling, Economic Participation and Healthy Homes respectively. The mission statement relating to Healthy Homes states as follows:

\begin{quote}
A healthy home is a fundamental precondition of a healthy population. Important contributors to the current unsatisfactory living conditions include inadequate water and sewerage systems, waste collection, electricity and housing infrastructure (design, stock and maintenance). Children need to live in accommodation with adequate infrastructure conducive to good hygiene and study and free of overcrowding.\textsuperscript{21}
\end{quote}

NIRA also aims to halve the gap in employment and education outcomes within a decade.\textsuperscript{22}

The National Partnership Agreement on Remote Indigenous Housing\textsuperscript{23} (‘NPARIH’) was entered into by the COAG members and is in effect from 27 February 2009 to 30 June 2018. It enables reform of the housing system for the benefit of Indigenous people in remote communities. The Agreement includes the provision of a 10 year funding strategy.\textsuperscript{24}

\textsuperscript{21} Ibid 7.
\textsuperscript{22} Ibid 8.
\textsuperscript{24} Ibid [12] and [13].
In 2013 a NPARIH Review of Progress (2008-2013)\textsuperscript{25} Report was prepared to determine what progress has been made at the halfway point in the life of this agreement. The report summarises key findings as follows:

\textbf{Governments are on track to deliver the outcomes of the National Partnership Agreement on Remote Indigenous Housing (NPARIH) by 2018}. Halfway through the Partnership, at the end of 2012, targets for capital works and Indigenous employment have been exceeded. Data from the 2011 ABS [Australian Bureau of Statistics] Census indicate that inroads are being made into reducing severe overcrowding in locations where there has been NPARIH investment. Comprehensive property and tenancy management reforms are underway in all jurisdictions, and are largely on track to meet the agreed 2015 full implementation target.\textsuperscript{26}

The National Indigenous Infrastructure Guide\textsuperscript{27} was released in February 2010 to assist with the design and maintenance of Indigenous community infrastructure systems.

On 1 July 2012, the Indigenous Business Australia (IBA) Home Ownership Program (HOP) and Home Ownership on Indigenous Land (HOIL) Program were integrated\textsuperscript{28} into a single Indigenous Home Ownership Program\textsuperscript{29} of discounted housing finance and after-care support to assist Indigenous Australians to buy homes within the property market and on Indigenous land where the necessary land tenure and administration arrangements are in place.

Other National Partnerships are not specifically directed toward, but touch on, Indigenous housing issues. These are summarised below:

The National Partnership Agreement on the Nation Building and Jobs Plan: Building Prosperity for the future and Supporting Jobs Now\textsuperscript{30} (NPANBJP) were aimed at expediting delivery of the Federal Government’s Nation Building and Jobs Plan of 3 February 2009 and the Nation Building Statement of December 2008. Schedule C, Economic Stimulus Plan: Social Housing Initiative set out COAG’s commitment to increase the supply of social housing throughout Australia, particularly to homeless

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\textsuperscript{26} Ibid 7.


Australians or those at risk of becoming homeless. It was intended to support initiatives previously been agreed by COAG in November 2008 to improve social and Indigenous housing and to reduce homelessness. It expired on 31 December 2009.

National Partnership Agreement on Social Housing\footnote{Council of Australian Governments, \textit{National Partnership Agreement on Social Housing} (2009).<http://www.federalfinancialrelations.gov.au/content/npa/housing/social_housing/national_partnership.pdf>.) (NPASH). This scheme began on 1 January 2009 and expired on 30 June 2010. It contributed to achieving outcomes such as improving housing amenity and reducing overcrowding.

The National Affordable Housing Agreement\footnote{Council of Australian Governments, \textit{National Affordable Housing Agreement} (2012) ('National Affordable Housing Agreement')<http://www.federalfinancialrelations.gov.au/content/npa/health_indigenous/indigenous-reform/national-agreement_sept_12.pdf>.} (NAHA) is effective from 7 December 2012. COAG committed to the "aspirational objective"\footnote{NPA on the National Building and Jobs Plan, above n 32.} that all Australians have access to affordable, safe and sustainable housing which will assist them to participate in the labour force and more broadly in the community.


The Australian, State and Territory governments have agreed to enter into a one-year Transitional National Partnership Agreement on Homelessness\footnote{Council of Australian Governments, \textit{National Partnership Agreement on Homelessness} (2013-14)<https://www.dss.gov.au/our-responsibilities/housing-support/programmes-services/homelessness/the-transitional-national-partnership-agreement-on-homelessness>.} for the 2013-14 financial year while a new long-term agreement is negotiated. The Federal Government has committed to a further one year of funding and expects State and Territory governments to match it.

As regards hostel accommodation, Aboriginal Hostels Limited\textsuperscript{38} operates under the umbrella of the Department of Social Services (DSS), formerly the Department of Families, Housing, Community Services and Indigenous Affairs (FaCHSIA). It was established in 1973 to provide a national network of hostels offering accommodation to Indigenous people which is both affordable and culturally appropriate. Today there is an increased emphasis not only on providing accommodation but (in partnership with other organisations) in providing support to facilitate better economic and social outcomes for Indigenous people.

### 3.2 Australian Capital Territory

Commonwealth contributions to housing outcomes are being delivered by National Partnership Agreements and National Agreements. The Overarching Bilateral Indigenous Plan (ACT) 2012-2017\textsuperscript{39} lists the following ACT Government initiatives as relevant under the "Healthy Homes" Building Block (one of the foundations underpinning the National Partnership Agreements):

- Homelessness Outreach and Housing Outreach Programs\textsuperscript{40}
- Aboriginal and Torres Strait Islander Youth Supported Accommodation\textsuperscript{41} initiative for young 'at risk' Aboriginal and Torres Strait Islander males.
- Narrabundah House Aboriginal and Torres Strait Islander Supported Accommodation\textsuperscript{42} also provides short to mid-term residential and crisis accommodation for Indigenous males aged 12 to 18 years of age as well as services including social and life skills development. The Community Services Directorate\textsuperscript{43} is improving the support model: a redesigned youth justice program for Narrabundah House was due to commence in August 2013.
- Winnunga Nimmityjah Aboriginal Health Service\textsuperscript{44} has a housing liaison and home maintenance service\textsuperscript{45} for tenants and prospective tenants.
- Billabong Aboriginal Corporation under the Community Housing Program\textsuperscript{46} (BADC) provided community housing, information, referral and


\textsuperscript{40} See, eg, Citizens Advice Bureau ACT, Crisis and Supported Accommodation for Families <http://www.citizensadvice.org.au/content/view/39/32/>.

\textsuperscript{41} See ACT Government, Community Services, Aboriginal and Torres Strait Islanders: Services and Support for Aboriginal and Torres Strait Islander Peoples <http://www.communityservices.act.gov.au/disability_act/aboriginal_and_torres_strait_islanders/>.


\textsuperscript{44} See Winnunga Nimmityjah Aboriginal Health Service <http://www.winnunga.org.au>.


\textsuperscript{46} See ACT Government, Housing and Community Services, Billabong Aboriginal Development Corporation (11 March 2011)
support to Indigenous people in the ACT. BADC voluntarily ceased operation\(^47\) on 30 June 2012. Housing and Community Services ACT supported tenants of the 17 properties managed by BADC with the changeover to Housing ACT or other Community Housing Providers.

- Inanna Inc.\(^48\), a community organisation based in Canberra which provides crisis accommodation and support services to people in crisis, including those who are homeless or at risk of becoming so. Indigenous programs\(^49\) include Indigenous Boarding House project for visitors supporting relatives in Hospital, the Indigenous Boarding House project for Students and Intensive Family Support Programs (including parenting skills education).

- Gugan Gulwan Youth Aboriginal Corporation\(^50\) receives funding through Social Housing and Homelessness Service for the provision of outreach services (including access to information, referral, counselling and remedial services) to Indigenous young people at risk of becoming homeless and supports young people to increase their capacity for independent living.

- ACT Council of Social Service\(^51\) (‘ACTCOSS’) to support organisations to work with Indigenous clients.

According to the ACT ‘Closing the Gap’ Report 2013\(^52\), in 2011 the rate of homelessness for Indigenous people fell on a national level but the ACT experienced an increase of 166%. Overcrowding in Indigenous homes increased by 16.4%. The report found that this may be attributable to better reporting in recent years giving a more accurate account of the numbers of homeless Indigenous people.

In the period 2011–12, it is reported that 77 new Indigenous public housing tenancies were created. As at 30 June 2012 there was an increase in Indigenous tenancies from 520 in June 2011 to 620 in June 2012, housing a total of 1,259 residents.

The ACT Closing the Gap Report 2013\(^53\) notes that between July and December 2011, 6,891 supported accommodation nights were provided for Indigenous people in the ACT.

### 3.3 New South Wales

According to the NPARIH Review of Progress (2008-2013) approximately 173,000 Indigenous people, (31% of Australia’s Indigenous population) were counted in New

\(^{47}\) See ACT Government, *ACT Closing the Gap Report: Progress Outcomes for Aboriginal and Torres Strait Islander Peoples* (2013) 51 (‘ACT Closing the Gap Report’).


\(^{52}\) *ACT Closing the Gap Report*, above n 49, 46.

\(^{53}\) Ibid 49.
South Wales in the 2011 Census of Population and Housing. Of these, fewer than 7,600 were living in remote or very remote parts of the State.

Around 11% of Indigenous households in remote and very remote parts of NSW were overcrowded in the 2011 census (a decrease from 15% in 2006). Results from the census reported that 3% of overcrowded households were ‘severely overcrowded’ (needing four or more extra bedrooms).

Funding is also being allocated toward provision of affordable employment-related accommodation in regional centres to assist with access education, training, employment and support services. Locations include Wagga Wagga, Dubbo, Armidale, Tamworth, Newcastle, Wollongong, Albury, Bathurst, Goulburn, Queanbeyan, Broken Hill and Orange.\(^54\)

The Overarching Bilateral Indigenous Plan (NSW) 2010 - 2015\(^55\) lists the following New South Wales Government initiatives as relevant under the “Healthy Homes” Building Block:

- NSW Homelessness Action Plan\(^56\) and Regional Homelessness Action Plans;\(^57\)
- Housing and Accommodation Support Initiative\(^58\) for people with mental illness;
- Housing NSW Aboriginal Access Strategy, which aims to increase Indigenous access to mainstream community housing;\(^59\)
- Housing NSW Commitment to Improving Service Delivery to Aboriginal People;\(^60\)
- Build and Grow Aboriginal Community Housing Strategy,\(^61\) and

\(^{54}\) NPARIH Review of Progress, above n 27, 78-9.


\(^{61}\) Build and Grow Strategy, above n 61.
The New South Wales Government also introduced the *Aboriginal Housing Act* 1998 (NSW). The objects of this Act are set out in Section 3 of this Chapter. These objects reflect Recommendations 321 to 327 of the National Report.

The Aboriginal Housing Office\(^\text{63}\) (AHO) was established under the Aboriginal Housing Act 1988 (NSW) and receives funding from both the NSW and the Federal Governments.

The AHO administers policies and property for Indigenous housing in New South Wales. This includes resource allocation, strategic planning and monitoring outcomes and performance in the sector.

The AHO works in partnership with Indigenous Community Housing Providers\(^\text{64}\) and the Indigenous community in delivering programs and developing policy and standards: it provides housing assistance for Indigenous people and a range of housing choices, particularly for those most in need.

New South Wales Government Department of Family and Community Services’ Housing Pathways\(^\text{65}\) has a policy in place whereby qualifying Indigenous people are entitled to public housing with one extra bedroom\(^\text{66}\) to help them meet their family responsibilities (subject to availability).

The AHO’s Employment Related Accommodation\(^\text{67}\) program is a joint initiative of the Federal and New South Wales Governments to provide Aboriginal people from remote areas of NSW an opportunity to participate in training and education and to better their chances of gaining employment. To date, the AHO has 18 homes in major regional centres under the ERA program.

The New South Wales Government is investing $149 million in the AHO\(^\text{68}\) through the NSW 2013-14 Budget. The New South Wales Government is using these funds to improve the system of delivery of safe, good quality housing to Indigenous citizens. Of these funds:

- $26 million is allocated towards repair and maintenance of existing properties; and

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\(^{62}\) New South Wales Government, Department of Health, *Housing for Health* 


\(^{64}\) See NSW Federation of Housing Associations Inc., *Community Housing in NSW* <http://www.communityhousing.org.au/C1_CH_in_NS.Matchl.html>.


\(^{66}\) Ibid.


• $49 million will be allocated to deliver 103 new dwellings under the NPARIHs and the AHO’s own capital works program.

The Build and Grow Aboriginal Community Housing Strategy, produced by NSW Aboriginal Housing Office was launched in February 2010 by the New South Wales Minister for Housing. The Strategy is intended to:

• assess and monitor key aspects of the performance of Aboriginal Community Housing Providers on an ongoing basis;
• improve property and tenancy management;
• strengthen financial and business management;
• improve the quality of housing available for aboriginal people; and
• increase rental income and in turn, aid viability.

While there are many parts to the Build and Grow Strategy, its key point is the introduction of a new registration system for Aboriginal Community Housing Providers, called the Provider Assessment and Registration System (PARS). Providers that pass the PARS and become registered with the AHO will be eligible for operating subsidies and assistance with capacity building and business development, and will have the opportunity to manage more houses.

3.4 Northern Territory

Approximately 57,000 Indigenous people, representing 10% of Australia’s Indigenous population, were counted in the NT in the 2011 Census of Population and Housing. Of these Indigenous people, around 46,000 were living in remote and very remote parts of the Territory.

Around 48% of Indigenous houses in remote and very remote parts of the NT were overcrowded in 2011. 29% of these overcrowded dwellings were severely overcrowded (needing four or more bedrooms).

The Northern Territory’s Housing Act (NT) makes no specific provisions for Indigenous peoples’ particular needs.

The Overarching Bilateral Indigenous Plan (NT) 2010 - 2015 notes at page 12, Schedule 1.4 that the Australian Bureau of Statistics intended to improve the quality of the Census count of Indigenous people, including expanding the scope of the Census Post Enumeration Survey to include very remote areas and discrete Indigenous communities.

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69 Build and Grow Strategy, above n 61.
70 Ibid.
71 NPARIH Review of Progress, above n 27, 90-1.
Stronger Futures in the Northern Territory\textsuperscript{73} (‘SFNT’) was introduced in 2011. It is a ten-year initiative by the Federal Government working with Indigenous people in the Northern Territory. A $3.4 billion investment has been made in programs and services aimed at closing the gap in Indigenous disadvantage and making communities safer, in areas such as health, education, housing and policing.\textsuperscript{74} “The Housing Implementation Plan (Schedule F of the National Partnership Agreement on Stronger Futures in the Northern Territory)\textsuperscript{75} sets out detailed policy and financial undertakings that ensure housing measures proposed by SFNT are put into place.

NPARIH now incorporates\textsuperscript{76} the Strategic Indigenous Housing and Infrastructure Program\textsuperscript{77} (‘SIHIP’), a Northern Territory program which has a target of 934 new houses, 415 rebuilds of existing houses and 2500 refurbishments by 2013. A 2009 review found that:

\textit{The overall program design is sound...[but] Elements such as design and community engagement were elevated to the detriment of the unit cost required to achieve program targets, thereby skewing program outcomes. The fact that this imbalance occurred points to a lack of effective oversight at the delivery level and a need to restructure the program governance and management arrangements.}\textsuperscript{78}

A 2010 report, Discordance, mobility and agency: Dilemmas for housing reform in Northern Territory Aboriginal settlements\textsuperscript{79} by the Centre for Appropriate Technology/ Desert Knowledge Cooperative Research Centre Project focuses on the particular difficulties of facilitating Indigenous peoples’ cultural imperative to accommodate long and short term visitors.

It recommends a rethink of the existing \textit{Residential Tenancies Act} (NT) leases:

\textit{that [do] not recognise multi-unit households and the intergenerational nature of child rearing, domiciliary behaviours, and mourning customs, and that restricts movement between houses when social circumstances/tensions require people to move. In addition, some houses are used exclusively by women and some...}


\textsuperscript{74} Ibid 2.

\textsuperscript{75} Council of Australian Governments, \textit{National Partnership Agreement on Stronger Futures in the Northern Territory, Schedule F} <http://www.federalfinancialrelations.gov.au/content/npa/community_services/stronger_future_NT/Housing_IP.pdf>.

\textsuperscript{76} Northern Territory Government, Department of Housing, \textit{Remote Housing NT} <http://www.housing.nt.gov.au/remotehousing>.


\textsuperscript{78} Ibid 5.

are used by single men. These houses will experience a high turnover of people as relationships are formed and dissolved.\textsuperscript{80}

Failing to account for these cultural matters could lead to a cycle of evictions which becomes endemic.

3.5 Queensland

Around 156,000 Indigenous people (28% of Australia's Indigenous population) were counted in Queensland in the 2011 Census of Population and Housing: around 30,000 were living in remote and very remote parts of the State.

Around 26% of Indigenous households in remote and very remote parts of Queensland were overcrowded according to the 2011 Census. Ten percent of overcrowded households were severely overcrowded.

Under the NPARIH, funding is being used for the purchase of employment-related accommodation in areas such as Townsville, Toowoomba, Gladstone, Rockhampton and Cairns to provide affordable accommodation, including hostel accommodation, in regional centres to assist Indigenous people from remote communities to access education, training and support services.\textsuperscript{81}

Section 5 (Guiding Principles) of Queensland's Housing Act 2003 (Qld) states:

This Act is to be administered in a way that has sufficient regard to the following principles— …

\begin{enumerate}
\item[(g)] housing services should be provided in a way that has appropriate regard to—
\begin{enumerate}
\item local and regional differences; and
\item cultural diversity; and
\item Aboriginal tradition and Island custom;…
\end{enumerate}
\item[(h)] the needs, views and interests of consumers of housing services, Indigenous community members and representatives, non-government entities, industry bodies and local governments should be taken into account in developing government housing policy.\textsuperscript{82}
\end{enumerate}

The Overarching Bilateral Indigenous Plan (QLD) 2010 - 2015\textsuperscript{83} lists the relevant National Partnership Agreements which come under NIRA's "Healthy Homes" Building Block, but it does not identify any State-specific entities set up to implement changes.

\textsuperscript{80} Ibid, 42.
\textsuperscript{81} NPARIH Review of Progress, above n 27, 80-81.
\textsuperscript{82} Ibid.
The Plan commits Queensland to enacting programs to accelerate COAG’s "Healthy Homes" targets while retaining existing viable initiatives including standardising tenure and property management, home ownership initiatives, transfer of Indigenous Community Housing Organisations to the Queensland Government’s One Social Housing System\(^\text{84}\) (the combined system coordinating all housing services funded by the Queensland’s Department of Housing and Public Works) and employment and training in housing related activities.\(^\text{85}\)

The Annual Highlights Report for Queensland’s Discrete Indigenous Communities July 2009 – June 2010\(^\text{86}\) indicates that the Queensland Government Department of Communities, Child Safety and Disability Services has expedited improvements to housing in discrete Indigenous communities through the NPARIH and Queensland Government funding.

In 2009/10, 1171 new houses were completed and 82 were purchased to assist Indigenous people to relocate to urban and regional centres to access employment and education. Over 450 refurbishments were completed in remote Indigenous communities.

The Queensland Government Department of Communities, Child Safety and Disability Services offers tenancy management assistance\(^\text{87}\) to Indigenous Shire and Regional Councils, which includes rent collection, asset management and tenancy support services.

### 3.6 South Australia

Approximately 30,000 Indigenous people (being 6% of the Indigenous population) were counted in South Australia in the 2011 Census of Population and Housing. Of these, around 5,000 were living in remote and very remote parts of the State.

Funding under the Employment Related Accommodation component of the NPARIH is being used to provide affordable accommodation in regional centres to assist Indigenous people moving from remote communities to undertake employment or training opportunities leading to employment.

Accommodation has been built or acquired in Umuwa, Ceduna, Port Augusta and Roxby Downs. This accommodation will support Indigenous people moving from remote communities to regional centres to engage in employment, education and training, leading to employment opportunities in areas such as the resource and mining sectors.\(^\text{88}\)

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\(^{85}\) *Bilateral Indigenous Plan: Queensland*, above n 89, 51.


\(^{88}\) *NPARIH Review of Progress*, above n 27, 82-3.
South Australia’s Housing Agreement Act 1991 (SA) declares that:

*Rental housing stock should, as far as possible, be designed to cater for the needs and preferences of current and likely future applicants. The design, style and siting of rental housing will, to the maximum extent practicable:*

- reflect the need for access to employment opportunities and services;
- reflect the need for accessibility and suitability for habitation by people with disabilities, Aboriginals, youth, the elderly or other identified groups…

**PART XII—SPECIFIC HOUSING ASSISTANCE**

30. The Minister may in writing authorise, subject to guidelines made consistently with this agreement and agreed between the Minister and a State Minister relating to the following programs including guidelines as to the provision of any funds by a State in relation to each program, grants to a State for expenditure on: …

(b) rental housing assistance for Aboriginals; …

(e) local government and community housing.

The Overarching Bilateral Indigenous Plan (SA) 2010 - 2015 states that the South Australian Department for Families and Communities (now the Department for Communities and Social Inclusion (DCSI)) is responsible for increasing the supply of affordable housing to urban, regional and remote communities.

DCSI has a webpage devoted to Indigenous housing services which includes links to information in relation to temporary accommodation for people at risk or visiting from remote areas to access services in urban centres, home ownership or rental assistance and public housing options. The DCSI website also provides information regarding support available to re-locate to a remote community.

The South Australian Government also funds non-profit associations such as Shelter SA which advocates for improved housing outcomes and access to affordable, appropriate and secure long-term housing for all Australians.

### 3.7 Tasmania

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25. IMPROVING THE LIVING ENVIRONMENT HOUSING AND INFRASTRUCTURE (RECOMMENDATIONS 321-327)
Around 20,000 Indigenous people (4% of the Indigenous population) were counted in Tasmania in the 2011 Census of Population and Housing. Of these Indigenous people, around 650 were living in remote and very remote parts of the State.

Around 4% of Indigenous households in remote and very remote parts of Tasmania were overcrowded in 2011, a decrease from 9% in 2006.\(^{94}\)

The *Homes Act 1935* (TAS) pertains to the provision of housing assistance and improving the housing conditions of Tasmanians, but does not refer specifically to Indigenous communities.

The Overarching Bilateral Indigenous Plan (TAS) 2010 - 2015\(^{95}\) notes that *Overcrowding is not a major issue for Aboriginal housing in remote Tasmania compared to other jurisdictions... The real need is to significantly invest in new housing and upgrades in remote locations to reflect changing demographics of households and ensure appropriate amenity.*\(^{96}\)

Implementation of the RCIADIC Recommendations appears to be mainly coordinated through the Office of Aboriginal Affairs,\(^{97}\) whose stated aims include "high-level consultation" with Tasmania’s Indigenous population in order to be the main source for advice to Tasmania’s Government on policy issues affecting the Indigenous community, to represent the community’s views and advise on economical and effective policies, legislation and programs which realise positive social and economic outcomes.

There are several other bodies which provide relevant services in Tasmania, namely:

- the Indigenous Tasmanians Aboriginal Corporation (ITAC) provides housing services in Southern Tasmania;
- the South East Tasmanian Aboriginal Corporation provides information, referral and advocacy services;
- to the North, the Cape Barren Islanders Association Inc. aims to obtain land, provide housing, supply and maintain essential services to the residents of Cape Barren Island, and to explore enterprises to promote employment; and
- the Flinders Island Aboriginal Association provides information, counselling, support, housing and accommodation referrals and emergency assistance.\(^{98}\)

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\(^{94}\) *NPARIH Review of Progress*, above n 27, 84-5.


\(^{96}\) Ibid 37.


The NPARIH Implementation Plan identifies what is to be achieved in Tasmania over the five years to 30 June 2018. Funding has been applied by the Tasmanian Government to oversee Indigenous Community Housing Organisations at Flinders Island and Cape Barren Island to deliver additional properties.99

Construction of 10 new properties, refurbishment of 57 dwellings and development and implementation of property and tenancy management policies has been overseen by a Joint Steering Committee established to oversee the implementation of the plan and the release of the funds.

Aboriginal Housing Services Tasmania100 (‘AHST’) provides secure, appropriate and affordable rental housing to Indigenous people in Tasmania. AHST has approximately 330 homes throughout Tasmania and is jointly managed by three Regional Aboriginal Tenancy Advisory Panels and Housing Tasmania. The role of Advisory Panels is to consider applications, assess whether or not applicants are eligible for Aboriginal Rental Housing and allocate houses to applicants who are deemed eligible. Aboriginal Customer Service Officers are located in selected Housing Tasmania Service Centres to offer advice on the housing options available.

The Tasmanian Government provides the Tasmanian Aboriginal Centre Inc.101 with an annual Aboriginal Home Buyers Assistance Scheme102 grant through the Office of Aboriginal Affairs of the Department of Premier and Cabinet. The grant provides assistance to Indigenous first home buyers.

None of Tasmania’s current, planned or recently completed infrastructure projects103 are directed towards improvements specifically for the Indigenous community, nor is this listed as a focus area for the Tasmanian Infrastructure Strategy.104

3.8 Victoria

Approximately 38,000 Indigenous people, 7% of the Indigenous population, were counted in Victoria in the 2011 Census of Population and Housing.

In 2011, 9% of Indigenous dwellings in Victoria were overcrowded, unchanged from 2006.105


25. IMPROVING THE LIVING ENVIRONMENT HOUSING AND INFRASTRUCTURE (RECOMMENDATIONS 321-327)
Victoria’s *Housing Act 1983* (Vic) does not directly address the needs of the Indigenous community. However, it does contain extracts from 1981 and 1984 agreements\(^\text{106}\) ratified by the Federal Government, the States and the Northern Territory relating to the said Housing Act, which incorporate provisions which align with much of the 7 Recommendations.\(^\text{107}\)

However, it is difficult to find publically available evidence that programs or policies have been specifically implemented in order to effect the action envisaged in Recommendations 321 and 323.

The Overarching Bilateral Indigenous Plan (VIC) 2010 - 2015\(^\text{108}\) cites the "Health and Well Being" section of the Victorian Aboriginal Affairs Framework 2013 - 2018\(^\text{109}\) (a policy document outlining the key concerns for Victorian government departments when developing projects and policies) as setting out the blueprint for the COAG "Healthy Homes" target. Key strategies include the Victorian Homelessness Action Plan and key partners include Community housing organisations, Aboriginal Housing Victoria\(^\text{110}\) (‘AHV’) and other Aboriginal Community Controlled Organisations involved with housing provision and management.

AHV conducts research\(^\text{111}\) into Indigenous housing requirements in Victoria. AHV is partly funded by the Department of Human Services and is the largest Indigenous housing provider in Victoria. AHV conducts reviews and advises the Director of Housing and Department of Human Services on Indigenous housing needs.

The Indigenous Community Infrastructure Program operated in Victoria from 29 August 2011 to 30 September 2011. This program assisted Victorian Indigenous organisations to acquire, upgrade and develop facilities for community use. At present there are no infrastructure programs open for applications.\(^\text{112}\)

The Overarching Bilateral Indigenous Plan 2010 - 2015\(^\text{113}\) states that no Victorian Indigenous community is considered remote.\(^\text{114}\) However, in the Victorian Government issued ‘Victoria’s Submission to Infrastructure Australia (November

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\(^{105}\) NPARIH Review of Progress, above n 25, 86-7.


\(^{107}\) See especially Part XI Section 38(c), Schedule 3A (D) (a)-(b) and Part XI Section 35(ii).


\(^{114}\) Ibid 49.
Submission 9 (entitled 'Improving Infrastructure and Services for Indigenous Communities') acknowledged that Federal funding has to date supported the ‘discrete’ Indigenous communities at Lake Tyers and Framlingham and that continued Federal funding to support essential Indigenous infrastructure in Victoria is critical.

Submission 9 notes that these communities require ongoing repairs and maintenance to housing and that supporting infrastructure be installed and improved. The Victorian Government committed to working with the Federal Government to assess the communities’ infrastructure needs and to ensure the communities have access to housing, water, sewage, power supply and other services.

3.9 Western Australia

Around 70,000 Indigenous people, 13% of the Indigenous population, were counted in Western Australia in the 2011 Census of Population and Housing. Of these people, around 28,000 were living in remote or very remote parts of the State.

Around 27% of Indigenous households in remote and very remote parts of WA were overcrowded in 2011, a slight decrease from 28% in 2006. In 2011, 14% of overcrowded households were ‘severely overcrowded’.

A Submission to the Senate Select Committee’s Inquiry into Regional and Remote Indigenous Communities prepared by the Department of Indigenous Affairs, Western Australia (May 2009) sets out the particular problems faced by remote communities in Western Australia, particularly in relation to infrastructure:

In WA, the Government has prioritised large, discrete, remote Aboriginal communities with regard to essential services and infrastructure delivery. The State targets housing resources to communities that are assessed as being sustainable using specific criteria such as the quantity and quality of water; risk of flooding; access to services; and access to employment and enterprise opportunities.

... it is not feasible for all small communities to enjoy the same standards and range of services as the large settlements.

The State has developed a ‘hub and spoke’ model for service provision to remote communities. Essentially, services are provided to large settlements who in turn service the small, satellite communities on an outreach basis.

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116 Ibid 38.
The Overarching Bilateral Indigenous Plan (WA) 2012 - 2015\(^{120}\) states that Western Australia is introducing reforms under the NAHA, NPAIH, NPASH, NPAH and NPANBJP agreements, but apart from these joint initiatives, it does not identify any State-sponsored organisations or programs to implement the reforms.

According to the 2010 report 'Closing the Gap in Indigenous Life Outcomes',\(^{121}\) \$13 million was to be provided over the following two years for the construction of two Indigenous Visitor Hostels (a 30 bed centre in Kalgoorlie and a 50 bed centre in Broome) under the Western Australian Royalties for Regions Program. The Royalties for Regions\(^{122}\) Roebourne Housing Initiative was to provide \$5 million for the demolition and rebuilding of 12 Housing Authority-owned accommodation units.

Western Australia also developed the East Kimberley Development Package\(^{123}\) with the Federal Government, which was launched on 3 July 2009. The \$195 million package is investing in social and common use infrastructure that will promote healthy communities and provide sustainable jobs for Indigenous people in the East Kimberley region. It involves construction of 60 social housing buildings in Kununurra and Wyndham and improved dust control, building incinerators and fencing sewage ponds and rubbish tips in Kalumburu, Oombulgurri and Warmun. A \$10 million investment is being made to improve the quality and security of water supplies in Ardyaloon and other remote Indigenous communities in Western Australia.\(^{124}\)

Western Australia’s Affordable Housing Strategy 2010 - 2020\(^{125}\) published by Western Australia’s Department of Housing refers to “future housing policies and procedures [which] will recognise and seek to respond to the different needs of Indigenous people across the State to ensure they are adequately supported through the housing continuum”\(^{126}\) but does not identify any specific policy in that regard. It does, however, identify as a specific objective and key performance indicator that "public housing stock aligns with the needs of tenants and applicants" (for example, accommodating larger Indigenous families that require more spacious housing).


\(^{126}\) Ibid 41.
Western Australia’s ‘Ascertaining the Wishes of Aboriginal Inhabitants Protocol’ came into operation on 1 July 2010, to be used for the purposes of entering into ‘Housing Management Agreements’ in respect of Aboriginal land.

The Housing Act 1980 (WA) (as amended by the Aboriginal Housing Legislation Amendment Act 2010 (WA)) sets out the process the Housing Authority uses in ascertaining the wishes of Indigenous inhabitants for the purposes of entering into Housing Management Agreements in respect of Indigenous land.

4. Increased funding for the implementation of homemaker schemes and training of teachers (Recommendation 323)

**Recommendation 323:** That:

a. Increased funding be made available to Aboriginal community groups for the implementation of homemaker schemes. Groups that may be appropriate to receive such funding should include women’s groups, housing organisations and community councils; and

b. Adult education providers, and particularly Aboriginal community controlled adult education providers, be encouraged and supported to provide:
   i. courses in homemaking and domestic budgeting; and
   ii. courses for training Aboriginal persons as community advisers and teachers in homemaking.

4.1 Commonwealth

There does not appear to be any current Federal legislation which provides specifically for the implementation of homemaker schemes, funding of such schemes and training in that regard.

However, the objects of the *Indigenous Education (Targeted Assistance) Act 2000* (Cth) which commenced on 19 December 2000 include providing Indigenous people with ‘appropriate’ educational outcomes including:

- the provision of community education services to enable Indigenous people to manage the development of their own communities;

- arrangements enabling Indigenous students to attain better numeracy and literacy skills through access to priority Commonwealth initiatives and strategic projects; and

- arrangements for education that will enable Indigenous students with limited or no educational experience to attain proficiency in numeracy and life skills.

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128 See especially ss 62C and 62F(b).
It could be inferred that the benefits to be gained by Indigenous communities from partaking in homemaker schemes would warrant such schemes being deemed 'appropriate'. Further, the object of improving numeracy and life skills would indirectly assist with domestic budgeting and the other aims of Recommendation 323.

The 2013-2014 budget paper states that the Federal Government would provide $800 million over six years "to extend funding for programs previously funded under" the Act to "provide targeted financial assistance to advance the education of" Indigenous people. The paper goes on to list eight named programs. However, the named programs appear to be targeted at primary and secondary schooling and not specifically at homemaking schemes.

The Act was amended in 2013 to increase funding to assistance programs. The stated purpose of the introductory Bill suggests that the funds were intended to be allocated to programs including the "Additional Teachers Initiative" (an education component of SFNT - it appears to have been re-branded as the More Indigenous Teachers Initiative). This scheme aims to increase the number of Indigenous teachers in Northern Territory schools by offering scholarships established by the Northern Territory Government Department of Education and Children's Services).

Under the NPARIH, the Federal Government provides funding for the provision of Indigenous housing and support of tenancies. Tenancy management arrangements include offering all prospective tenants of new houses living skills support training to assist families to create a safe and healthy home environment. The agreement states as a benchmark that "all prospective tenants of new houses to be offered Living Skills support training as part of tenancy management". "Living Skills" is not defined in the NPARIH, but presumably such training would encompass homemaking skills. It also aims to offer increased employment opportunities and support access to training, education, employment and support services. The NPARIH is silent as to whether funding is to be directed specifically toward training Indigenous teachers.

The Household Organisational Management Expenses (‘HOME’) program assists families with tenancy issues or problems maintaining their homes due to difficult

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130 Indigenous Education (Targeted Assistance) Amendment Act 2013 (Cth).
131 Ibid.
133 NPA on Remote Indigenous Housing, above n 25, 8.
134 Ibid 5, [13].
personal or financial circumstances. The program is available to Australians of all backgrounds, but Indigenous families are one of the specific target groups.\textsuperscript{136}

Early intervention diverts clients from homelessness or the requirement for crisis accommodation. Amongst other services, the program provides living situation maintenance, budgeting skills development, personal development programs including parenting and/or relationship skills and health services.\textsuperscript{137} The DSS delivers the HOME program via Centrelink and community agencies in 8 locations - one in each State and Territory.

4.2 Australian Capital Territory

The \textit{Education Act 2004} (ACT) acknowledges the following in relation to education of Indigenous students: that high-quality education is based on school and home educators recognising the needs of Indigenous students and also that if a school is to be closed or amalgamated, the educational and social impacts such actions would have on Indigenous and other vulnerable students must be considered.\textsuperscript{138}

The ACT 'Closing the Gap' Report 2013 states that an Aboriginal and Torres Strait Islander Outreach Service supports Housing ACT to develop community partnerships with Government organisations to improve delivery of services to Aboriginal and or Torres Strait Islander housing tenants and applicants.

The report indicates that approximately 120 Housing ACT clients were supported by the Liaison Officer throughout the relevant period with applications, tenancy related matters, arrears and ongoing engagement with Housing ACT. Expenditure for this service was stated as "$158,000 inclusive of salary and admin on-costs for the 2011–2012 period."\textsuperscript{139}

The report also records that the ACT Government was providing ongoing funding the Winnunga Nimmityjah Home Maintenance Program to assist young Indigenous people at risk of homelessness "to develop life skills in home maintenance" and provide "practical home maintenance assistance".

There is no evidence to suggest that the ACT provides specifically for the implementation or funding of homemaker schemes and training of teachers, Indigenous or otherwise, to run them.

4.3 New South Wales

The New South Wales Government introduced the \textit{Education Act 1990} (NSW). Section 6 "\textit{Objects for administration of this Act or of education}" requires that:

\begin{itemize}
  \item \textsuperscript{136} Australian Government, Department of Families, Housing, Community Services and Indigenous Affairs, \textit{Household Organisational Management Expenses (HOME) Advice Program: Operational Guidelines} (March 2011) 2
  \begin{center}<http://www.dss.gov.au/sites/default/files/documents/05_2012/home_advice_op_guidelines.pdf>\end{center}
  \item \textsuperscript{137} Ibid 8.
  \item \textsuperscript{138} See especially ss 7(2)(b)(ix), 20B(1)(a)(xi) and 20B(1)(d)(ii).
  \item \textsuperscript{139} \textit{ACT Closing the Gap Report}, above n 47, 47.
\end{itemize}
every person concerned in the administration of this Act or of education for children of school-age in New South Wales is to have regard (as far as is practicable or appropriate) to the following objects:

(f) provision of an education for Aboriginal children that has regard to their special needs,

(g) development of an understanding of Aboriginal history and culture by all children,…

(i) recognition of the special problems of rural communities, particularly small and isolated communities,…

(m1) provision of opportunities for Aboriginal families, kinship groups, representative organisations and communities to participate in significant decisions under this Act relating to the education of their children.

However, the Act does not specifically provide for the implementation or funding of homemaker schemes and or training of instructors to teach them.

The Overarching Bilateral Indigenous Plan (NSW) 2010 - 2015 is silent as to the creation of specific homemaker schemes, however there is a joint initiative of the Australian and New South Wales Governments operating at Brewarrina under a Shared Responsibility Agreement (‘SRA’). An SRA is an agreement made between governments and Indigenous communities to provide discretionary funding in return for community obligations. The Brewarrina scheme teaches homemaking, crafts and healthy food choices.

The AHO website states that a booklet entitled “Important information for creating Happy Homes” is provided to residents of new and refurbished AHO homes. The booklet contains information on hygienic food storage and preparation, fire safety and emergency numbers.

The AHO newsletter dated 9 February 2015 records that the AHO contracted Birrang Enterprises to facilitate five workshops in 19 selected remote communities in Western New South Wales, the purpose of which was to assist tenants in five areas, being home maintenance skills, budgeting, health and nutrition, household hints and tips and "rent it keep it". 43 workshops were delivered to over 870 tenants.

In the Adult and Community Education section of the New South Wales Government Department of Education and Communities web page, there are links to Indigenous

140 Bilateral Indigenous Plan: NSW, above n 55.
142 Ibid.
Education Programs relating to reconciliation and cultural education, but one in particular, communitybuilders.nsw, facilitates locals, government and business coming together to find solutions to issues within their communities and procure support from government or other partners.

In theory, such a scheme could be used to finance and promote homemaker schemes and enlist teachers, Indigenous teachers in particular, to run them. However the need for these would first have to be identified and actioned by Indigenous communities rather than being offered by the New South Wales Government as a service.

4.4 Northern Territory

Much like its Housing Act, the Northern Territory's Education Act (NT) makes no specific provisions for Indigenous residents' particular needs, apart from recognising the Batchelor Institute of Indigenous Tertiary Education as ‘approved education’ for the purposes of determining what constitutes ‘compulsory’ education.

The Northern Territory Government Department of Housing's Tenancy Sustainability Program (‘TSP’) allows Territory Housing clients to work with service providers who offer case management and life skills training to public housing tenants, applicants and residents of Community Living Areas to help them maintain their tenancies.

TSP life skills training covers four modules:

- Module 1: Money and Resource Management
- Module 2: Visitor and Crowding Management
- Module 3: Household Management and Functionality
- Module 4: Maintaining a safe, healthy and hygienic home and living environment

The scheme is jointly funded by the Australian and Northern Territory Governments. It appears to have been successful: in October 2011 funding was increased by an extra $1.4 million over the following 3 years.

Stronger Futures in the Northern Territory (‘SFNT’) funds an additional 200 teachers in remote areas, is building up to 103 new teacher houses and delivering better educational career opportunities for Indigenous people. There is no readily available evidence to confirm that any of that funding is specifically allocated to homemaker skills or the teaching of that subject.

149 Stronger Futures Report, above n 73.
The Northern Territory has implemented a "Tenancy Sustainability Program" to provide intensive case management and life skills training to public housing tenants and applicants and residents of Town Camps who require assistance to manage and sustain their tenancies.\(^{150}\) The Department of Housing website states that it will "provide intensive tenant support, including advice and life skills programs, to help tenants successfully maintain their house and meet their tenant obligations".\(^{151}\) Presumably, this support and training would extend to homemaking and domestic budgeting.

The NPARIH Review of Progress (2008-2013) document\(^{152}\) attaches at Appendix 8 a tenant support document published by the Northern Territory Government (through the Department of Housing, Local Government and Regional Services) entitled "Intensive Tenant Support Program". The document states that the Program is part of the Remote Housing Tenant Support Framework (aimed at public housing tenants in remote communities and town camps) and provides training and education to tenants to understand their rights and obligations under a Tenancy Agreement and how to maintain a safe, healthy home and living environment.

### 4.5 Queensland

The Queensland Government introduced the Learning, Earning, Active Places (LEAP) 2011-2014\(^{153}\) strategy on 21 July 2011. LEAP was developed to combat Indigenous disadvantage in urban and regional areas.

One of the measures through which this was to be achieved was by improving access to education, particularly in relation to matters such as individual development in relation to health, wellbeing and positive lifestyle choices for families and communities.

These values would be consistent with home skill training and could be viewed as 'home skill training by another name'.

There were no specific provisions in the LEAP program for training teachers.

The LEAP program expired on 30 June 2014 and appears not to have been renewed, despite being described within as a "first" program of action.

Queensland's Department of Education, Training and Employment provides "Closing the Gap Indigenous Education Grants"\(^{154}\) to schools to invest in specific initiatives including leadership in education for Indigenous students.

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\(^{151}\) Ibid.

\(^{152}\) Review on NPA on Remote Indigenous Housing, above n 25.


May 2015
Pearl Duncan Teaching Scholarships\textsuperscript{155} are available to Indigenous student teachers to complete an initial teacher education program.

4.6 South Australia

Schedule 1 of the *Education and Early Childhood Services (Registration and Standards) Act 2011* (SA) recognises:

3—Objectives and guiding principles

(3) The guiding principles of the national education and care services quality framework are as follows— …

(d) that Australia’s Aboriginal and Torres Strait Islander cultures are valued.

However, the Act does not go beyond this to identify the specific educational needs of Indigenous students.

Anangu Pitjantjatjara Yankunytjatjara (‘APY’) Lands cover approximately 10% of South Australia. According to the Anangu Lands Paper Tracker\textsuperscript{156} which monitors government commitments to APY people, in 2004 the South Australian Government funded family-focused programs in four APY communities which resulted in the establishment of a number of family centres. Homemaker programs were delivered from the centres to support parents in creating safe and healthy homes for their children.

In 2006, Federal funding increased the number of family centres from four to seven. As of August 2010, only four were still operating.

In June 2011, the Federal Government indicated that the family centres were “in extremely poor condition” and, accordingly, that around $5 million in unspent funding would be used to establish new “family well-being centres” on the APY Lands.\textsuperscript{157}

On 29 November 2012, the South Australian Government advised State Parliament that:

- one family wellbeing centre had commenced operations in August 2012 and that a "range of programs and organisations" had operated from the centre; and

- two more centres would be in place and operational by mid-2013.\textsuperscript{158} There is anecdotal evidence that these centres were established.\textsuperscript{159}


A 2003 State Plan to protect and advance the interests of children\(^\text{160}\) makes reference to the establishment of a "3 year Aboriginal Homemaker program for rural and remote aboriginal communities" as an achievement of Parenting SA,\(^\text{161}\) which was established in 1996 by the Government of South Australia as a resource to assist parents and help them build on their skills, The State Plan makes no reference as to how the providers of such courses are educated.

The South Australian Government's "Skills for All\(^\text{162}\)" website does not specifically promote Indigenous education providers,\(^\text{163}\) however, a dedicated section of the website called "Support for Aboriginal people"\(^\text{164}\) provides information, advice and financing regarding training and work.

Indigenous student teachers can apply for Amy Levai Aboriginal Teaching Scholarships; qualified teachers can apply to the Aboriginal Teachers Employment Program (‘ATEP’) to gain employment with Department for Education and Child Development itself. The next round of offers/information is available on these programs from late January 2014, but neither scholarship is linked to the provision of homemaker or budgeting education.\(^\text{165}\)

The NPARIH Review of Progress (2008-2013) document\(^\text{166}\) attaches at Appendix 8 a tenant support document published by the South Australian Government (through Housing SA) entitled “Living in Your Home”. The document is directed towards Indigenous people and covers various homemaking matters. The document is not otherwise available online and may have been discontinued.

### 4.7 Tasmania

The *Education Act 1994* (Tas) provides for and regulates education in Tasmania, but does not have any specific provisions regarding the needs of Indigenous students or homemaking/budgeting courses.

There do not appear to be any specific government-run programs to assist Tasmanian Indigenous people with development of home making skills, however a

\[^{156}\text{Ibid.}\]
\[^{162}\text{Skills SA, Department of State Development, Government of South Australia, Skills for All <http://www.skills.sa.gov.au/>.}\]
\[^{163}\text{Skills SA, Department of State Development, Government of South Australia, What you need to know to become a training provider <http://www.skills.sa.gov.au/for-training-providers/become-a-training-provider>.}\]
\[^{166}\text{Review on NPA on Remote Indigenous Housing, above n 25.}\]
number of religious charities run general private rental support services to help tenants maintain their tenancies.\textsuperscript{167}

Further:

- the Aboriginal Housing Service Tasmania website provides that Indigenous housing applications can be made through "Housing Connect" offices across the state;\textsuperscript{168}

- the "Connecting to Assistance and Support Policy" on the Housing Connect website provides that tenants will be provided with information on a range of support options, including budgetary advice and "practical assistance".\textsuperscript{169}

The Tasmanian Government Department of Education's Aboriginal Education Services\textsuperscript{170} manages a number of programs\textsuperscript{171} aimed at supporting Indigenous Students, providing Indigenous Tasmanian curricula and includes the Lucy Beeton Scholarship,\textsuperscript{172} supporting Indigenous people to undertake teaching qualifications at the University of Tasmania. However, no reference is made to the training of Indigenous people to teach homemaker or budgeting courses.

4.8 Victoria

The Schedule to the \textit{Education and Care Services National Law Act 2010} (Vic) contains the following provision:

\begin{quote}
3 Objectives and guiding principles

(3) The guiding principles of the national education and care services quality framework are as follows—...

(d) that Australia's Aboriginal and Torres Strait Islander cultures are valued.
\end{quote}


\textsuperscript{168} Tasmania Government, Department of Health and Human Services, \textit{Aboriginal Housing Service Tasmania} \url{<http://www.dhhs.tas.gov.au/__data/assets/word_doc/0019/141733/Connecting_to_Assistance_and_Support_Policy.docx>}.\textsuperscript{171}\textsuperscript{172}

\textsuperscript{169} Tasmanian Government, Department of Education, \textit{Aboriginal Education Services} \url{<http://www.education.tas.gov.au/parents_carers/schools-colleges/Programs-Initiatives/Pages/Aboriginal-Education-Services.aspx>}.\textsuperscript{171}\textsuperscript{172}

\textsuperscript{170} See University of Tasmania, \textit{Lucy Beeton Aboriginal Teacher Scholarship} (17 February 2014) \url{<http://info.scholarships.utas.edu.au/AwardDetails.aspx?AwardId=2387>}.\textsuperscript{171}\textsuperscript{172}
There do not appear to be any other legislative provisions addressing particular needs of Indigenous students, let alone Indigenous adult education.

There has been no apparent emphasis on 'homemaker schemes' or homemaker training in Victoria, however, the Victorian Government has established 39 Local Indigenous Networks ('LINs') of Indigenous people who act as community spokespersons, identify issues of concern in their localities and plan for future development.

According to the website of the Department of the Premier and Cabinet, LIN representatives work with Local Aboriginal Education Consultative Groups to support community initiatives such as men's groups, homework centres and cultural identity projects. Accordingly, though not specifically stated, it's likely that such work would encompass home management training or advice.

As noted above in Section 1, Aboriginal Housing Victoria (AHV) is an Indigenous community organised, non-governmental agency that acts as a key partner to and is partly funded by the Victorian Government. The AHV had a Tenancy Facilitation Team which travelled around Victoria liaising with community agencies and advising tenants as to how to maintain their tenancies, but it appears that it may have been disbanded.

4.9 Western Australia

The Schedule to the Education and Care Services National Law (WA) Act 2012 (WA) contains the following provision:

3 Objectives and guiding principles

(3) The guiding principles of the national education and care services quality framework are as follows—…

(d) that Australia's Aboriginal and Torres Strait Islander cultures are valued.

As with the Victorian version, there do not appear to be any other legislative provisions addressing Indigenous adult education requirements.

Western Australia's Affordable Housing Strategy 2010 - 2020 strategy aims to complement the NPARIH to improve community-owned housing stock and housing management practices.\(^{175}\)

The Western Australian Government Department of Housing funds the Support and Tenant Education Program (STEP),\(^{176}\) a free service to help tenants experiencing difficulty meeting tenancy obligations.

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\(^{175}\) WA Affordable Housing Strategy, above n 125, 41.
This service is not specifically directed at members of the Indigenous community, it is available to all Western Australian tenants. Accordingly, it is unlikely that, outside of normal Western Australian Government hiring practices, Housing Services Officers of Indigenous background in particular would be running such a program and there is no evidence to suggest that they are.

Participation in STEP is voluntary: clients meet with a STEP Provider and a Housing Services Officer will then meet with the client regularly to discuss and implement ideas to help sustain their tenancies.

Skills taught during the program include:

- Resolving conflicts or disputes;
- Managing budgets;
- Maintaining a stable and functioning household;
- Learning and understanding tenant obligations and responsibilities;
- Managing external factors that impact on tenancies.

Other resources on the Department of Housing website provide a range of information and services\(^{177}\) to help manage tenancies, including information regarding ‘Remote Aboriginal housing’.\(^{178}\)

5. The Tangentyere Council model for integrating service delivery and administrative needs associated with Indigenous housing (Recommendation 324)

**Recommendation 324:** That the model which Tanganytère Council offers for integrating the various service delivery and administrative needs associated with Aboriginal housing should be studied in other regions.

Tangentyere Council\(^{179}\) was established in the early 1970s and was first incorporated in 1979. It is the major service delivery agency for 18 ‘Town Camps’ (housing associations) in Alice Springs in the Northern Territory.

Commissioner Johnston singled out Tangentyere Council’s housing services model for praise, describing it as follows: “The value of Tangentyere’s approach is that it recognises that good housing designs will only work with appropriate back-up services for clients especially rent collection and maintenance--and that these and

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\(^{178}\) Western Australian Government Department of Housing, above n 176.

other relevant services are best delivered from within one integrated and Aboriginal-controlled organisation”.

At the time of writing, there is no evidence to suggest that the Tangentyere Model in particular has been studied or implemented to any great degree at either Federal, State or Territory level, but under the NAHA (which is applicable to all Australians) the signatories agreed to "work towards improving co-ordination across housing related programs to make better use of existing stock and under-utilised Government assets and achieve better integration between housing and human services…”.

Set out below are the arrangements which have been implemented in respect of housing service delivery to Indigenous communities.

5.1 Commonwealth

The Coordinator-General for Remote Indigenous Services Act 2009 (Cth) commenced on 8 July 2009. It establishes the role of Coordinator-General for Remote Indigenous Services to monitor, assess and promote the development and delivery of services and facilities by governments, in each remote location specified by the Minister, to a consistent standard comparable to that of non-Indigenous communities in Australia of similar size, location and needs.

This is to be achieved by reforming and/or improving coordination of the development and delivery of services and facilities and advancement as regards achieving the "Closing the Gap" targets in those specified locations.

One of the purposes of the Overarching Bilateral Indigenous Plans agreed between the Federal Government and each State and Territory was to progress implementation of the National Urban and Regional Service Delivery Strategy for Indigenous Australians which is part of the national "Closing the Gap" strategy.

The National Partnership Agreement on Remote Service Delivery (“NPARSD”) was signed in January 2009 by COAG. The governments were to invest $291.2 million over five and a half years to improve the application of funds and initiatives provided through other National Partnerships agreed by COAG to improve service delivery to Indigenous Australians in 29 priority locations.

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181 National Affordable Housing Agreement, above n 32, 3 [4].


May 2015
Renewable Remote Power Generation Agreements\textsuperscript{184} for installation of renewable generation technologies in off-grid areas of Australia were agreed with Queensland, South Australia and Victoria and were in effect between July 2007 to July 2008.

5.2 Australian Capital Territory

In an effort to maintain a high quality of service delivery, the ACT Government has been in consultation with the Aboriginal and Torres Strait Islander Elected Body to produce the ACT Government Response to the Aboriginal and Torres Strait Islander Elected Body Third Report 2013\textsuperscript{185}.

The ACT’s Integrated Service Delivery (‘ISD’),\textsuperscript{186} team works with a range of service providers to deliver culturally sensitive health, education, medical, social and wellbeing services.

Case allocation meetings are held weekly to assess the need for intervention or whether existing clients require intervention to be ongoing. Families no longer requiring intervention are given a Family Action Plan which they have developed in consultation with the ISD service.

The ACT’s Community Services Directorate\textsuperscript{187} engaged the Australian Housing and Urban Research Institute\textsuperscript{188} (‘AHURI’), a research organisation with experience in Indigenous housing and homelessness issues, to conduct a national Research Synthesis on best practice Indigenous Housing and Homelessness Service Models and responses.\textsuperscript{189}

5.3 New South Wales

New South Wales, as one of the signatories to the National Partnership Agreement On Remote Service Delivery, enacted a Remote Service Delivery Bilateral Implementation Plan (NSW) 2009-2014.

A combination of Federal Government and State funding was to be applied to achieve 6 major milestones:

- to engage with communities to improve governance and promote personal responsibility, etc.
- baseline mapping and service audits to determine service gaps, etc.
- to establish integrated planning, coordination and reporting mechanisms


\textsuperscript{186} ACT Closing the Gap Report, above n 47, 34.


\textsuperscript{188} Australian Housing and Urban Research Institute <http://www.ahuri.edu.au>.

\textsuperscript{189} Australian Housing and Urban Research Institute, Service integration and Indigenous housing <http://www.ahuri.edu.au/publications/projects/p70569>.
to develop local implementation plans to improve service design and delivery
• to report and share best practice and to conduct ongoing monitoring and evaluation
• to identify key risks associated with implementation of the remote service delivery approach and develop corrective measures.

Strategies built on existing mechanisms such as the Overarching Bilateral Agreement between the Commonwealth and the Two Ways Together framework\(^{190}\) (developed in 2003 to improve the wellbeing of Indigenous people in New South Wales), to establish a Regional Operations Centre, develop local implementation plans for Walgett and Wilcannia, conduct an annual evaluation process shared across all jurisdictions and ensure baseline mapping information is adequate to identify all areas for reform.

An Audit Office of NSW audit\(^{191}\) indicated that the Two Ways Together model was not delivering the desired results - it has been replaced by the OCHRE\(^{192}\) model which differs from previous approaches in that it aims to deliver:

• Partnerships over paternalism;
• Opportunity over disadvantage;
• Successes over shortfalls;
• ‘Listening to’ over ‘talking at’;
• Local solutions over ‘one size fits all’;
• Evidence over assumptions;
• Participation over marginalisation;
• Practice over theory,
• and recognises the importance of Healing.

Housing NSW Commitment to Improving Service Delivery to Aboriginal People (March 2010) pledged the New South Wales Government to improve service delivery to Indigenous clients over the next 5 years. Action plans are to be developed and renewed annually where necessary.\(^{193}\)

5.4 Northern Territory


"A Working Future”, referred to in the Overarching Bilateral Indigenous Plan (NT) 2010 – 2015, is a key component of Territory 2030, the Northern Territory Government’s blueprint for the future of the Territory, and will boost services to remote communities through a “hub and spoke service delivery model”, which includes improvements to remote service delivery; employment and economic development and improved remote transport strategy.

The Northern Territory Government delivers the NPARSD and its regional strategies through its Service Delivery Coordination Unit as guided by the Remote Service Delivery Bilateral Implementation Plan 2009-2014 agreed with the Federal Government which is regularly monitored and reviewed.

The Northern Territory Government commissioned the Integrated Regional Transport Strategy in 2010 which identifies transport requirements for each of the Territory’s regions, and proposes initiatives for enhancing services and improving accessibility in these areas, including:

- trialling new regional bus passenger services;
- the upgrading of remote barge landings and aerodromes; and
- assisting Territory Growth Towns to identify and prioritise their passenger transport needs.

The Northern Territory Government's Department of Community Services has set a plan for targeted investment in infrastructure in ‘Major Remote Towns’, including water, sewerage, electricity and community facilities, roads and good Internet access to attract new businesses and provide a global connection to remote towns. The Major Remote Towns Update 2012 brochure sets out progress made to that date.

5.5 Queensland

The Federal Government is providing funding coordinated with arrangements for delivery of other services and programs to improve health and economic standards of Indigenous people in Queensland’s remote communities.

196 Bilateral Indigenous Plan: NT, above n 72, 2 [4].
199 Northern Territory Government, Department of Local Government and Community Services, Working with Communities Across the Territory <http://www.drdia.nt.gov.au/about_us/regional_services/major_remote_towns>.
201 NPARIH Review of Progress, above n 25, 80.
The Remote Service Delivery Bilateral Plan 2009 - 2014 sets out Queensland’s implementation plan for the NPARSD. Communities in Mornington Island, Doomadgee, Hope Vale, Aurukun, Mossman Gorge and Coen are identified as priority areas for improvement.

Annual Highlights Report for Queensland’s Discrete Indigenous Communities July 2009 – June 2010 indicates that Queensland’s Department of Communities offers Indigenous clients tenancy management assistance including rent collection, asset management and tenancy support services.

5.6 South Australia

The Remote Service Delivery Bilateral Implementation Plan 2009 -2014 (SA) contains the same 6 milestones as set out in the Remote Service Delivery Bilateral Implementation Plans of the other 4 other signatories, being New South Wales, the Northern Territory, Queensland and Western Australia.

The Bilateral Implementation Plan indicates that the State government would achieve this by, amongst other actions, engaging with APY Lands communities, conducting Baseline Community Profiles on major APY Lands, establishing a Regional Operations Centre in Adelaide, agreeing Local Implementation Plans with local communities, monitoring implementation of those agreements and identifying and counteracting communities not being sufficiently engaged in the new remote service delivery approach.

The South Australian Government Department of Planning, Transport and Infrastructure website contains an Aboriginal Lands survey (which from its content is likely to date from 2004/2005) which sets out the existing populations in Indigenous lands, existing infrastructure and infrastructure projects underway at the time of publishing as well as those planned for the 2005/2006 - 2009/2010 and 2010/2011 - 2014/2015 periods.

In 2010, a $6 million investment by the Federal Government under the Army Aboriginal Community Assistance Program provided new housing and construction activities, environmental health infrastructure, health services and training to Pukatja.

5.7 Tasmania


NPARIH Review of Progress, above n 25.

Ibid 83.
The Joint Steering Committee established under the NPARIH Implementation Plan oversees the implementation of service delivery and governance standards.\(^\text{207}\)

According to the Department of Premier and Cabinet website, once an Indigenous person meets the eligibility criteria set out in the Tasmanian Government's Aboriginal Eligibility Policy,\(^\text{208}\) they have access to a range of programs and services for the social, cultural and economic advancement, although it does not specify what the services are or how they are delivered. Presumably, successful applicants have access to services such as those set out on the Office of Aboriginal Affairs\(^\text{209}\) ('OAA') page (The OAA is "responsible for high-level consultation with Tasmania's Aboriginal and Torres Strait Islander population\(^\text{210}\)).

5.8 Victoria

The Victorian Aboriginal Affairs Framework 2013–2018\(^\text{211}\) is focused on putting an end to Indigenous disadvantage by designing and delivering services that are accessible by Indigenous people across the State to ensure a 'whole of system' service effectiveness and accountability. "A 10 year evaluation framework to be finalised in 2013–14 will give focus and set priorities for a future agenda on reviewing service effectiveness..."\(^\text{212}\) It is not apparent that this framework has been finalised.

5.9 Western Australia

The Bilateral Implementation Plan 2009 - 2014\(^\text{213}\) sets out Western Australia’s implementation plan for the NPARSD. Strategies intended to effect the aims of the 6 milestones include:

- Developing a framework for planning and delivery of culturally accessible services.
- Establishing Regional Operations Centre(s) in the Kimberley.
- For locations established as 'priority', identifying commitments under the NPARSD, NIRA and related COAG agreements relevant to each location for inclusion in a Local Implementation Plan.
- Reporting back to the community, government and other stakeholders on progress.

Western Australia’s Affordable Housing Strategy 2010 - 2020 strategy aims to coordinate public and not-for-profit systems to improve service delivery for clients.

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\(^{207}\) See above n 35.


\(^{212}\) Ibid 17.

\(^{213}\) Bilateral Implementation Plan: WA, above n 37.
Public resources and opportunities are to be allocated to those providers most able to deliver the best and most efficient outcomes.\textsuperscript{214}

The Remote Areas Essential Services Program\textsuperscript{215} provides repairs and maintenance services to remote Indigenous communities in the Kimberley, Pilbara/Gascoyne and Western Desert regions of Western Australia. Service providers rotate visits every 6-8 weeks to Indigenous communities to check (and if necessary to repair) water, power and waste management infrastructure.

An additional $20.4 million was allocated for the Remote Areas Essential Services Program in 2010-2011 to provide vital repair and maintenance service for power, water and wastewater systems to several remote Indigenous communities in WA.\textsuperscript{216} Horizon Power stated that it was spending $25.8 million between 2009 and 2012 to regularise electricity supplies to two remote Indigenous communities.\textsuperscript{217}

Section 62B of the \textit{Housing Act 1980} (WA) (as amended by the Aboriginal Housing Legislation Amendment Act 2010) inserts into Western Australia’s legislation a service to manage leasing of property on Indigenous land by the Housing Authority: it is unclear whether this extends to property maintenance.

\section*{6. Review of assistance given to Indigenous housing organisations re administration and housing stock repair costs (Recommendation 325)}

\textbf{Recommendation 325:} That the question of providing assistance to Aboriginal housing organisations in relation to administration costs and the cost of repair of housing stock receive close attention. In this respect the CDEP scheme appears to offer an excellent opportunity for communities to solve some of the problems of the cost of housing repairs whilst at the same time providing work of a type that opens the way for training in important areas of skill development.

\subsection*{6.1 Commonwealth}

The Community Development Employment Projects (‘CDEP’) referred to in Recommendation 325 was an initiative by the Federal Government to improve the employment prospects of Indigenous Australians. Since 1 July 2013, CDEP has been integrated with Job Services Australia, Disability Employment Services and the Indigenous Employment Program into the Federal Government’s new Remote Jobs and Communities Program\textsuperscript{218} (‘RJCP’), which aims to provide a more efficient approach to providing employment, participation and community-development

\begin{itemize}
\item \textsuperscript{214} WA Affordable Housing Strategy, above n 125, 6.
\item \textsuperscript{215} Australian Indigenous HealthInfoNet, \textit{Remote areas essential services program (RAESP)}. <http://www.healthinfonet.ecu.edu.au/key-resources/programs-projects?pid=553>.
\item \textsuperscript{217} Ibid.
\end{itemize}
services to Indigenous and non-Indigenous clients in 60 remote regions across Australia. The payment of CDEP wages was extended until 30 June 2017.\textsuperscript{219}

The Community Housing and Infrastructure Needs Survey 2006\textsuperscript{220} (‘CHINS’), the aforementioned national survey conducted by the Australian Bureau of Statistics to identify the needs of discrete Indigenous communities and housing organisations included an assessment of repairs required by permanent dwellings owned or managed by Indigenous Housing Organisations.

The NPARIH includes the provision of a 10 year funding strategy which includes repair of existing properties.\textsuperscript{221} As per the terms of the NPARIH, progress against the targets set out therein was reviewed in 2012. The National Partnership on Remote Indigenous Housing – Progress Review (2008-2013) identified:

areas of focus for State, regional or local government planning processes that require a shift away from the current, mainly reactive approach to funding, including the development of:

- asset management plans for all infrastructure;
- demand management strategies for water, power and sewerage consumption; and
- workforce planning strategies with a focus on local employment.\textsuperscript{222}

The NPARIH Review of Progress (2008-2013)\textsuperscript{223} (mentioned in Section 1 above) notes that more than $400 million in funding has been provided to State governments under the NPARIH, for administrative costs and for repairs and refurbishments necessary to bring Indigenous Community Housing Organisations’ stock up to a public housing-like standard.

Fixing Houses for Better Health\textsuperscript{224} (‘FHBH’) commenced in 1999 as a sub-program of the Community Housing and Infrastructure Program. It was initially administered by the Aboriginal and Torres Strait Islander Commission (‘ATSIC’). In 2001 it was


\textsuperscript{221} \textit{NPA on Remote Indigenous Housing, above n 23, [12], [13].

\textsuperscript{222} \textit{NPARIH Review of Progress}, above n 25, 31.

\textsuperscript{223} Ibid 61.

transferred to the then Department of Family and Community Services (now the Department of Social Services) who took up the task of funding the program.\footnote{225}

The Fixing Houses for Better Health projects are referred to as 'Housing for Health' projects when they are funded by a mix of state housing, Indigenous affairs and health departments. Both use the same methods to carry out projects; the difference in names relates only to the funding source.\footnote{226}

The project recruited and trained local Indigenous people, contracted tradespeople and employed local office staff to repair the essentials for health and safety in every house in a community. Recruits were trained to regularly maintain these essentials, reducing the need for the services of tradespeople.

In 2005 to 2006, $5 million was provided for FHBH under the Healthy Indigenous Housing Budget. Projects in Western Australia and the Northern Territory commenced in early 2006. The management of FHBH projects was tendered in 2005: the successful tenderer, Healthabitat Pty Ltd, was contracted until 30 June 2009 to survey and fix 2,050 houses and to manage 7 research and development projects to improve Indigenous housing design, construction and maintenance. Healthabitat Pty Ltd's last Federal Government contract was from 2009-2011,\footnote{227} but there is no available evidence to suggest the program has been cancelled.

A study of the FHBH program Evaluation of Fixing Houses for Better Health Projects 2, 3 and 4\footnote{228} concluded that the task of assessing housing conditions and repairing faults should be carried out at the community and/or regional level with assistance from the States and Territories but noted that this was:

\begin{quote}
 inconsistent across the nation due to the complex context of competing priorities, resource constraints, and a lack of governance and management capacity in certain cases...
\end{quote}

The FHBH Projects’ other primary objective of compiling a comprehensive database on the condition of Indigenous housing is... an essential element of the FHBH Projects. There is a significant amount of subjective, confusing and inconsistent data about the quality and status of Indigenous housing...

\begin{quote}
 whole-of-government coordination of policies and programs aimed at capacity and partnership building is still essential to achieve satisfactory outcomes for Indigenous housing.\footnote{229}
\end{quote}

A Place to Call Home\footnote{230} operated between July 2008 and June 2013. It was a program initiated by the Federal, State and Territory governments to build 600 new

\footnotesize
\begin{itemize}
\item Ibid.
\item Ibid.
\item Ibid 90-1.
\end{itemize}
homes for homeless individuals and families (Indigenous and non-Indigenous). The Federal Government invested $150 million in the program; contributions were also made by State and Territory governments. Indigenous people were given access to homes and support services proportionate to their representation in the homeless population.

Under the 'A Place to Call Home' program, Federal Government funds were distributed to the States and Territories according to 2006 Australian Bureau of Statistics Census data. Funding covered building costs, purchases and/or renovation of suitable public housing properties.

Clients moved directly into permanent housing. They received tenancy and other support services for 12 months to address the issues which led to them becoming homeless and to reintegrate them within the community. Program dwellings were transferred to the public housing pool so tenants could remain in their home at the end of the support period. In early 2013, a concurrent audit was undertaken to examine, amongst other things, whether or not the NPAH (which incorporates the 'A Place to Call Home' program) was making a difference for homeless people.231

The National Indigenous Housing Guide - 2007232 is in its third edition. It is intended to assist with the design, construction and maintenance of housing for Indigenous people. It is divided into four parts: safety, health and housing, healthy communities and managing houses for safety and health. As housing in remote communities is utilised in different ways than in the city, the Guide gives location-appropriate advice.

The Guide was developed by the Federal Government together with communities, construction experts and health workers and is intended to be a resource for those

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involved in providing housing to Indigenous people, from tradespeople to government officials.

The Remote Indigenous Housing Program Municipal and Essential Services Guidelines 2009-2012233 provide a structure for the application and administration of the Remote Indigenous Housing Program. The Guidelines provide that:

Funding recipients/service providers will be required to provide regular updates against milestones as specified in the funding agreements. Performance indicators are reviewed annually and may be updated to meet changed business requirements for a new financial year… The Federal Government will engage an independent party to undertake a formal review of the National Partnership Agreement on Remote Indigenous Housing in 2012 and 2017. The outcome of the review will identify progress against performance indicators and targets and inform the future direction of National Partnership Agreements.234

6.2 Australian Capital Territory

The ACT Closing the Gap Report 2013235 sets out the actions that the ACT has committed to undertaking pursuant to COAG’s Indigenous reform programs and the measures to be used to gauge progress. It also details the programs and services already delivered to resolve the gap in the standard of living between Indigenous and non-Indigenous Australians.

As stated in the ACT Closing the Gap Report, the ACT Government committed to allocate 50% of 20 new family homes being constructed to Indigenous homeless families in the ACT under the ‘A Place to Call Home’ Program by 30 June 2013. The number of houses built under the program has been achieved and the target of 50% of properties being allocated to Indigenous families was met in the three years to 2011-12.236

According to an article237 on the ABC news website in 17 July 2013, the Southside Housing Aboriginal Corporation, a community housing provider, claimed to be having problems securing funding from the Federal Government since the ATSIC was abolished this occurred in 2005:

6.3 New South Wales

The Aboriginal Housing Act 1998 (NSW), section 12 states that the AHO is responsible for developing asset and management strategies with regard to AHO-owned properties, including repairs. The New South Wales AHO has encouraged


236 NPAH Audit Report: ACT, above n 231, 5.


238 See Aboriginal and Torres Strait Islander Commission Amendment Act 2005 (Cth).
Indigenous employment in local and regional communities by regularly engaging Indigenous builders, mainstream building contractors with Indigenous employees or builders who use Indigenous contractors on a regular basis.\textsuperscript{239}

NSW has been allocated $397 million out of the total Federal funding of $5.5 billion for remote Indigenous housing over 10 years.\textsuperscript{240}

As at 31 March 2013, 143 new houses had been completed and 401 houses had been refurbished under the NPARIH in NSW\textsuperscript{241}. In 2013-14, 79 new houses had been completed and 465 houses refurbished under the NPARIH in NSW.\textsuperscript{242} In 2012-13 around 26\% of employees engaged on NPARIH construction projects in NSW were Indigenous and 35.5\% for refurbishment works under the NPARIH, which exceeded the 20\% Indigenous employment requirement in the NPARIH.\textsuperscript{243}

In NSW, there are approximately 206 Indigenous Community Housing Organisations (‘ICHOs’) with 4,400 properties. As at early 2013, 64 ICHOs with control of 1,686 properties have transitioned to social housing management standards. Repairs and maintenance programs are being rolled out for the properties owned by these ICHOs.\textsuperscript{244}

$100 million is available under NPARIH to fund backlog maintenance across NSW on houses owned by Aboriginal Community Housing Providers. The condition of this funding is that only providers participating in the initiatives as detailed receive these funds.\textsuperscript{245}

In order to engage refurbishment work in remote areas and backlog maintenance in the remainder of NSW, ICHOs must participate in NSW’s Build and Grow Strategy.\textsuperscript{246} Build and Grow introduced a new registration system for ICHOs, called the Provider Assessment and Registration System (‘PARS’). All providers who become PARS registered with the AHO will be eligible for operating subsidies and business development assistance; will have the opportunity to manage more houses and will have backlog maintenance\textsuperscript{247} performed on their houses, up to the value of


\textsuperscript{240} NPARIH Review of Progress, above n 25.

\textsuperscript{241} Ibid.


\textsuperscript{244} NPARIH Review of Progress, above n 25.

\textsuperscript{245} Build and Grow Strategy, above n 59.

\textsuperscript{246} Build and Grow Strategy, above n 59.

$50,000 per house. Under Build and Grow in 2013-14, $4.7 million in operating subsidies was provided to 13 Aboriginal community housing providers to assist them implement reforms under the Build and Grow Strategy.\textsuperscript{248}

The Family and Community Services Annual Report,\textsuperscript{249} which incorporates the AHO, sets out performance indicators and progress.

### 6.4 Northern Territory

Management and maintenance of housing is governed by the \textit{Housing Act (NT)}\textsuperscript{250} and the \textit{Residential Tenancies Act (NT)}.\textsuperscript{251}

Remote Housing NT\textsuperscript{252} is a new public housing management system to be implemented over 10 years in remote communities across the Northern Territory to ensure better housing standards. It includes the introduction in remote Indigenous communities of the Remote Public Housing Management Framework,\textsuperscript{253} a model similar to the public housing system.

Where possible, Territory Housing will enter into a service level agreement with the local shire council or community housing organisation to deliver repairs and maintenance services. This agreement will encourage the employment of Indigenous people.\textsuperscript{254}

The NPARIH Review of Progress (2008-2013)\textsuperscript{255} observes that under the scheme the Northern Territory Government has introduced public housing to 73 remote communities on a similar basis to public housing in urban centres which will more than double the Northern Territory public housing system.

Northern Territory was allocated $1.7 billion over 10 years out of the total Federal Government funding for remote Indigenous housing. The demand for better housing was such that the Federal Government twice brought forward funding for the Northern Territory Government to hasten housing delivery, allowing for supply earlier than expected.

As at 31 March 2013, 821 new houses had been completed and 2,693 houses had been refurbished or rebuilt under the NPARIH.

Indigenous employees have made up approximately 30% of the construction workforce across 93 communities and town camps since the program began. This has greatly exceeded the 20% Indigenous employment target in the NPARIH.

\textsuperscript{248} FACS Annual Report 2013-2014, above n 243, 30.
\textsuperscript{249} FACS Annual Report 2013-2014, above n 243.
\textsuperscript{250} See s 16(2).
\textsuperscript{251} See Part 7.
\textsuperscript{252} Northern Territory Government, above n 76.
\textsuperscript{255} NPARIH Review of Progress, above n 25.
The Federal Government plans to invest a further $230.4 million over six years (2012-13 to 2017–18) to continue improving Northern Territory housing stock in remote communities as part of a broader Stronger Futures in the Northern Territory (SFNT) program. It has also introduced the Homelands Policy which will provide additional funding of up to $5,200 per annum to service providers for eligible homelands dwellings to carry out repairs and maintenance works.\textsuperscript{256}

The Northern Territory Government has negotiated agreements under the NPARIH with local government and other providers for the delivery of repairs and maintenance services for remote Indigenous housing.

Territory Housing has established Housing Reference Groups in each community, made up of local Indigenous people living in the community. These Reference Groups are consulted on cultural and family related matters in the community and also advise the Northern Territory Government on housing allocations. The Northern Territory Government also employs community housing officers based in remote communities to engage with tenants on housing-related matters.

At the beginning of 2012, 14 out of 16 communities prioritised for major investment in the Northern Territory had signed long term leasing arrangements, which has facilitated the granting of long term subleases for business and domestic ownership. Smaller communities are negotiating voluntary leases to allow housing works to commence.

The Northern Territory Department of Housing also releases an annual report\textsuperscript{257} setting out performance indicators and progress.

\section*{6.5 Queensland}

The Queensland Aboriginal and Torres Strait Islander Human Services Coalition,\textsuperscript{258} is a network of over 100 Indigenous Community Controlled Human Service providers established in 2007.\textsuperscript{259} Its paper ‘Our Position: Housing and Homelessness’\textsuperscript{260} states:

\begin{center}
\textit{In recent years, the Federal and Queensland governments have allocated funds to increase [public] housing supply and bring existing properties up to standard.}
\end{center}

\begin{flushleft}
\textsuperscript{256} Northern Territory Government, \textit{Homelands Policy} (March 2015) \\
\textsuperscript{257} Northern Territory Government, Department of Housing, \textit{Annual Report 2013-2014} (2014) \\
\textsuperscript{258} The Queensland Aboriginal and Torres Strait Islander Human Services Coalition \\
\textsuperscript{259} Ibid.
\textsuperscript{260} The Queensland Aboriginal and Torres Strait Islander Human Services Coalition, \textit{Our Position: Housing & Homelessness} \\
\end{flushleft}
This has included funding through the Strategic Indigenous Housing and Infrastructure Program and the National Partnership on Remote Indigenous Housing, the commitment of funds to social housing through the Nation Building economic stimulus and the improved performance of mainstream public housing in proving access to Aboriginal and Torres Strait Islander households.

Queensland has been allocated $1.15 billion out of the total Federal Government NPARIH funding for remote Indigenous housing. It will be used to deliver 1,141 new dwellings and over 1,216 refurbishments over the ten year course of the Agreement.

Property management practices in remote communities are common to those used for all other Queensland social housing properties; accordingly they are expected to meet the same standards.

Queensland has received upwards of $88 million to upgrade Indigenous Community Housing Organisation (ICHO) housing an support ICHOs to transition to the Queensland Government’s One Social Housing System (the combined system coordinating all housing services funded by the Queensland's Department of Housing and Public Works).

As at 31 March 2013, 190 new houses had been completed and 1,026 houses had been refurbished in Queensland under the NPARIH. During the period 2011-12 there was approximately 53% Indigenous employment on NPARIH construction projects. This has substantially exceeded the 20% target set in the NPARIH.261

The Queensland Government Building and Construction Training Policy262 came into effect on 1 July 2014. The Training Policy replaced the Indigenous Employment Policy for Queensland Government Building and Civil Construction Projects (20% IEP) The Training Policy promotes, encourages and creates skills development, employment and business opportunities for Aboriginal people and Torres Strait Islanders in relation to Queensland Government building and civil construction projects.263 For all indigenous projects under the Training Policy, it is a core requirement that 10% minimum total labour hours is required by Indigenous apprentices and trainees an Indigenous workforce recruited from local communities. The Training Policy also requires an additional 10% of total labour hours be allocated towards an agreed Indigenous Economic Opportunities Plan.

6.6 South Australia

The Annual Report 2009-2010264 of the South Australian Government Department for Families and Communities (now DCSI) notes that NPARIH was to provide $291.5m over 10 years to South Australia. During 2009-10, $97.9m was released by

261 NPARIH Review of Progress, above n 25, 80-1.
the Federal Government to fund a number of projects, including refurbishment of 34 houses on the APY Lands under the Indigenous Community Housing Program.

For the 10 year period of the NPARIH, the SA Government’s target is to deliver a total of 241 new houses and 206 refurbishments. Between July 2012 and June 2014, NPARIH funding in South Australia was to be used to deliver 72 new houses and 60 refurbishments in remote Indigenous communities, with a particular focus on the communities in the APY lands. Construction and refurbishment of all properties was completed before the target date of 30 June 2014. As at 31 March 2013, 119 new houses and 177 refurbishments were completed under the NPARIH. During 2013-14, an additional 39 new houses and 26 refurbishments were completed.

The South Australian Department for Communities and Social Inclusion releases an annual report setting out performance indicators and progress.

The South Australian Department for Communities and Social Inclusion has established a regional office to facilitate closer working relationships with communities. Local community members are being employed in the implementation of new property and tenancy management practices.

All public housing tenants in South Australia can request repairs to public housing which will be provided subject to conditions.

Regional Anangu Services Aboriginal Corporation (‘RASAC’) is a not-for-profit corporation established in 2010 which provides municipal services under a service level agreement to the Federal Government. Services include building repairs, refurbishment, maintenance and rebuilds on the APY Lands. RASAC at the time of publishing consisted of approximately 100 employees, around 80 of whom are Indigenous.

6.7 Tasmania

Under the NPARIH, Tasmania was allocated $28 million out of the total Federal Government funding for remote Indigenous housing.

As of March 2013, 8 new houses had been completed with two further houses underway, and 51 houses were refurbished with a further six underway. In 2011-12 around 22% of employees engaged on NPARIH construction projects have been local Indigenous people. This exceeded the 20% requirement in the NPARIH.

Over 10 years, the Tasmanian Government intends to deliver 18 new houses and over 57 refurbishments to existing houses. Between July 2012 and June 2014,

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265 NPARIH Review of Progress, above n 25.
267 Ibid.
NPARIH funding in Tasmania is to be used to deliver 4 new houses and 6 refurbishments on Flinders and Cape Barren Islands in Bass Strait.

Remote property and tenancy management services are provided through two Indigenous Community Housing Organisations (ICHOs) at Flinders Island and Cape Barren Island.

Policy frameworks consistent with Tasmanian public housing arrangements are being implemented and both ICHOs are offering support services to tenants to help with the transition.  

Division 4 of the Residential Tenancy Act 1997 (TAS) contains provisions to prevent, among other issues, delays to essential repairs and maintenance but according to a 2007 report by Anglicare Tasmania "anecdotal evidence from housing service providers is that all of these issues happen on a regular basis".

As mentioned above, Aboriginal Housing Services Tasmania ('AHST') provides approximately 330 affordable rental houses to Indigenous People in Tasmania. AHST is jointly managed by three Regional Aboriginal Tenancy Advisory Panels and Housing Tasmania.

Maintenance requests for Housing Tasmania's homes are assessed in accordance with lease agreements and Housing Tasmania policy. If works are necessary and are the responsibility of the property owner, Housing Tasmania will arrange for the work to be completed under one of the following categories:

- Emergency Maintenance: Where maintenance is required to protect tenants' safety or to prevent further damage to a property or its contents, e.g. storm damage.
- Urgent Maintenance: Where essential services stop working, e.g. water supply.
- Non-Emergency Maintenance: Where issues are Housing Tasmania's responsibility but which are not an immediate health or security risk. A wait can be involved as this is lower priority work. Tenants are responsible for 'day-to-day' maintenance (e.g. keeping inside and outside areas clean and tidy).

6.8 Victoria

Victoria has been allocated $30.35 million over ten years out of total Federal Government funding. As it does not have what can be considered a 'remote'

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270 See Tasmanian Government, Department of Health and Human Services, above n 99.
272 Tasmanian Government, Department of Health and Human Services, Aboriginal Housing Service Tasmania <http://www.dhhs.tas.gov.au/service_information/services_files/aboriginal_housing_service_tasmania>
Indigenous community, funding has been allocated toward improving Indigenous community housing in urban and regional areas.

The Victorian Government has been working to improve property and tenancy management practices in the State. As at 2013, 16 ACHOs have cooperated with these restructures. Organisations which participate receive property upgrades to bring their assets up to public housing standards. As at 30 November 2012, 75 refurbishments were reported to have been completed.

Under reforms, Victorian Aboriginal Community Housing Organisations were encouraged to become a part of the Victorian housing system as either:

- as a registered housing association or provider;
- as an accredited provider (covering property management, tenancy management and financial viability); or
- part of a formal partnership with a registered housing provider.\textsuperscript{274}

Since 2012, Aboriginal Housing Victoria\textsuperscript{275} (‘AHV’) has been assuming responsibility for all maintenance and upgrades on all AHV properties. AHV has assumed full management responsibility for 1,522 properties across Victoria.\textsuperscript{276}

\section*{6.9 Western Australia}

The WA Government was initially allocated $1.18 billion out of the total Federal NPARIH funding of $5.5 billion over 10 years.

NPARIH funding is intended to be used to deliver 228 new houses and 493 refurbishments in communities across the Kimberley, Pilbara, Goldfields, Ngaanyatjarra Lands and the Midwest between July 2012 and June 2014.

Over the full ten years of the Agreement, 1012 new dwellings and more than 1280 refurbishments will be delivered.

Under the urban Indigenous Community Housing Organisation (‘ICHO’) reform project, five major ICHOs are being aided in developing their capacity to manage social housing, and to meet requirements to be registered under the conventional Western Australian community housing framework.

NPARIH funding will be used to refurbish up to 370 ICHO properties in regional towns across Western Australia. Funding is also being used to provide employment-related accommodation in regional centres.

The Western Australian Government has negotiated Housing Management Agreements\textsuperscript{277} (‘HMAs’) with communities. These HMAs provide security over housing investment for 40 years.\textsuperscript{278}

\textsuperscript{274} NPARIH Review of Progress above n 25, 86-7.
\textsuperscript{275} Aboriginal Housing Victoria <http://ahvic.org.au/>.
A key initiative of the Affordable Housing Strategy 2010-2020 is to increase the volume of assistance for low-to-moderate income households by (amongst other things) exploring the establishment of non-government shared-equity options with Indigenous corporations.\textsuperscript{279}

Western Australia exceeded its NPARIH construction and repair targets such that Jenny Macklin, then the incumbent Indigenous Affairs Minister, rewarded the Western Australian Government with a $4 million bonus performance payment in 2010.\textsuperscript{280}

7. Indigenous Community participation in determination of tender awards for construction contracts; local employment and training strategies regarding building and maintenance of community infrastructure, co-ordinated with employment strategies (Recommendations 326 and 327)

**Recommendation 326:** That in recognition of both the depressed economic conditions in many remote communities and the importance of Aboriginal participation in the control of new construction:

(a) Where governments require tenders to be called for public works, they introduce procedures to enable Aboriginal communities to participate in the determination of the award of the construction contract;

(b) Such contracts should provide for the employment of labour from the community as far as is possible;

(c) The training of local persons in preparation for employment pursuant to such contracts should be a high priority for training providers; and

(d) Contracts should be let where possible to local tenderers, provided that their tender price is not unreasonably high.

Pending these arrangements being put in place, and with consequent improvements in income for housing organisations, governments and authorities should take into account the need of housing organisations for assistance with their recurrent costs, in addition to funding for new dwellings.

**Recommendation 327:** That:

(a) Relevant Aboriginal training institutions and Aboriginal housing organisations, in consultation with DEET, devise and implement a strategy

\textsuperscript{277} For a sample agreement, see Western Australian Government, Department of Housing, *Housing Management Agreement* [http://www.housing.wa.gov.au/HousingDocuments/RAH_HousingManagementAgreement.pdf].

\textsuperscript{278} NPARIH Review of Progress above n 25, 88-9.

\textsuperscript{279} WA Affordable Housing Strategy, above n 125.

specifically directed to the training of Aboriginal people to build and maintain;

(b) This training program should be adequately coordinated with employment strategies established under the AEDP and CDEP.

7.1 Commonwealth


283} As mentioned at Section 4 above, the Community Development Employment Projects (‘CDEP’) has been integrated into the streamlined RJCP program since 1 July 2013.\footnote{Ibid.} A single provider in each region will work with individuals, communities and local employers to help more people into jobs and build stronger communities.\footnote{Ibid}

Regional Partnership Agreements\footnote{See Agreements, Treaties and Negotiated Settlements Database, *All Regional Partnership Agreements (RPAs) (Australia)* <http://www.atns.net.au/run.asp?SearchID=15>.} (‘RPAs’) have been entered into by local Indigenous communities and their representative bodies, local councils, State and Territory governments and the Federal Government to resolve identified local issues to improve standards of living for that locality.

RPAs set out planned projects for joint action overseen by a committee of all parties. Housing, adult education and training and employment are an example of the matters addressed by RPAs.

RPAs are voluntary agreements initiated by the local community to address specific matters and priorities. They are negotiated with relevant Indigenous community organisations following community consultation with an emphasis on the need for local engagement at every stage.

The Australian Housing and Urban Research Institute (‘AHURI’) released a report entitled ‘Indigenous housing workforce capacity building background paper’ in support of AHURI’s Australian Indigenous Housing Workforce Development Program which aims to:

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• Increase Indigenous seniority and participation in the housing sector; and
• Increase the quality of Indigenous housing and housing research.

The Aboriginal and Torres Strait Islander Education Action Plan 2010–2014,\(^{287}\) was implemented to promote, amongst other skills, workforce development and pathways to viable employment opportunities. Under the plan, Federal, State and Territory governments committed to report annually on the Plan’s 55 actions, which aim to expedite educational improvement of Indigenous students nationally. Priority areas were identified and performance indicators and strategies were developed accordingly. Annual reports for 2010 to 2012 are the only reports available on the Standing Council on School Education and Early Childhood’s website as at the date of this Report.\(^{288}\)

The States and Territories signed up to the Industry and Indigenous Skill Centre\(^{289}\) (‘IISC’) Program which was in operation between 2 July 2009 and 31 December 2013. It provided funding for the purchase, construction and fit out or refurbishment of facilities developed for the delivery of vocational education and training (‘VET’), providing capital assistance to eligible industry and/or Indigenous community organisations to facilitate completion of VET courses by providing a range of accredited and non-accredited VET programs.

The National Agreement for Skills and Workforce Development\(^{290}\) is not specifically directed at Indigenous Australians, but it commits COAG participants to address social inclusion, including Indigenous disadvantage which is "embodied in the objectives and outcomes of this agreement…Consequently, this agreement will be implemented consistently with the objectives and outcomes of all National Agreements and National Partnerships entered into by the Parties".

With regard to facilitating the participation of local tenderers, effective from 19 May 2011 all Federal Government departments, agencies and relevant bodies which are subject to the Commonwealth Procurement Rules\(^{291}\) are now exempt from applying mandatory procurement procedures and can contract directly with small and medium

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enterprises with at least 50% Indigenous ownership, provided the procurement represents value for money.\textsuperscript{292}

A 2011 article\textsuperscript{293} in The Australian newspaper indicated that these projects do not have to be exclusively Indigenous community projects; the companies can tender for all goods and services supplied to the Government. However, in December 2013, the ABC reported\textsuperscript{294} that Indigenous communities in Arnhem Land were having difficulty securing tenders for local construction work.

The former Federal Government Department of Education, Employment and Workplace Relations (which on 18 September 2013 was divided into the Department of Education and the Department of Employment) also funds organisations such as Supply Nation,\textsuperscript{295} formerly known as the Australian Indigenous Minority Supplier Council whose aim is to ensure that small to medium Indigenous businesses, including building and construction businesses, have the opportunity to be integrated into the supply chains of Australian companies and government agencies. Supply Nation’s contract\textsuperscript{296} is due to continue under the Department of Employment until August 2015.

Governments and authorities taking into account the need for assistance with recurrent costs of Indigenous housing organisations was an ongoing issue at least as at 2006, according to research released by AHURI.

AHURI established an Indigenous Housing and Homelessness Policy, Practice and Research Network funded by the Federal Government as part of the ‘Closing the Gap’ commitment.\textsuperscript{297}

An AHURI study entitled ‘The cost of housing in diverse Indigenous communities in Australia’\textsuperscript{298} found that both State owned and managed Indigenous housing organisations (‘SOMIHs’) and Indigenous community housing organisations (‘ICHOs’) experienced operating deficits which were greater than those of mainstream public housing agencies:

\textsuperscript{297} See Australian Housing and Urban Research Institute, Indigenous Housing and Homelessness Policy, Practice and Research Network <http://www.ahuri.edu.au/about/ihhppm>.

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due to poor quality and high maintenance housing stock, low rental streams, poor dwelling maintenance, poor management practices, and remote locations…

The operating deficits of SOMIHs are in part caused by the higher recurrent costs of administering housing stock in remote and very remote locations. Weighting of the funding provided by governments to recognise these cost differentials is one option for policy … A program of financial assistance [from the Federal Government] targeted at cyclical maintenance could also identify and support a successful maintenance program…

The move towards more financially sustainable scales of operation would benefit from steps to increase rent revenues for ICHOs… The Federal Government, in consultation with the jurisdictions, could lead [a] national approach of consistent rent setting principles based on income rather than a flat amount.

An increase in maintenance expenditure and the targeting of such assistance would help address the current undermaintenance [sic] of dwellings. One option is for the Federal Government to consider introducing separate capital funding for dwelling upgrading and replacement, with clear incentives that recognise Indigenous communities’ efforts to manage and maintain the existing stock.

The research finds gaps in the quality of financial information on the performance of ICHOs. The quality of financial information and management skills overall could be enhanced by the provision of training and support, including database and records keeping management. One option is to adopt a national approach through the establishment of a National Indigenous Housing Training and Development Centre.

As with SOMIHs, weighting of the funding provided by governments for ICHOs would recognise the higher recurrent cost in remote and very remote areas.

There is no evidence to suggest whether or not the recommendations of the AHURI study have since been adopted into national policy on funding of Indigenous housing organisations.

AHURI has also identified the need for senior Indigenous housing managers to have access to improved Indigenous housing research and policy and accordingly seeks to realise an increased number of Indigenous people participating in policy-relevant research in the private, non-government and government sectors.

To that end, it released a paper, the "Indigenous housing workforce capacity building background paper" where it identified that workforce capacity building research determined that two elements are required to build and retain an Indigenous workforce:


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• changing mainstream systems and practices to create inclusive working environments, for example mandating cultural awareness training for all employees or flexible employment practices that accommodate cultural responsibilities; and
• providing targeted opportunities for workforce participation, for example creating identified Indigenous positions, setting employment targets or promoting educational opportunities.

The States and Territories signed the National Partnership Agreement on Indigenous Economic Participation\(^\text{300}\) which was in operation between 27 February 2009 and 30 June 2013. It was aimed at halving the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade. It comprised four elements to significantly improve job opportunities for Indigenous people in the private and public sector:

• creating real sustainable employment in areas of government service delivery that have previously relied on subsidisation through the CDEP program (now the RJCP program);
• strengthening current government procurement policies to maximise Indigenous employment;
• incorporating Indigenous workforce strategies into all new major COAG reforms thereby contributing to the Closing the Gap targets; and
• reviewing all Public Sector Indigenous employment and career development strategies to increase employment to reflect national Indigenous working age population share by 2015, projected to be at least 2.6%.

The Federal Government's role was to:

• deliver up to 1,280 Commonwealth government service delivery jobs which have previously relied on CDEP subsidies; the jobs to be in place by 1 July 2009;
• require successful major projects contractors to implement Indigenous training, employment and supplier strategies; and
• establishing an advisory service to support agencies (including State and Territory Governments) to develop, implement and manage Indigenous employment procurement requirements in their procurement arrangements.

As a result of the COAG National Partnership Agreement on Indigenous Economic Participation, a commitment was made to increase Indigenous employment across the public sector to 2.6 per cent by 2015 to reflect the national Indigenous working age population share. Each jurisdiction party to the Agreement, including the


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Commonwealth, has set a public sector Indigenous employment target that contributes toward achieving the national target.  

In addition, the Indigenous Opportunities Policy (‘IOP’), was developed as part of the COAG commitment under the National Partnership Agreement on Indigenous Economic Participation to strengthen government procurement policies and maximise Indigenous employment and business opportunities. The IOP requires major suppliers to the Australian Government to demonstrate their commitment to Indigenous employment including the use of Indigenous business suppliers. Key features of the policy include:

- it applies to Australian Government procurement processes worth more than $5m (or $6m for construction) that involves activity in regions with a significant Indigenous population; and
- suppliers tendering for projects above the monetary threshold are required to have an IOP Plan approved by the Office of Indigenous Affairs IOP Administrator.

On 17 March 2015, the Australia Government announced two new reforms for the development and growth of Indigenous businesses and employment. The Minister for Indigenous Affairs stated that from 1 July 2015 the Commonwealth would have "clear and accountable targets to significantly increase Indigenous employees in the public sector and leverage the Commonwealth’s own $39 billion in annual spending to build Indigenous businesses and boost Indigenous employment".

Minister Scullion noted that despite exemption policies which are aimed at making it easier for public sector agencies to purchase from Indigenous businesses, these businesses still secure only a very minor amount of Government business. The new Indigenous Procurement Policy (‘IPP’), which forms part of the reforms, aims to increase procurement from Indigenous suppliers. The three key approaches under this policy are:

1. a target for purchasing from Indigenous businesses;
2. a mandatory set-aside to direct contracts to Indigenous businesses; and
3. minimum Indigenous participation requirements.

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The Commonwealth Government has set a target of awarding 3\% of new Commonwealth contracts to Indigenous suppliers by 2020. There will be a series of interim targets for tracking performance, and agency/department heads will be held accountable for meeting these targets. The Government will also work with Supply Nation to expand the current register of Indigenous businesses, making it publicly available by 1 July 2015. New reporting arrangements are also to be introduced, requiring Government agencies to track their progress towards the employment and procurement targets.

Under the IPP, certain contracts will require the agency to check whether an Indigenous small or medium business can deliver the goods or services on a value for money basis before they can approach the general market. Certain contracts will also include mandatory minimum Indigenous participation requirements (employment and supplier use) to help drive more Indigenous employment and supplier use in some of Australia’s largest companies. Reporting on past performance against these requirements will be required for all subsequent tenders with the Commonwealth.

7.2 Australian Capital Territory

The Overarching Bilateral Indigenous Plan (ACT) 2012 - 2017 envisages regular consultation, employment and skills training for the Indigenous Community via community forums led by the ACT Aboriginal and Torres Strait Islander Elected Body; community consultations by ACT Procurement Solutions,\(^{305}\) ACT Joint Community Government Reference Group;\(^{307}\) local industry specific briefings in relation to the review of contracts for the construction and cleaning industries; and other mechanisms developed or suggested by the ACT Government Strategic board’s Committee on Indigenous Affairs (or its associated interagency working group).

There are no specific mentions made to local and/or Indigenous tenderers on the ACT Shared Services Procurement website, so it appears there is no Territory policy at present preferring local tenderers.\(^{308}\)

In its report ‘Towards a Fairer Housing System in the ACT: Priorities For Change 2012-2014’;\(^{309}\) ACT Shelter recommended that "In recognition of the specific disadvantage faced by Indigenous Australians in the housing market, an ACT Indigenous housing strategy should be developed, incorporating an access and

equity strategy to be adopted by all publicly subsidised housing providers." This would imply that assistance with recurrent costs of Indigenous housing organisations is an ongoing issue in the ACT.

The ACT Government provides funding to Winnunga Nimmityjah Aboriginal Health Clinic to facilitate the Housing Liaison Service and Home Maintenance Program which supports Indigenous people sustaining their tenancies by providing a mentor service and practical home maintenance education, thus increasing their employability.

7.3 New South Wales

The New South Wales Aboriginal Economic Development Framework (‘AEDF’) is currently being developed to co-ordinate many activities being undertaken by the New South Wales government to ensure stakeholders work together effectively to achieve genuine improvements in Aboriginal economic development in New South Wales.310

As part of the AEDF, the New South Wales Government intends to forge partnerships with peak industry bodies to support Aboriginal employment and enterprise through Industry-Based Agreements (‘IBAs’). On 1 April 2014, an IBA was signed with the Masters Builders Association of New South Wales which contains a building/construction industry-wide action plan to increase apprenticeships and employment opportunities in the industry for Aboriginal people.311

The New South Wales Aboriginal Participation in Construction Policy312 commenced on 1 May 2015 and replaces the 2007 Aboriginal Participation in Construction Guidelines. The implementation of this policy is a key deliverable under the AEDF. The policy applies to the following government construction projects:

- Category 1 Project- Primarily directed to one or more Indigenous communities, which are the sole of predominant beneficiaries.
- Category 2 Project- All other construction projects where the estimated value is over $10 million.
- Category 3 Project- All other construction projects where the estimated value is over $1 million.

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Different categories of project require different levels of commitment to support Aboriginal participation in the project. Selected contractors are required to publish Aboriginal Participation Plans.

The New South Wales Government Department of Education and Communities has issued an Aboriginal Education and Training Policy Statement\(^\text{313}\) setting out, among other things, its commitment to community education.

The New Careers for Aboriginal People\(^\text{314}\) (‘NCAP’) program is administered by the New South Wales Government Department of Education and Communities’ Office of Education. It aims to identify or create and support sustainable education, training and employment opportunities.

The program provides State funding to community-based organisations to employ Indigenous people as Aboriginal Employment Advisors (formerly NCAP officers).\(^\text{315}\) Aboriginal Employment Advisors provide training and employment assistance and advice, and are conversant with the needs of their community.

The AHO actively encourages Aboriginal people to apply for all positions within AHO and in the public sector.\(^\text{316}\)

### 7.4 Northern Territory

In 2011, SFNT consultations investigated barriers to economic development, including land issues.\(^\text{317}\) Government officials visited selected communities in April and May 2013 to discuss reforms, resulting in the Stronger Futures in the Northern Territory Regulation 2013 (NT).\(^\text{318}\)

The Regulation allows community living area title holders to grant leases and licences for a broad range of purposes, including for infrastructure and public purposes and relaxes the arrangements in relation to Ministerial consent for such leases and licences.


SFNT provides funding to support services such as power, water, sewerage and roads, garbage collection and dog control programs. The Remote Program Office is responsible for, amongst other things, to organise the delivery of infrastructure to ensure social and economic development and delivery of services in remote communities.

The Northern Territory Government Department of Business operates the Indigenous Responsive Program ('IRP') provides training for Indigenous people living in urban, regional and remote communities. The IRP supports accredited and non-accredited training linked to community projects which lead to employment, or the development of employability skills or enterprise. It facilitates the holding of short training programs that meet specific needs of clients and is delivered on site in communities. Participants can access Vocational Education and Training that cannot be funded through any other source.

The Indigenous Workforce Participation Initiatives Program is funded by the Northern Territory Government. Its program supports the Northern Territory Employment Strategy 2012-2015 and other government employment initiatives to increase Indigenous participation in the workforce. It assists industry and business (including the not-for-profit sector) engage, retain and up-skill Indigenous employees.

Two construction company consortia, New Future Alliance and Territory Alliance, have been engaged to deliver the Australian and Northern Territory governments’ construction program for remote public housing across the Territory. The alliances comprise leading international and national construction and engineering companies working in the Northern Territory.

A target of 20% has been set for Indigenous employment across the program, with performance-related financial incentives and penalties for the alliances to help them achieve this. Indigenous people working on houses are also learning skills to increase their potential for further employment after the construction program is completed. The consortia are also prioritising the use of local subcontractors and competitive local companies.

7.5 Queensland

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The Queensland Government Building and Construction Training Policy\textsuperscript{325} is intended to promote skill development, employment and business opportunities for Indigenous people in relation to State building and civil construction projects in specified Indigenous communities.

For all Indigenous projects under the Training Policy, it is a core requirement that 10% minimum total labour hours is required by Indigenous apprentices and trainees an Indigenous workforce recruited from local communities.

The intended outcomes for the Queensland Procurement Policy, June 2013\textsuperscript{326} include ensuring that competitive local suppliers that comply with relevant legislation are given a full, fair and reasonable opportunity to supply the Queensland Government.\textsuperscript{327}

The Remote Indigenous Land and Infrastructure Program Office’s Indigenous Employment and Training (‘IET’) team was established in late 2011. The IET team works in partnership with remote Aboriginal and Torres Strait Islander communities to support increased employment and training opportunities arising out of social housing construction and maintenance and infrastructure development. During 2013-2014:

- the total number of jobs being held by Indigenous works in government construction was 1,811 full time equivalents, an increase of 426 compared with the 2012-2013 period; and
- opportunities for local Indigenous community members to improve their skills and future workforce capability in the building and civil construction industry was steady with 36 apprentices and 38 trainees participating in these projects in June 2014\textsuperscript{328}

7.6 South Australia

The Overarching Bilateral Indigenous Plan (SA) 2010 - 2015\textsuperscript{329} identifies a number of South Australian and joint Federal Government/South Australian initiatives to overcome Indigenous disadvantage. This includes a 20% target in the employment of local Indigenous people to work in construction, dwelling upgrade and housing management.


\textsuperscript{327} Ibid.


\textsuperscript{329} \textit{Bilateral Indigenous Plan: SA}, above n 89, 41-2.
One of the objectives set out in the said Plan is stated as "[A]rrangements for Aboriginal and Torres Strait Islander representation and consultation with Aboriginal and Torres Strait Islander people across South Australia".330

The Plan offers choices as to the type of housing available. However, there is no reference on the South Australian Government’s ‘Public housing options for Aboriginal and Torres Strait Islander persons’ webpage to consultation with members of those communities about contracts for new builds. There is no other evidence available as to whether such consultations have taken place.

The South Australian Government Department of Further Education, Employment, Science and Technology has issued a policy332 which requires government agencies and contractors to ensure that 15% of labour hours on specified contracts for building and civil works is undertaken by target groups which include Indigenous people and local people with barriers to employment and for up-skilling.333

There is an Aboriginal Services Directorate portal334 on the South Australian Government website which directs users to links to programs for recruiting and up-skilling the Indigenous workforce.

On 31 July 2013, then Federal Minister for Indigenous Affairs Jenny Macklin and then South Australian Minister for Social Housing, Tony Piccolo, issued a press release335 about a new phase in the roll-out of the NPARIH in South Australia. Mr Piccolo confirmed that more than 24% of the workforce constructing new houses under NPARIH in South Australia was Indigenous, and that the housing program was providing jobs and training opportunities for local Indigenous communities.

The implementation plan also involved "work on Employment Related Accommodation, such as hostels and subsidised rental housing in locations which offer employment, training and education opportunities for remote residents.”

There was no explicit reference to that effect, but presumably employment opportunities would be available to local tenderers who were in a position to offer competitive tenders.

330 Ibid 2.

May 2015
The Community Partnerships and Growth ('CPG') Directorate of Housing SA\textsuperscript{336} regulates funds and supports the development of the community housing sector in South Australia. It provides funding to individual community housing organisations in the form of a funding agreement. Funding allowances are made up of a property, administration and maintenance allowance.

### 7.7 Tasmania

There is no indication from its website\textsuperscript{337} that Housing Tasmania has directed any particular attention toward ensuring that there is a mechanism for Indigenous people to participate in the determination of tenders awarded for construction of dwellings in their community or to submit their own tenders for the work.

In 2011-12 around 22 per cent of employees engaged in NPARIH construction projects where local Indigenous people, which included the construction and refurbishment of houses on Flinders and Cape Barren Islands.\textsuperscript{338}

Skills Tasmania\textsuperscript{339} is tasked with delivering skill development opportunities, appropriate training and support services to Tasmanians.\textsuperscript{340} The Tasmanian Indigenous community, together with other disadvantaged groups are part of its target group. The Housing Tasmania website states that the Tasmanian Government applies NPARIH funding to supervise Indigenous Community Housing Organisations at Flinders Island and Cape Barren Island.

NPARIH funds the development of "additional properties, repairs and maintenance, local Indigenous community employment, employment related accommodation options and implementation of service delivery and governance standards."\textsuperscript{341}

The Housing Tasmania website notes that a Joint Steering Committee was established to implement the work plan and allocate the funds. However, there does not appear to be any information available online regarding the composition or activities of the Joint Steering Committee.

### 7.8 Victoria

The Aboriginal and Torres Strait Islander community in Victoria have, as an alternative to the General Rental Program, access to housing managed by Aboriginal Housing Victoria (‘AHV’) and a range of Aboriginal Community Housing organisations.


\textsuperscript{337} Tasmanian Government, Department of Health and Human Services, \textit{Housing Tasmania Tenders}<http://www.dhhs.tas.gov.au/housing/about/housing_tasmania_tenders>.

\textsuperscript{338} NPARIH \textit{Review of Progress}, above n 25.

\textsuperscript{339} Skills Tasmania <http://www.skills.tas.gov.au>.


\textsuperscript{341} Tasmanian Government, Department of Health and Human Services, above n 99.
There is no mention on the Victorian Government Tenders website, Tenders VIC\(^{342}\) of consultation with the Indigenous community regarding the award of tenders nor of local and/or Indigenous companies being preferred suppliers for Indigenous community projects or otherwise.\(^{343}\)

However, at a local government level, Victoria appears to be making efforts to improve its consultation with the Indigenous community generally: the Victorian Local Governance Association's webpage contains 'Information about consulting with Indigenous and Aboriginal People', which makes reference to the importance of helping Indigenous people to "...shape the direction, content and outcome/s" of consultation.\(^{344}\) The Victorian Government also maintains an Indigenous Business Directory\(^{345}\) listing over 150 Aboriginal businesses operating throughout the State with a view to promoting and supporting its Indigenous business community and to facilitate business opportunities through networking structures.

According to a January 2009 submission\(^{346}\) from Aboriginal Housing Victoria (‘AHV’) to the Family and Community Development Committee for the Inquiry on the Adequacy and Future Directions of Public Housing in Victoria,\(^{347}\) funding for Indigenous specific social housing under the Victorian Aboriginal Rental Housing Program (‘VARHP’) (a subprogram of the Commonwealth State Housing Agreement (‘CSHA’)) was provided by the Australian and Victorian Governments until December 2008.

In July 2000 AHV implemented a Strategic Plan to secure community ownership of the VARHP. It involved conversion to a property asset and tenancy management business over a two-year period. The business was to be operated on commercial guidelines. In September 2004, AHV signed off on a Memorandum of Understanding with the Director of Housing, setting out the steps towards self-determination and established timelines for completion.

The plan involved AHV taking on management of approximately 1300 properties across the State. This enabled AHV to provide a broader and more culturally appropriate service to clients. When the transition was finalised in September 2009, 1256 properties had transferred to AHV.

By December 2009, AHV owned its office premises, 40 properties, 2 blocks of land, and managed another 1256 properties across the state for the Director of Housing. However, loss of Commonwealth funding under the CSHA had a significant impact on AHV’s ability to grow the portfolio. The State Housing Minister committed a further 200 properties specifically for the Indigenous community from the Economic Stimulus Package under Nation Building.348

A 2011 response349 from the Victorian Government to the said Inquiry did not make specific reference to funding for AVH other than to confirm that the Federal Government had replaced the CSHA with the National Affordable Housing Agreement (‘NAHA’) signed in November 2008. The National Partnership on Remote Indigenous Housing (‘NPARIH’) was an element of the NAHA and was signed in December 2008. The NAHA and NPARIH included a range of intended reforms to the Victorian housing system.

The Victorian Government’s Department of State Development, Business and Innovation’s Indigenous Economic Development (‘IED’) program is charged with delivering initiatives that form part of the ‘Closing the Gap’ response. These initiatives are intended to deliver outcomes for Indigenous communities that lead to increased employment support, facilitate sustainable employment outcomes in the Victorian public sector and increase employment skills and qualifications.

The program provides jobseekers with training, mentoring and work placements.350

The Victorian Aboriginal Economic Strategy 2013-2020351 aims to build opportunity and economic prosperity and deliver better life outcomes for Aboriginal Victorians. The Strategy extends from education, to more job opportunities with career pathways, and growing Aboriginal business enterprise and investment. A key objective under the Strategy is increased labour force participation and the Strategy acknowledges that training in building and construction is important to achieving this objective.352

### 7.9 Western Australia

According to the Guide to Tendering with Western Australian Public Authorities,353 the Western Australian Government operates a ‘Buy Local’ policy to maximise

348 Submission to the FCDC, above n 346, 1-2, 4.
opportunities for small, local and regional businesses in Western Australia: preferences are offered to encouraging bids from Indigenous suppliers or suppliers who have in place or are prepared to implement employment strategies and programs for Indigenous people. There is no indication that offering Indigenous communities an input into the tendering process is part of this policy.

The Western Australian Government has a number of initiatives that focus on improving educational outcomes for Indigenous students.

The five year Strategic Plan for Aboriginal Education and Training in Western Australia 2011–2015 prepared by the Western Australian Aboriginal Education and Training Council for government schools in Western Australia is aligned with the national Aboriginal and Torres Strait Islander Education Action Plan 2010–2014.

The Aboriginal Workforce Development Centre, under the State’s ‘Training Together Working Together’ initiative, works with major companies to identify job opportunities and future skills requirements across the State, and put employers and individual Indigenous job-seekers in touch with each other.

The Regional Development Policy Framework (prepared by the Department of Regional Development and Lands with support from the Regional Development Council and the Regional Development Commissions) sets out the policy and project priorities that the Council has identified as vital to ensuring Western Australia’s regions remain places where people want to live, work and invest. Included are:

- Priority 2: Employment, infrastructure and skills - Mainstream employment opportunities, driven by economic growth, available and accessible to Indigenous people to improve workforce participation
- Priority 4: Education - Improvement in the participation in early schooling programs, particularly for Indigenous children.

In support of Western Australia’s plan for “Closing the Gap in Indigenous Life Outcomes, Western Australia 2010” released by Department of Aboriginal Affairs (formerly Indigenous Affairs), LandCorp and the Civil Contractors Federation aim to increase Indigenous participation in the civil contracting industry in Western Australia.

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357 Ibid, 7 and 9.
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} which is committed to linking Indigenous graduates with job opportunities arising from major companies and their contractors across Western Australia, and meeting Indigenous employment targets across government agencies.

The Western Australian Government has partnered with the traditional owners of the land, the Miriuwung and Gajerrong people. The partnership is based on the Ord Final Agreement\footnote{Western Australian Government, Land, Approvals and Native Title Unit, \textit{Ord Final Indigenous Land Use Agreement} <http://www.dpc.wa.gov.au/lantu/Agreements/OrdFinal/Pages/Default.aspx>.} (OFA), which was executed on 6 October 2005 as a framework for the Miriuwung and Gajerrong people to receive a $57 million compensation package in respect of a protracted native title claim.

The benefits of the OFA extend to the establishment of an Aboriginal Development Package which includes, among other things, funds that can be used to supplement existing training programs, address barriers to employment and reward achievement by employees and employers and the introduction of intensive mentoring arrangements to support employees, their families and employers to achieve sustained employment outcomes.

Western Australia's former Department of Planning and Infrastructure ('DPI') developed a Reconciliation Action Plan ('RAP') for 2008 - 2010 which provided and promoted opportunities for Indigenous participation and employment (e.g. developing opportunities for traineeships and student placements to provide Indigenous people with work opportunities and experience, with a view to increasing employment and retention of Indigenous staff). Following a restructure\footnote{See Western Australian Government, Department of Planning, \textit{Planning Western Australia} <http://www.planning.wa.gov.au/699.asp>.} of DPI, an updated Reconciliation Action Plan for 2013-2015\footnote{Western Australian Government, Department of Planning, \textit{Reconciliation Action Plan 2013–2015} (August 2013) <http://www.planning.wa.gov.au/dop_pub_pdf/Reconciliation_Action_Plan_2013-2015.pdf>.} has been developed.

including public sector government and school based traineeships and internships, and develop and implement the Public Sector Training Package with a particular focus on Indigenous participation.

8. Implementation Reports

All the initiatives listed in the foregoing 5 sections serve, either by accident or design, to go some way toward implementing the 7 Recommendations of the National Report set out in this Chapter.

The fact that implementation of these Recommendations has not closely followed the National Report Recommendations over the past two decades is not necessarily negative, as prudent policy makers should adapt to changes both social and technological as they tailor Indigenous disadvantage solutions for the 21st century. However, it is worth noting that there are no specific references made in any of the aforementioned materials to the RCIADIC Recommendations as being the source of inspiration or motivation for these measures.

In this section, the States and Territories' own 'score cards' as to implementation of the RCIADIC Recommendations have been examined. The only such reports available online were for New South Wales, Victoria and Western Australia. They were completed quite some time ago, but serve as an insight into the States' priorities.

8.1 New South Wales

The Report on the NSW Government's Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody\textsuperscript{364} is undated but appears to have been drafted in approximately 1998.

The 1998/99-2000/01 NSW Aboriginal Housing Strategic Plan was identified as the framework for the provision of housing under the NSW Aboriginal Housing Program.

A bilateral agreement that provides the framework for partnership in the planning, delivery and management of housing and related programs was signed between the New South Wales Government, Commonwealth Government and ATSIC. The Agreement also provided for pooling of Aboriginal housing funds into one body – the Aboriginal Housing Office.

In 1998, 136 Indigenous dwellings were added in New South Wales. The AHO commenced development of an asset management strategy to ensure both the long-term sustainability of the asset base and that appropriateness to the needs of the Indigenous community.


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Under the 1998-99 Aboriginal Housing Program, there was to be continued emphasis on procurement by design and construction rather than spot purchases of dwellings.

New South Wales has also taken an active role in the Commonwealth State Working Group on Indigenous Housing ('CSWGIH'). The Group reports to Housing Ministers and develops strategies. The Group has undertaken a range of research initiatives such as the development of a national framework for the Design, Construction and Maintenance of Indigenous housing.

8.2 Victoria

The Victorian Implementation Review of the Recommendations from the Final Report of the Royal Commission into Aboriginal Deaths in Custody (1991) (the Review) was completed around 2003. Section 5: Findings on Underlying Issues elicited responses from the Indigenous Community about the underlying issues which led to Indigenous people being overrepresented in the criminal justice system. The importance of having consultation with the Indigenous Community was frequently emphasised. The community expressed its concerns about, among other things, education, the lack of employment opportunities, inability to access mainstream housing opportunities and Indigenous organisations' capacity to meet the needs of the Indigenous community. The Review went through each of the Recommendations in question:

8.2.1 Recommendation 321

An Indigenous Housing Agreement was established in Victoria in 2003, between the Office of Housing, Aboriginal and Torres Strait Islander Commission ('ATSIC'), Aboriginal and Torres Strait Islander Services ('ATSIS') and the Department of Family and Community Services (now the Department of Human Services) aimed at identifying and addressing housing needs of Indigenous people; improving the capacity of Indigenous Community Housing Organisations and involving Indigenous people in planning; achieving safe, healthy and sustainable housing; and coordinating program administration. An Indigenous Housing Joint Planning Committee was also convened to ensure a coordinated and collaborative approach to planning for Indigenous housing.

Several strategies have been completed in 2002-04 and are being worked on in 2004-05 to achieve these objectives and ensure the responsiveness of the Aboriginal Rental Housing Program and the Community Housing Infrastructure Program to the needs of Indigenous Victorians.

8.2.2 Recommendation 322


366 Ibid.

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The Office of Housing advised that acquiring and improving Indigenous community housing is subject to annual evaluation and improvement by the Aboriginal Housing Board of Victoria (‘AHBV’) and the Office of Housing. Targets were set on the basis of identified need by location and household size and reviewed by Board members in relation to local needs and appropriateness.

In 2003, the National Standing Committee on Indigenous Housing produced a report that used an approach to calculate Indigenous housing need based on several measures, including homelessness, overcrowding, lack of affordability, dwelling condition and lack of access to essential services. National work on multiple measures of housing need, including affordability, overcrowding, homelessness and the availability of services and infrastructure, was to be reflected in State planning. The recently established Indigenous Housing Joint Planning Committee is working to address Indigenous housing need across a range of tenures.

8.2.3 Recommendation 323

Community Care funding for Family Services was allocated to five Aboriginal Community Organisations throughout the State, aimed at groups of families with children up to 18 years of age who required assistance to provide a stable environment for their children. Family Services activities include family counselling, parenting education and in-home support. Since 2002-2003 there have been 27 Innovations Projects established, including 8 Indigenous projects, based in 29 local government areas to provide early intervention. At the time of issue, the Review identified a continuing need for appropriately experienced and qualified Indigenous staff in Family Services agencies. Community Care advised that there were no details available as to what the coverage or uptake of Family Services was in the Indigenous community; work was occurring to identify more specific data.

8.2.4 Recommendation 324

Integration of service delivery was classified as not relevant to Victoria according to the Victorian Government 1996-97 Implementation Report.

8.2.5 Recommendation 325

The Office of Housing advised that the AHBV had spent a year canvassing Aboriginal organisations in Victoria to promote potential employment opportunities involving Indigenous businesses and individuals working on properties managed by the AHBV.

The Office of Housing included Indigenous organisations in the tender process for the construction of housing. The East Gippsland CDEP was awarded a contract to construct two houses for the Aboriginal Rental Housing Program in October 2001 and the company was to be offered further opportunity to tender for further works when available.
Contracts for Indigenous housing within the remote community at Lake Tyers included conditions relating to the employment of local Indigenous people during construction. The Office of Housing reported that most Indigenous organisations are generally not fully equipped to deliver complete buildings, finding it difficult to employ sufficient numbers of skilled and non-skilled workers, especially in remote communities.

The Office of Housing further advised that a Memorandum of Understanding had been developed between it and the AHBV to advance the staged implementation of the AHBV’s Strategic Plan towards ownership of the Aboriginal Rental Housing Program. In 2004-05, this resulted in an improved service agreement between the two parties and the transfer of some tenancy management functions to the Board. The Board and the Office of Housing were training staff working in Indigenous housing provision with the assistance of the National Skills Development Strategy and the AHBV’s own training strategy.

8.2.6 Recommendation 326

Aboriginal Affairs Victoria is looking to introduce initiatives similar to the Aboriginal Affairs Victoria capital grants program into the Indigenous Community Infrastructure program. The Lake Tyers Community Renewal project “has introduced an approach to tendering which is consistent with the Recommendation”.

8.2.7 Recommendation 327

The Department of Education and Training (now known as the Department of Education and Early Childhood Development) advised that this Recommendation is not applicable to Victoria as the matter is a Commonwealth responsibility.

The Office of Housing advised the Review that the AHBV was working under a Strategic Plan which aimed to:

• stimulate business activity and create employment through the property and tenancy services of the AHBV;
• to increase Indigenous employment and training opportunities in the areas of property maintenance and construction, property and tenancy services;
• to establish a training and mentoring structure at AHBV so that eventually all positions will be filled by trained and experienced Indigenous people;
• to improve the quality of maintenance and construction work carried out on AHBV properties; and
• to substantially increase employment and training opportunities for Indigenous people through the creation and development of a traineeship program in partnership with the State government and other stakeholders.

367 Ibid 187.
However, this program related to remote and isolated communities, of which only two were identified in Victoria.

The Review concludes that:

- Strategies being adopted in relation to integrating management, administrative and support needs in future housing need analysis.
- Fragmentation between State, Commonwealth, community and ATSIC approaches to criteria and processes for identifying Indigenous housing need was being still being discussed as it had been in 2002-03.
- the DHS was responding to increased funding for community groups involved in homemaker schemes and adult education, although no details were available on access, funding and usage by Indigenous people.
- Models for integrating service delivery and administrative needs are relevant to Victoria, given the intent of Recommendation 324.
- In addition to the Memorandum of Understanding agreed between the Office of Housing and the AHBV, the Office of Housing has provided assistance to the AHBV in implementing their Strategic Plan and the establishment of the Joint Planning Committee to address critical Indigenous housing issues.
- The Review notes the lack of adequate programs within the former Department of Education and Training to support employment and training opportunities for Indigenous people in a number of areas related to housing. Training of Indigenous people to build and maintain community infrastructure was considered to be a Commonwealth responsibility. The Review found that, while technically correct, the issues in question should be covered by the Wurreker partnership (which was established to address the Vocational Education Training needs of the Indigenous Community) between TAFE and the Indigenous community in Victoria.

8.3 Western Australia

The Government of Western Australia 2000 Implementation Report\textsuperscript{369} states that the Aboriginal Affairs Department (‘ADD’) and ATSIC have funded the development of Indigenous Community layout plans since 1995. The Ministry of Planning became involved to ensure the appropriate location of housing and other facilities appropriate to community social and cultural needs.

The Community Construction Program provided for the design and construction of new housing and maintenance within designated Indigenous communities with limited opportunities for housing assistance.

\textsuperscript{368} See Victorian Aboriginal Education Association Inc., Wurreker Strategy. 

\textsuperscript{369} Western Australian Aboriginal Affairs Department, Government of Western Australia 2000 Implementation Report (June 2001)

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Community engagement into the design and location of their houses was encouraged.

In 1999/2000, construction began on 33 homes in various locations throughout Western Australia, and 46 houses were completed and occupied. Total expenditure was $8.388m, including $0.538m for housing maintenance. Under the Urban Construction Program 2 breezeway designed dwellings were completed in Roebourne to cater for larger families with a preference for outdoor living.

In 1995 a joint AAD and ATSIC funded development of community layout plans for Indigenous communities was set up. A further 10 layout plans were commenced in 1999/2000 making approximately 45 at various stages of completion in Western Australia in 2000. The project sought to improve the coordination of service delivery and recognise social and cultural needs. Outcomes have been successful in maximising capital works programs which service new and existing housing.

9. Conclusion

This review has attempted to focus mainly on initiatives targeted specifically at the needs of Indigenous people.

It must be borne in mind, however, that programs and facilities available to the general Australian public which seek to resolve deficiencies identified by the aforementioned 7 Recommendations are available to Indigenous communities also, albeit that the Indigenous communities may have a more immediate need for such assistance, coming as they do from a significantly disadvantaged position when compared to the remainder of the Australian population, as noted by Commissioner Johnson in the National Report.

It is encouraging that all jurisdictions from Federal to State and Territory level have taken on board the general objective of the National Report with regard to improved housing and service delivery, namely to recognise that Indigenous communities in Australia need significant assistance if they are to bridge the divide in living standards with the rest of the Australian population within a generation (as the latest National Partnership Agreements envisage).

It is also a very positive sign that continuous consultation with Indigenous clients about their housing preferences and the emphasis on providing skills training and employment as an added benefit are being treated as essential components of such programs.

Apart from the fact that culturally appropriate homes and facilities will undoubtedly be more efficiently utilised and better maintained, this shift in focus represents another significant step forward in reconciliation between the Indigenous community and the wider Australian population: instead of having terms dictated to them as has consistently been the situation since the arrival of the First Fleet, Indigenous people have been brought into the consultation process and have freedom to make choices as to how they wish to live and the opportunity to start on an equal footing with the
remainder of the population, while retaining the distinctions which are characteristic of their unique culture.

However, it is evident even from a cursory review of the foregoing 6 sections that there is a confusing array of different Federal initiatives and agreements covering the issues raised in Recommendations 321 to 327 of the National Report: each deals with particular aspects of a larger problem and is implemented by the various States and Territories in a variety of different ways through different types of agencies which can result in a very different user experience, depending on where the community is based.

For example, in New South Wales, Federal funding for initiatives appears more likely to be directly dispensed by State agencies, as opposed to Tasmania, where evidence would suggest that such funds are more likely to be dispensed directly to Indigenous organisations to apply for the benefit of the Indigenous community.

Bearing in mind that the National Report determined that the imperative to travel to stay with relatives on a long and short term basis is an important aspect of Indigenous culture and that those in remote communities are often obligated to travel to urban centres to access essential services, failure to provide any consistency in service delivery between States and Territories is counterintuitive to providing a client-focused service to a community known to cross borders.

It is also clear from anecdotal evidence (such as that recounted in an article in The Monthly) that, despite best intentions, a lot of funds applied towards Indigenous housing issues are misapplied or needlessly squandered.

The logical course would appear to be a reappraisal of the National Partnership Agreements with a view to creating a harmonised approach to improving Indigenous standards of living aimed at addressing all the issues identified in the National Report.

Undoubtedly it would assist service users greatly if this was accompanied by a comprehensive user-friendly website containing all relevant information relating to Indigenous housing services in their State or Territory rather than requiring service users to hunt for this information across the websites of various different government departments.

This harmonised policy could be rolled out nationally, but should maintain enough flexibility to account for the particular circumstances of individual States and communities, as necessary. To be successful it must retain at its core continuous consultation with Indigenous communities so that ultimately their own vision for a prosperous future is realised.

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370 Victoria Laurie, 'Home Improvement' (June 2011) No. 68 The Monthly