

Warlpiri Transient Camp

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity

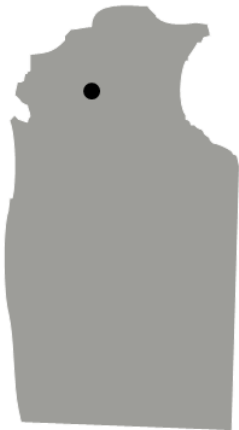


Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region	Katherine
Lease	Crown Lease in Perpetuity 2093
Purpose	Aboriginal Living Area

Governance Structure

- Leaseholder:** Kalano Community Association Incorporated
- Maintenance:** Kalano Aboriginal Housing Corporation
- Service Delivery:** Kalano Aboriginal Housing Corporation

Current number of Houses



Number of residents per room



Recommendations

Legal and Legislative

Empower Town Camp residents by modifying the current lease type and purpose to enable wider uses of the land

Housing



Number of replacement houses



Cost of replacement houses
\$0



Deferred Maintenance Cost
\$1.63m

Infrastructure

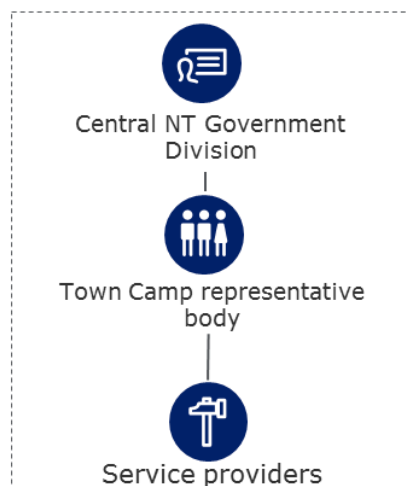


Deferred Maintenance Costs
\$1.43m



Cost to meet Design standard
\$11.91m

Governance



Economic development opportunities



Town Camp Services

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Warlpiri Transient Camp (Gewyulkgan)

Executive Summary

Land	Crown Lease in Perpetuity 2093 owned by Kalano Community Association Inc
Service Provider	Kalano Aboriginal Housing Corporation
Findings	<ul style="list-style-type: none"> • There is one overall service provider with the responsibility for driving change and improving conditions in the camp • The lease holder is an incorporated Aboriginal Association with very limited resources and therefore capacity to drive change • There is no compliance monitoring undertaken in respect of Town Camp Crown leases for either the lessee or the lessor • The purpose of the Crown lease restricts the use of land to Aboriginal Living Area • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • Municipal infrastructure at Warlpiri is generally in either good or very good condition • The sewer network does not comply with relevant standards • The water networks does not comply with relevant standards • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards • Estimated deferred maintenance costs required for existing infrastructure is circa \$1.43 million • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$11.91 million • The houses in Warlpiri were in very poor to very good condition and the cleanliness of the properties presents a serious concern from a health and wellbeing perspective • The estimated cost to upgrade the current housing assets in Warlpiri Transient Camp to meet the standards of the Residential Tenancy Act, is \$1.63 million • Good economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • The purpose of the lease be amended, to allow wider uses of the land • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs • To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)

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- Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
 - Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
 - Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are Town Camp Services and pooled employment, but these are limited due to the remote location and transient population of the Town Camp
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Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

Gewyulkgan, formerly Warlpiri Transient Camp, has an interesting history. With the decision to designate Katherine as the service centre for Lajamanu came a movement of people who were formerly connected to the desert, the Warlpiri, to Katherine and ultimately Darwin. Their arrival in Katherine caused considerable conflict with local Katherine groups. Even though they had ceremonial and family relations with the Gurindji, they had few relations with the people of Katherine, so they camped alongside the western side of the Stuart Highway in what became Warlpiri Camp. Gewyulkgan was initially seen as a transient place and despite being designated Warlpiri Camp, also attracted other groups who did not have strong relationships with residents of Miali Brumby. The conditions in which people lived in Warlpiri camp was so poor that very few people chose to make it a permanent living space. For 20 years people who chose to live here endured what was recognised as among the worst living conditions of any people in the Top End of the Northern Territory.

Kalano interceded and advocated on behalf of the residents of what is now known as Gewyulkgan and first erected tin dwellings and then permanent housing. The expectation was that once permanent houses were erected the place would develop a sense of community and stabilise over time. Another expectation was that the tin sheds would not be used for accommodation because of the extreme heat they generate during most of the year. The lease is sparsely occupied with only 5 houses, a number of sheds and some temporary shelters. The sheds have been built on hills because of floodwaters but tenants stated that the big drainage around the actual camp has reduce this. Flooding is rare, but still probable flood events (once in a hundred years), is a consideration in this site as it is in Miali Brumby. Drainage and elevated building pads or houses can help manage this.

Space

There is a vast difference between the housing qualities in Gewyulkgan. There are 5 designed/constructed homes and 4 corrugated tin structures (sheds) and some tarpaulin and corrugated iron temporary shelters. The continued

occupation of the tin sheds, that were deemed unsatisfactory 20 years ago, is a result of the scarcity of public housing accommodation throughout Katherine. There has been a newly renovated ablution, laundry block down near the tin sheds. Residents that live in the tin sheds are the main users as they don't have any facilities at all in their sheds. There is roughly about 10 people in each house and shed, this is a mixture of people that are visitors and people that live in the house. These people do not have any fans, locks or actual doors, no kitchen, no toilets or showers or even a tap.

For people who don't meet the criteria for NT Housing, or who don't have family with space, options are limited; for others, who because of their lifestyle are seeking low cost shelter and are willing to do it rough, the sheds present a space they can control and provide shelter from the wet weather. They have no cooling and no cross ventilation however and are dangerously hot during the middle of the day. There are [redacted] that have a disability and are sick and don't have any disability or health amenities living in these sheds. [redacted] currently living in one of the sheds [redacted] options in Katherine are limited. His present circumstances are unlikely to be good for his long-term health particularly because [redacted] He has said he would really like a small one bedroom house so that he can look after himself better. At the moment, the shed [redacted] The residents in the house have power problems, switches and wiring is visible. Many of the residents don't understand the advantages or disadvantages of any alternative housing model. They just want their current housing to work better.

Interface

The highly visible location of Gewyulkgan on the approaches to Katherine has presented challenges over the years and there have been many complaints about the conditions in which people were living. The reality is that more housing is required than is provided. There are more people wanting access to public housing than current stock can accommodate. As a result, the tin sheds and temporary structures will continue to be an ongoing issue. Katherine is a very well serviced urban community in a region where services tend to be poorly/inadequately resourced. Many services, such as health and legal, can only be accessed by visiting Katherine, and people who are frequent or long-term visitors soon become enmeshed in Katherine's social/cultural life and are reluctant or unable to return home.

Kalano recognises this reality and is working to position itself as the preferred provider of Aboriginal housing outside the current public housing structures. While Kalano struggles with how to deal with rental arrears and overcrowding caused by family visitation, they have probably gone further to understanding it and managing it than many other Town Camp community service providers. In the past they have run what they describe as effective and culturally supportive tenancy support and housing management programs that were collapsed when either the NTG or the Australian Government had a policy shift. They particularly saw the Intervention and the implementation of the SIHIP program as a backward step for what they are trying to achieve, sustainable, healthy housing for Aboriginal people living in Katherine.

Vision

All people living in the sheds want someone, preferably Kalano, to knock down the sheds and build actual houses. The people in the houses just want them fixed. There are still two spaces that are fenced off, no-one seems to remember whether this was where there were houses that were demolished (unlikely), or they were serviced but never built. There is so much available space that could

potentially be filled with at least another 10 more houses, as down near the sheds there is a loop road that leads to vacant space. The church facility still gets used. Speaking with the elders of this place they are tired of talking about housing. They have been asked so many times in the past 20 years and little has been done. They did say they would like more street lights, more small causeways, to improve drainage, and just simply just safer houses, that have storage and doors that lock, fences so they can lock the gates, so they don't get humbugged, and maybe an activity or arts and craft centre for some of the people that like painting or want something to do in their spare time.

Kalano Board recognises that just building houses on a short-term basis will not solve the current problems. The public housing stock in Katherine has fallen a long way behind the demand. In the past Kalano has tried to expand their current housing model to include dwellings off the three leases, as shown by the houses they have on freehold around Katherine. To get better value for the houses they currently have they supported them with tenancy support programs and a local building capacity.

Gewyulkgan presents an opportunity for Kalano to develop the area as a properly managed and supported Aboriginal housing estate, provided they can satisfy the planning requirements for land within the current flood restriction zone. This would satisfy the visions of current residents and allow a more planned and managed development of the area rather than a spontaneous, inadequate response as has been the case in the past.

Land Tenure, Leasing and Legislation

Owner	Kalano Community Association Inc.
Location	65 Bicentennial Road, Katherine South, Katherine
Land	Lot 3031 Town of Katherine; CUFT Vol 715 Fol 199
Type of Tenure	Crown Lease in Perpetuity 2093
Commencement date SPL/CL	14 February 2002
SPL/CL Purpose	Aboriginal Living Area
Planning scheme zone	CL (Community Living)
Summary of Land Dealing Documents	<p>1. Crown Lease in Perpetuity 2093</p> <p>Search certificate lists the following dealings:</p> <ul style="list-style-type: none"> • Easement: electricity supply easement to power and water authority • Easement: sewerage Easement to power and water authority • Variation – conditions varied (Date Registered: 2 July 2007, Dealing No.: 648952) • Statutory Notice – Prescribed Property (Date Registered: 7 August 1996, Dealing No.: 357131) <p>The following reservations are listed:</p> <ol style="list-style-type: none"> a. Reservation of right of entry and inspection b. Reservation of all minerals, mineral substances and ores in or under the land including gems, stones, sands, valuable earths and fossil fuels c. Reservation of power of resumption <p>Provisions include purpose of lease, annual rent, forfeiture liabilities, compliance with covenants and conditions, right to surrender lease and improvement rights.</p> <p>Lessee covenants include duty to pay rent, rates and taxes for leased land; use land for intended purposes specified in the lease; maintain and repair improvements; right of entry and obligations; and compliance with applicable legislation and approved plans and specifications.</p> <p>LTO Instrument no. 648952 (Registered on 2 July 2007) varies (deletes) the following condition:</p> <ul style="list-style-type: none"> • Lessee will complete development of the leased area in accordance with the development plan dated 22 October 2001 or any further amended plan as approved by the Minister <p>2. Memorandum for Purposes of Statutory Restrictions Notice (Date Lodged: 30 July 1996, Date Registered: 7 August 1996 and Dealing No. 357131)</p> <p>Provides notice of statutory authority restriction per s 26A (Prescribed Property) <i>Associations Incorporation Act</i> for Lot 3031 Town of Katherine (Plan 592/185).</p> <p>3. Variation to Crown Lease (Date Lodged: 2 July 2007, Date Registered: 2 July 2007 and Dealing No. 648952)</p> <p>Variation of Crown Lease for Lot 3031 Town of Katherine (Volume 644, Folio: 282, Plan S 92/185) for Kalano Community Association Incorporated (Registered Proprietor) to delete condition 2 in relation to completing development of the leased area in accordance with the development plan dated 22 October 2001.</p>

<p>Level of Understanding</p>	<p>Owner – rights and responsibilities</p> <p>There is a general level of understanding by the SPL/CL holders, but during consultations it was found that in many cases there was inactivity by the SPL/CL holder and/or there was limited capacity of the SPL/CL holder to drive change. This was found to be the main impediment to community development rather than any lack of understanding of rights and responsibilities as a SPL/CL holder.</p> <p>Residents – understanding of lease arrangement</p> <p>The level of understanding of residents was disparate – ranging from some having a sound understanding of the leasing arrangements and their rights/responsibilities, to others with a complete lack of understanding (for example, thinking they owned they house they lived in or considered that service providers were landlords with a right to deal with their tenancy of the house).</p>
<p>Compliance with lease conditions and legislation</p>	<p>There is no compliance monitoring undertaken in respect of Town Camp CLs, so compliance with conditions are unknown.</p>
<p>Impediments in lease conditions and suggested amendments</p>	<p>Purpose of CL is limited to Aboriginal living area. Recommend this be amended, if required, to the purpose consistent with the proposed use of the land.</p>
<p>Relevant legislation for land dealings; Legislative impediments; and Suggested amendments</p>	<p>Associations Act (NT)</p> <p>Dealings with prescribed property require Ministerial consent. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.</p> <p>Crown Lands Act (NT)</p> <p>Sections 42 & 44 – Any subdivision would need to comply with the requirements set out in these sections. Recommend review of these sections to ensure references to <i>Planning Act</i> are correct and there is no ambiguity as to the operation of each section.</p> <p>Section 46 – dealings with the land require the Minister’s consent, which must be applied for in writing to the Minister. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.</p> <p>Planning Act (NT)</p> <p>Any proposed development on the land must comply with the <i>Planning Act, Regulations</i> and NT Planning Scheme.</p> <p>The zoning rules for Community Living zone are:</p> <ul style="list-style-type: none"> • The primary purpose of Zone CL is to provide for community living. • Residential accommodation may be temporary or permanent. • There may be non-residential facilities for the social, cultural and recreational needs of residents. <p>An application for the re-zoning of the land may be required where any potential development on the land is not consistent with these zone purposes.</p> <p>Stronger Futures in the Northern Territory Act 2012 (Cth)</p> <p>Section 34 – gives the Commonwealth broad powers to amend NT legislation relevant to Town Camps land, land dealings planning and infrastructure. Ideally, this section would be removed, however as this is Commonwealth legislation any changes are not at the NT Government’s discretion.</p> <p>Native Title Act 1993 (Cth)</p> <p>The <i>Native Title Act</i> is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.</p>

Residential Tenancies Act (NT)

Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to 'home ownership' then that form of leasing may require exemption from the *Residential Tenancies Act* (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord's obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).

Relevant legislation for lease holder *Associations Act* (NT)

Level of support provided to lease holder and suggested amendments No specific support for aboriginal associations is provided by the Department of Business/Licensing NT and very limited support is provided in general to incorporated associations.
Recommend transfer to incorporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth).

Municipal and essential infrastructure

Summary

The Warlpiri Transient Camp community is located south-east of Katherine. The community consists of 10 dwellings, which are serviced by a road, sewer, water and electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground/visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Warlpiri is generally in good condition, although the roads were in poor and very poor condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network does not comply with relevant standards. It is recommended that the network is upgraded to a DN150 PVC gravity main with new housing connections and connection to sewage pump station in accordance with relevant standards. New DN150 PVC rising main would also be required to ensure the network meets relevant standards.

The water network does not comply with relevant standards. The capacity of existing water reticulation is insufficient for fire flow demands. It is recommended that the network is upgraded to a DN150 PVC water main constructed to PWC standards. Water usage is proposed to be measured with a bulk water meter located at the community boundary. Additionally, residential lot water meters should be installed on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

There were no community structures at Warlpiri Transient Camp.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated maximum demand is within the total capacity of the substation on site. It is recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Details of communications infrastructure are held by Telstra and were not provided for this report. Representatives from NBN's Land Access and Stake Holder management teams are currently engaged with the Department of Housing and Community Development to look at how Warlpiri will be serviced. It is expected that any existing premises in the Town Camp will have some type

Sewerage infrastructure condition



Water infrastructure condition



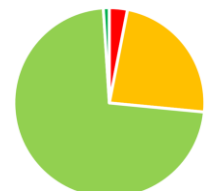
Road infrastructure condition



Stormwater drainage condition



Electrical infrastructure condition



Very poor Poor Good Very good Excellent

of NBN service via the NBN brownfields rollout in the future. The NBN rollout map confirms that NBN is planned for this Town Camp.

As no new developments are currently planned for the community, there are no additional upgrades for any type of infrastructure required to cater for future demand.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Warlpiri Transient Camp:

Sewerage

- 1500 m DN150 PVC gravity main
- 600 m DN150 PVC rising main
- Replace one sewer manhole

Water supply

- Repaint five hydrants
- Replace existing water main with DN150 PVC looped main, approximately 2200 m
- Install DN150 new bulk water meter
- Install up to ten residential lot water meters
- Install four new fire hydrants

Roadworks

- Fill and reseal four potholes
- Repair 265 m of road edges and shoulders
- Repair 455 m² of surface cracking
- Replace two signs
- Clean two existing signs
- Repair sections of footpath
- Repaint line marking for 1090 m of road
- Total reseal of 6370 m² (all roads rated very poor)
- General clean of 1060 m of road reserve
- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Clear blockages from three culverts (currently blocked up to 20%).
- Construct new underground drainage, including side entry pits and kerbs and gutters.

Community structures

- No works required.

Electrical services

- Replace fifteen 80W street lights
- Replace one multiple metering switchboard
- Replace four switchboards inside the metering panel
- Install new street lighting - approximately 108 poles

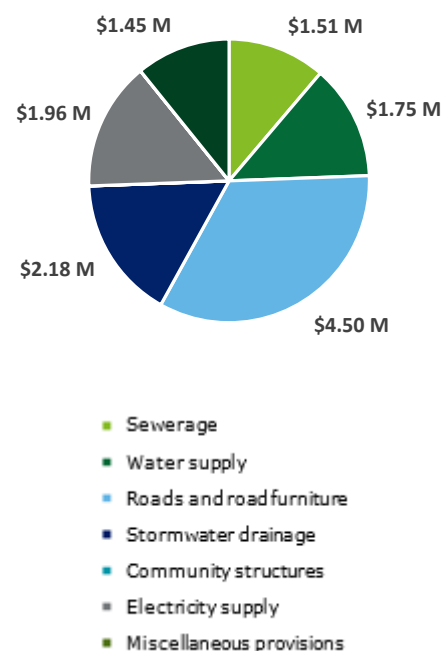
Communications

- No works are required because NBN is planned for this Town Camp.

Cost estimates

The below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 4,000	\$ 1,502,000
Water supply	\$ 1,000	\$ 1,752,000
Roadworks	\$ 1,235,000	\$ 3,260,000
Stormwater drainage	\$ 0	\$ 2,181,000
Community structures	\$ 0	\$ 0
Electrical	\$ 31,000	\$ 1,931,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 165,000	\$ 1,287,000
Total (including GST)	\$ 1,436,000	\$ 11,913,000
Grand total	\$ 13,349,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing

Introduction

Warlpiri Transient Camp was surveyed on the 30th of November and 1st December 2016. There were 9 funded dwellings¹ identified by the client. Inspections confirmed 8 functional dwellings. 1 structure was a condemned dwelling and another structure was simply the remains of house, being a concrete slab.

Current state of play

Housing summary and condition

The housing stock is aging with majority over 20 years old. The housing condition varies. 44% of housing is considered to be of average condition and 56% is identified as poor and very poor. However, this rating does not take into account the cleanliness of the residences and it doesn't mean they comply with the residential tenancy act. The majority of the houses have been constructed in blockwork on a concrete slab with sheet metal roofing material. Only house no. 11 is a steel framed elevated structure with sheet metal roofing material.

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Smoke alarms

Of the houses surveyed internally in Warlpiri Transient Camp 5 were identified as having non serviceable smoke alarms.

Flooding

Anecdotally house 3 in Warlpiri Transient Camp is said to flood.

Visitors

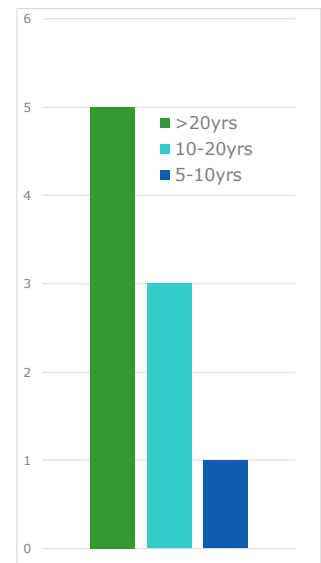
Of the dwellings we were permitted to access, visitors range from 1 to 2 persons for each house. The residence with 2 visitors was a 1-bedroom home with 7 permanent residents, resulting in 9 people per room. They had no toilet or bathroom however the residents had access to the ablution block just outside their house.

Overcrowding

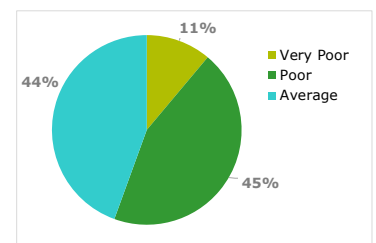
The surveys revealed that overcrowding is an issue within Town Camps with more than 2 people occupying each bedroom.

Amenities

The data analysis the community shows that on average there are 1.6 residents per bedroom and 4.7 per toilet. The individual house analysis shows a maximum recorded occupancy of 7 people per room. Aside from the residence with no



Warlpiri Transient Camp – Age of housing



Warlpiri Transient Camp – Condition Summary

¹ A list of funded dwellings, provided by the Department of Housing and Community Development, has been included in the appendices.

toilet or bathroom, there is maximum of 6 people per bathroom in Lot 4. These volumes place a high strain on amenities.

Disabilities

Of the 23 residents recorded, 1 was listed as having a disability. The disabled resident's house was identified as not having any appropriate grab rails in the wet areas or a ramp.

Asbestos

As some of the houses were reported to be over 20 years old, the presence of asbestos is likely. 5 of the houses were listed as likely to contain asbestos. This material is considered safe if it is not disturbed.

Security

All of the 9 houses we were permitted to access, 8 did not have serviceable windows and 5 did not have serviceable doors. 3 of the houses in Warlpiri Transient Camp were surrounded by a fence however, they were in a poor condition.

Recommended Works

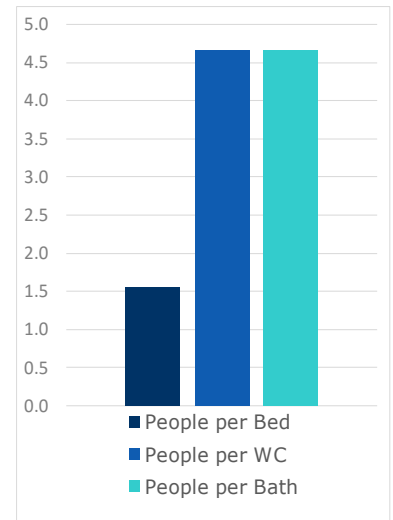
The houses in Warlpiri Transient Camp range from very poor to a very good standard. The cleanliness of the properties presents as serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below the acceptable limit.

The estimated cost to upgrade the current housing assets in Warlpiri Transient Camp to meet the standards of the Residential Tenancy Act, is \$1,631,076. This includes margins adjustments and GST.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.



Warlpiri Transient Camp – Amenities

Economic Development

Social issues and themes voiced by residents	<ul style="list-style-type: none"> • Broken promises • Poor condition of housing • Overcrowding • Transient visitors
Economic Development Opportunities	<p>Economic development opportunities in Warlpiri Transient Camp are limited to Town Camp services. Katherine does offer employment prospects for resident in the pastoral industry mining and tourism. The access to these opportunities is constricted by transient nature of residents. As such employment opportunities are most likely to be tied to service delivery and locally run Aboriginal Corporations.</p> <p>The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.</p> <p>For detailed rationale and recommendations see the Economic Development section of the report.</p>
Economic Aspirations	<p>The aspiration of residents are far more concerned with basic necessities that economic development. This necessities primarily revolve around shelter and being able to control space. The leaseholder has aspirations for economic development demonstrated through a variety of commercial ventures.</p>
Investment Opportunities	<p>Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:</p> <ul style="list-style-type: none"> • Certainty of ownership • Commercially viable income streams • Active market for any equity interests <p>When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.</p> <p>The Warlpiri Transient Camp currently does not most the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.</p> <p>It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.</p>
Home Ownership Opportunities	<p>Currently, there are no pathways to home ownership for residents within Warlpiri Transient Camp. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.</p> <p>Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment.</p> <p>For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.</p>

Governance

Governance Structure The governance structure for the Warlpiri Transient Camp is quite stable as the leaseholder and the service provider are the same. This means that residents only need to go through one entity. Kalano Aboriginal Housing Corporation is also accountable to a Council of Elders from the community who make major decisions. This appears to work well for Town Camp community involvement.

The current governance structure is understood as follows: The original leaseholder is the Kalano Community Association Incorporated. Services are provided to residents by the Kalano Aboriginal Housing Corporation is the service provider.

It is recommended that across all Town Camps the leasing structure be simplified by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable the design and implementation of sustainable maintenance programs. In essence this structure already exists in Warlpiri.

It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.

It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.

For detailed rationale and recommendations see the Governance section of the report.

Service Delivery Payment Arrangements

Kalano Community Association Inc. is the leaseholder and the service provider. The Kalano Aboriginal Housing Association Incorp has a 'periodic tenancy agreement' with residents. This means that it is a running agreement that only gets changed if there is a change of tenant to the house. The main tenant signs agreement on per house. Arrears and evictions go before the Kalano community housing committees and then to board or council.²

Funding is provided to the Association at \$1300 per annum, per house.³ This amount is significantly less than the amount most Town Camps receive as these Town Camps are privately owned and not governed by Northern Territory Housing. For each of the houses rent is charged at \$200 per week the amount is decided upon by the members of the council.⁴ This cost is then stipulated in the tenancy agreement.

All Billing and payments occur automatically via Centrelink deductions. This is a set amount and is not impacted by incomes, therefore no bills are sent to residents. The residents who contribute these amounts make up about one third of residents. All money paid goes back into the housing maintenance budget.⁵

Essential Services Payment Arrangements

All houses serviced by Kalano Community Association Inc. have power card meters that allow residents to pay directly for the power they use. Water, municipal and sewerage costs are paid by the Kalano Community Association Inc.⁶

² This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

³ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

⁴ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

⁵ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

⁶ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

Miali Brumby

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity



Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region	Katherine
Lease	Special Purpose Lease 545 (in perpetuity)
Purpose	Aboriginal Communal Living and Ancillary

Governance Structure

- Leaseholder:** Kalano Community Association Incorporated
- Maintenance:** Kalano Aboriginal Housing Corporation
- Service Delivery:** Kalano Aboriginal Housing Corporation

Current number of Houses x 31

Number of residents per room x 1.6

Recommendations

Legal and Legislative

Empower Town Camp residents by modifying the current lease type and purpose to enable wider uses of the land

Housing

x 0

Number of replacement houses



Cost of replacement houses
\$0



Deferred Maintenance Cost
\$3.08m

Infrastructure

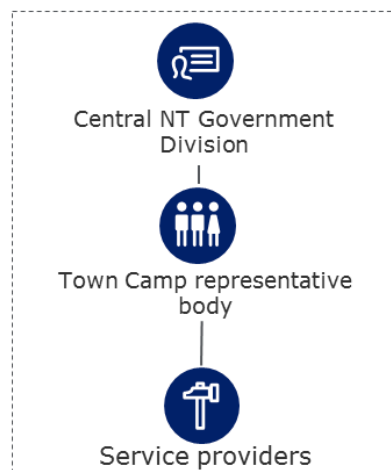


Deferred Maintenance Costs
\$648,000



Cost to meet Design standard
\$13.24m

Governance



Economic development opportunities



Town Camp Services

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Miali Brumby

Executive Summary

Land	Special Purposes Lease 545 in perpetuity owned by Kalano Community Association Inc
Service Provider	Kalano Aboriginal Housing Corporation
Findings	<ul style="list-style-type: none"> • There is one overall service provision with the responsibility for driving change and improving conditions in the camp • The lease holder is an incorporated Aboriginal Association with very limited resources and therefore limited capacity to drive change • There is no compliance monitoring undertaken in respect of Town Camp special purpose leases for either the lessee or the lessor • The purpose of the special purpose lease restricts the use of land to Aboriginal Communal Living and Ancillary • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • Municipal infrastructure at Miali Brumby is in generally good condition although most infrastructure types has assets in very poor and poor condition • The sewer network does not comply with relevant standards as the pipe diameter is too small • The water reticulation is non-compliant with PWC standards as there are several dead ends and it is expected the water mains are undersized • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. • Estimated deferred maintenance costs required for existing infrastructure is circa \$648,000 • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$13.25 million • The houses in Maili Brumby were primarily in very good condition and average condition however, the cleanliness of the properties presents a serious concern from a health and wellbeing perspective • The estimated cost to upgrade the current housing assets in Miali Brumby to meet the standards of the Residential Tenancy Act, is \$3.08 million • Good economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • The purpose of the lease be amended, to allow wider uses of the land • The Special Purposes Leases Act should be amended to remove prohibition on subdivision • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs

-
- To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)
 - Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
 - Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
 - Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are Town Camp Services, pooled employment, individual employment which are limited by the remote nature of the Town Camp
 - It is recommended that any private investment in the Town Camp has a guaranteed income from the Government.
-

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

People have lived here for generations and many have a traditional connection to Katherine as either Jawoyn or Miali people. Though some of the children of long-term residents may wish to move as they mature, marry, and have families of their own, many of the current houses consist of three generations. Kalano Community Association Inc. has been managing the housing stock and the community for just over 40 years. Management has generally been good, though as with all organisations personality dependent. At the moment it appears to be excellent. There is a strong relationship between the Board and management that ensures the community voice is heard.

There is a very well supported, high quality, leased, childcare facility operating at Kalano that many outside families utilise. It has a long waiting list. There is an aged care facility which provides alternative culturally based care for residents who feel uncomfortable in the mainstream aged care facility in Katherine. There is a dedicated housing office and a housing team. There is a small convenience store. There is a market garden (the Farm) that sells produce, primarily tomatoes to local sellers, including Woolworths.

The community sits in that area of Katherine that is subject to flooding once the river reaches 17-18 metres (once in a 100 years flood) and so is subject to development restrictions. To allow for this occasional flooding there are a higher number of elevated houses and buildings constructed on mounded foundations. The area consists of two separate leases. The land on which the houses are located is subject to a Special Purpose Lease. The area of farm operations is subject to an Estate in Fee Simple lease. Only the SPL is being considered for housing.

People in Katherine resent Miali Brumby being referred to as a Town Camp. Many have been resident at Miali Brumby generationally. They see themselves as a community and in fact they are an alternative housing estate. Though land tenure appears to be more well established than other Town Camp communities there are still problems with housing quality, with many houses being quite old and in need of major refurbishment. In some cases demolition and replacement may be a better option. Kalano has its own building company but the departure of the manager, their inability to find a suitable replacement, and the lack of funds for new housing forced them to "put it in mothballs". They would be keen to re-establish it if the opportunity presented.

Space

The issue of housing condition and the challenges of running an R&M program with severely degraded stock is a constant theme, as is the need for diversity in housing design. Kalano has endeavoured in the past to develop a young men's living quarters but the design did not work. Current staff say it was never used as a single quarters. The building design fortunately allowed Kalano to be able to utilise the building as an Aged Care Centre and it works quite well. There is still

a need for purpose designed accommodation for singles and couples without children.

People pay rent and the rent is used to help maintain an R&M program. There was not the same level of dissatisfaction with the time it took for R&M to occur, though planned R&M is not possible under current conditions. Kalano provided a submission to the Public Accounts Committee in March 2016 outlying their challenges in providing a responsive and effective R&M program with their current housing stock. These were:

- Overcrowding and homelessness;
- A large backlog of repairs and maintenance;
- A slow refurbishment and upgrade program;
- A number of rental areas;
- The condition of some housing being inhabitable;
- Lack of land availability for the construction of new accommodation units within the Katherine township and its environs; and
- The high cost of repairs, services and materials.

Not surprisingly these issues are common across all Town Camp communities. The related issues of visitation and damage caused by overcrowding are major challenges for tenants and the organisation. Visitation by remote family members and the pressure this placed on tenants was an issue that was voiced during face-to-face meetings with Kalano management. No solutions were proposed for this problem.

The issue of land access needs to be resolved in Katherine. Katherine, particularly the Miali Brumby SPL, is limited in how much further development can take place due to occasional flooding of the Katherine River, the last event being in 1998. The issue of flooding needs to be considered however, and whether any further construction should be considered in this area that is subject to flood. The organisation has another potential development site known as Gewyulkgan (Walpiri Transient Camp). This area is also subject to floods and is subject to the same building restrictions as Miali Brumby.

Interface

Katherine is a town of some 10,500 people and currently has some major defence infrastructure, with more under development. Despite the Indigenous Procurement Policy few local Aboriginal people gain employment on these projects because of low skill levels. This has been an issue for decades and the low participation rates means that the Aboriginal people of the Katherine region tend to be passive rather than active participants in the economy. The current projects in Katherine tend to be large, requiring a highly skilled labour force, and short completion time frames (pulse projects). There is little opportunity for local people to gain long-term training and employment, except in the lower skills tier of the project. There is a need to develop a long-term employment program that skill local Aboriginal people up so that they can take advantage of these pulse projects when they come on stream.

The people in the Miali Brumby community utilise all the services that Katherine offers, including specialist services that Kalano offers to both members and non-members. They are within walking distance of most services and there is a constant foot traffic across the Katherine Bridge. Most houses in Miali Brumby have at least one working car. Many people residing in Miali Brumby work in the

wider community or with Kalano itself. Kalano are a major employer of local people on their own projects.

The Kalano Board recognises the challenges that non-participation presents and has set in place a number of programs to address current employment disadvantage. They say they are constantly looking at how to improve income generation; the market garden and the Aged Care being just two of their projects. There is potential for the Kalano Housing/Building company to generate an income, if more money was made available for Indigenous housing. In addition, there is an opportunity for long-term training and stability of employment for local Aboriginal people in the construction industry that would then position them for competing in the wider job market. Historically they have been a Board that is keen to work with the local community and the Katherine Town Council says it is keen to work with them. The Kalano Town Council recently offered to upgrade the entry road into Kalano, however Native Title issues have stalled the project.

Aboriginal people make up 60% of the population in the Katherine Region and about 25% of the Katherine urban population. They are a significant group that needs to be engaged in all aspects of Katherine's growth. While there are several organisations that represent particular groups, Kalano has always represented all groups who live in the houses they provide on what used to be Town Camps, and within other areas of Katherine. Miali Brumby is now a much more stable community and should be viewed as an alternative housing model with an investment in municipal works and housing. Kalano are ideally placed to expand their role in the area of Indigenous housing, given their current governance and performance.

Kalano stressed the importance of Tenancy Support/Housing Support programs. Their experience showed that when funds were available to help tenants transition into urban housing spaces there was a much greater tenancy success and a reduction in tenancy failure. They expressed the view that just delivering new housing as a standalone commitment will not address the issues they are facing with their tenancy program. Tenancy support needs to be long-term and a realistic percentage of the money spent on capital works.

Vision

The Miali Brumby vision for its residents is relatively simple; better quality, affordable housing for their growing families that is properly maintained. They are habituated into paying rent, though a rental arrears program needs to be developed. People are fairly happy with the environment of the community in which they live and are happy with the way their organisation, Kalano, manages the houses and the community.

The vision for Kalano encompasses all of that but is also much more dynamic. Kalano already sees itself as an Indigenous community housing provider. They manage Miali Brumby, Gewyulkgan (Walpiri Transient Camp), Rockhole community and a portfolio of houses in the wider Katherine township (16 houses subject to Estate in Fee Simple leases and owned by Kalano). They want to have the opportunity to increase their capacity to provide quality affordable housing, constructed by their own members, through the Kalano Building company, not only within the confines of the current leases but throughout the Katherine township. As part of their future as a community housing provider Kalano intends to seek additional resources to expand its current tenancy support program.

Land Tenure, Leasing and Legislation

Owner	The Kalano Community Association Inc.
Location	Emungalan, Katherine
Land	Lot 1864 Town of Katherine; CUFT Vol 193 Fol 012
Type of Tenure	Special Purpose Lease 545 (in perpetuity)
Commencement date SPL/CL	21 May 1981
SPL/CL Purpose	Aboriginal Communal Living and Ancillary
Planning scheme zone	CL (Community Living)
Summary of Land Dealing Documents	<p>1. Special Purposes Lease 545</p> <p>Search certificate lists the following dealings:</p> <ul style="list-style-type: none"> • Easement: Power line easement to Northern Territory of Australia • Sewerage easement to Power and Water Authority (Date Registered: 24 November 1989, Dealing No.: 225023) • Electricity supply easement to Power and Water Authority (Date Registered: 18 October 1984, Dealing No.: 145964) <p>Grant of a special purpose lease for Lot 1864 (18 hectares 5400 m²) Town of Katherine (from the Minister for Lands and Housing to the Kalano Community Association Inc. in perpetuity for an annual rent of 10 cents with the following reservations:</p> <ul style="list-style-type: none"> • A right of entry and inspection on and/or of leased land in favour of the Minister, or officer authorised in writing, at all reasonable times and in any reasonable manner • All minerals and mineral substances in or on leased land and right to authorise any persons entering upon the land to mine, work for, win, recover and remove them or any of them and to do all things necessary or convenient for those purposes • A power of resumption • A right of entry and inspection for the purposes of providing and maintaining water, sewer, electricity and other services on the leased land or on other lands <p>Provisions include purpose of lease, annual rent, late rental fees, forfeiture liabilities, compliance with covenants and conditions and right to surrender lease.</p> <p>Lessee covenants include duty to pay rent, rates and taxes for leased land; use land for intended purposes specified in the lease; construction of improvements; maintain and repair improvements and infrastructure; right of entry and obligations; and compliance with applicable legislation and approved plans and specifications.</p> <p>The following easements are included in the special purpose lease:</p> <ul style="list-style-type: none"> • Electricity easement granted to the Northern Territory Electricity Commission (Registration Date: 2 October 1984, Registration No.: 145964) • Sewage Easement granted to the Power and Water Authority (Registration Date: 20 November 1989, Registration No.: 225023) <p>2. Memorandum of Grant of Electricity Easement (Lodgement Date: 2 October 1984; Dealing No. 145964)</p> <p>Grants an electricity easement to the Northern Territory Electricity Commission, including a free and unrestricted right and liberty (for the Commission and its agents, contractors, servants and workmen) to ingress and egress; from time to time to break the surface; dig</p>

open; and use the land in Special Lease No. 545 (Volume 193, Folio 12). The electricity easement also including laying down, erecting, fixing, taking up, removing, repairing, relaying or examining electrical works and or using and maintaining electrical work for distribution of electrical energy.

Encumbrances include any easements, rights, powers or privileges for the purpose of powerline required by the Northern Territory of Australia.

3. Memorandum of Grant of Sewerage Easement (Lodgment Date: 20 October 1989; Dealing No. 225023)

Grants a sewerage easement to the Power and Water Authority for a full and free unrestricted right and liberty for the Authority and its agents, servants and workmen to egress and regress with or without motor vehicles; from time to time and at all times hereafter to break the surface, dig up, use the land for the purpose of laying down, fix, take up, repair, relay or examine pipes; and use and maintain pipes for the disposal of sewerage. All pipes and fittings in the easement, laid down or fixed now and in the future, remain property of the Authority. The registered proprietor is under a duty to pay costs to the authority for:

- Any property damage from construction or a consequence of construction
- Increased costs for installing or repairing sewerage work because there is construction on the land

The Authority is not liable to the registered proprietor for damage any construction that is on the easement, includes trees and other vegetation growing on the easement.

Encumbrances include electricity easement granted to the Northern Territory Electricity Commission and any easements, rights, powers or privileges for the purpose of powerline required by the Northern Territory of Australia.

Level of Understanding	<p>Owner – rights and responsibilities</p> <p>There is a general level of understanding by the SPL/CL holders, but during consultations it was found that in many cases there was inactivity by the SPL/CL holder and/or there was limited capacity of the SPL/CL holder to drive change. This was found to be the main impediment to community development rather than any lack of understanding of rights and responsibilities as a SPL/CL holder.</p> <p>Residents – understanding of lease arrangement</p> <p>The level of understanding of residents was disparate – ranging from some having a sound understanding of the leasing arrangements and their rights/responsibilities, to others with a complete lack of understanding (for example, thinking they owned they house they lived in or considered that service providers were landlords with a right to deal with their tenancy of the house).</p>
Compliance with lease conditions and legislation	<p>There is no compliance monitoring undertaken in respect of Town Camp SPLs, so compliance with conditions are unknown.</p>
Impediments in lease conditions and suggested amendments	<p>Purpose of SPL is limited to Aboriginal Communal Living and ancillary. Recommend this be amended, if required, to the purpose consistent with the proposed use of the land.</p>
<p>Relevant legislation for land dealings;</p> <p>Legislative impediments; and</p> <p>Suggested amendments</p>	<p>Associations Act (NT)</p> <p>Dealings with prescribed property require Ministerial consent. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.</p> <p>Special Purposes Leases Act (NT)</p> <p>Section 9A – prohibition on subdivision. Recommend Act be amended to remove prohibition.</p> <p>Section 6(1) – dealings with the land require the Minister’s consent. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.</p>

Recommend that the provisions of the Act are amended to reflect the same rights and obligations as crown lease holders have under the *Crown Lands Act* (NT).

Planning Act (NT)

Any proposed development on the land must comply with the *Planning Act, Regulations* and NT Planning Scheme.

The zoning rules for Community Living zone are:

- The primary purpose of Zone CL is to provide for community living.
- Residential accommodation may be temporary or permanent.
- There may be non-residential facilities for the social, cultural and recreational needs of residents.

An application for the re-zoning of the land may be required where any potential development on the land is not consistent with these zone purposes.

Stronger Futures in the Northern Territory Act 2012 (Cth)

Section 34 – gives the Commonwealth broad powers to amend NT legislation relevant to Town Camps land, land dealings planning and infrastructure. Ideally, this section would be removed, however as this is Commonwealth legislation any changes are not at the NT Government’s discretion.

Native Title Act 1993 (Cth)

The *Native Title Act* is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.

Residential Tenancies Act (NT)

Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to ‘home ownership’ then that form of leasing may require exemption from the *Residential Tenancies Act* (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord’s obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).

Relevant legislation for lease holder

Associations Act (NT)

Level of support provided to lease holder and suggested amendments

No specific support for aboriginal associations is provided by the Department of Business/Licensing NT and very limited support is provided in general to incorporated associations.

Recommend transfer to incorporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth).

Municipal and essential infrastructure

Summary

The Miali Brumby (or Kalano) community is located north-west of Katherine. The community consists of 31 residential dwellings, which are serviced by a formal road, sewer, water and electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Kalano is generally good condition, although almost infrastructure types had assets in very poor and poor condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network does not comply with relevant standards as the pipe diameter is too small. The sewage pump station could not be assessed as there was insufficient information however PWC have advised it complies with current standards. It is recommended that the network is upgraded to a DN150 PVC in accordance with relevant standards.

The water reticulation is non-compliant with PWC standards as there are several dead ends and it is expected the water mains are undersized. The capacity of the existing network is insufficient for firefighting demands. It is recommended that the network is upgraded to a DN150 PVC looped water main. Water usage is proposed to be measured with a bulk water meter located at the community boundary. Additionally, residential lot water meters should be installed on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

The community structures in Kalano included a basketball court, BBQ area, bus stop, playground and a shed. The conditions of these was mostly good or very good however the BBQ area was in very poor condition and requires repairs.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated maximum demand is within the total capacity of the substation on site. It is recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to

Sewerage infrastructure condition



Water infrastructure condition



Road infrastructure condition



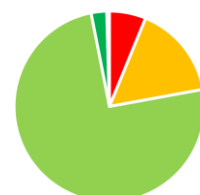
Stormwater drainage condition



Community structure condition



Electrical infrastructure condition



Very poor Poor Good Very good Excellent

residents via fixed telecommunications line on application to an appropriate NBN access provider.

As no new developments are currently planned for the community, there are no additional upgrades for any type of infrastructure required to cater for future demand.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Miali Brumby (Kalano) community;

Sewerage

- Upgrade one sewer manhole
- 2,200 m DN150 PVC gravity main

Water supply

- Replace two fire hydrants
- Repaint and clear overgrown grassing at one hydrant
- Install new DN150 water main, approximately 2000 m
- Install DN150 bulk water meter
- Install new fire hydrants, approximately five
- Install up to 31 residential lot water meters

Roadworks

- Total reseal of ≈ 1525 m² of pavement
- Replace 12 various signs
- Clean 13 signs
- Repair 650 m² of surface cracking
- Repair 510 m of edge breaks
- Fill and reseal 5 potholes
- Repaint all road lines within community ≈ 2000 m
- General tidy up of all roads and road reserves ≈ 2000 m
- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Clear blockages from all seven culverts
- Construct stormwater drainage which includes, underground pipes, kerbs and gutter, and side entry pits.

Community structures

- General clean of BBQ area
- Repaint BBQ area
- Conduct service on BBQ and ensure working

- General clean of bus stop area
- General clean of playground area including landscape maintenance
- Repairing tears to shade cloth over playground

Electrical services

- Replace eight 80W street lights
- Replace four sports field switchboards
- Replace sports field lighting
- Audit one overhead pole wash out under concrete plant
- Replace five switchboards inside the metering panel
- Replace one switchboards associated to dwellings
- Install new street lighting - approximately 101 poles

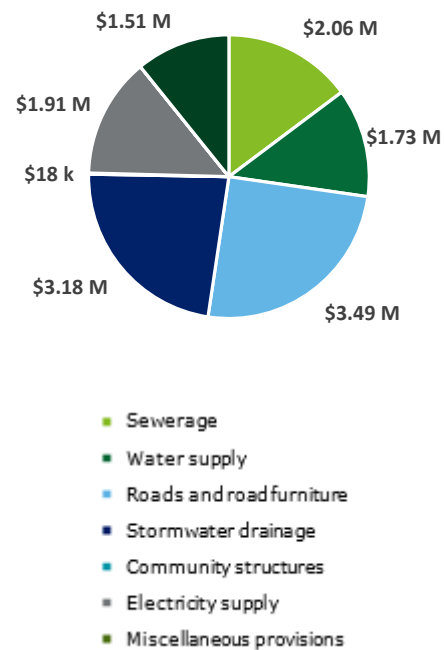
Communications

- No works are required because NBN is available to residents via fixed telecommunications line on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 4,000	\$ 2,059,000
Water supply	\$ 0	\$ 1,752,000
Roadworks	\$ 444,000	\$ 3,048,000
Stormwater drainage	\$ 0	\$ 3,182,000
Community structures	\$ 18,000	\$ 0
Electrical	\$ 102,000	\$ 1,805,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 80,000	\$ 1,430,000
Total (including GST)	\$ 648,000	\$ 13,249,000
Grand total	\$ 13,897,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Miali Brumby (Kalano)

Introduction

Miali Brumby was surveyed between the 29th of November and 1st December 2016. All of the 47 funded dwellings⁷ identified by the client 31 were identified on site. Although many residents refused entry, surveys were completed for 28 houses and 1 aged care center.

Current state of play

Housing summary and condition

The housing stock is aging with majority being 10 to 20 years old. The majority of houses, 50% were considered to be of very good condition. However, this rating does not take into account the cleanliness of the residences and it doesn't mean they comply with the residential tenancy act. There are 2 main types of construction which consist of blockwork on a concrete slab and steel framed elevated structure with sheet metal roofing material.

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Smoke alarms

Of the houses surveyed internally in Miali Brumby, 10 were identified as having non-serviceable smoke alarms.

Flooding

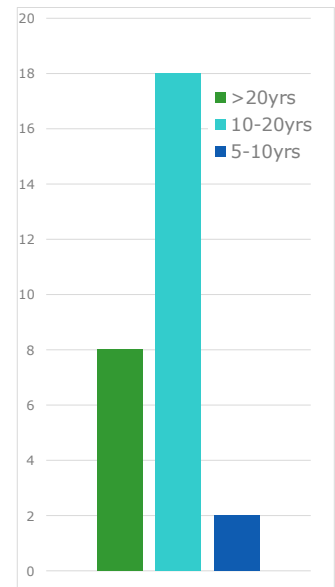
Miali Brumby is occasionally subjected to flooding during heavy rain. Anecdotally 9 of the houses are said to flood.

Visitors

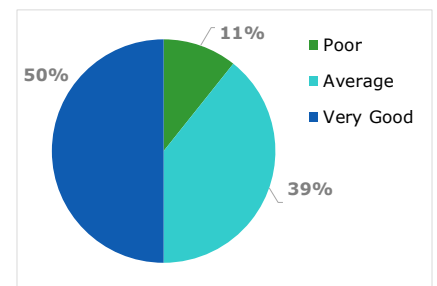
Of the dwellings we were permitted to access, had visitors ranging from 2 to 5 adults. A residence had 5 visitors. This residence was a 4-bedroom home with 6 permanent residents, resulting in 2.75 people per room and 11 people per toilet which would present significant strain on the amenities.

Overcrowding

The surveys revealed that overcrowding is a result of transient populations and not the permanent residents that exist within the Town Camp.



Miali Brumby - Age of Housing Stock



Miali Brumby - Condition Summary

⁷ A list of funded dwellings, provided by The Department of Housing and Community Development, has been included in the appendices

Amenities

The data analysis of the whole community shows that on average there are 1.6 residents per bedroom and 4.4 per toilet. The individual house analysis shows a maximum recorded occupancy of 2.75 people per room and maximum of 11 people per toilet. These would place significant strain on amenities and, during periods of high visitation these values would differ.

Disabilities

Of the residents recorded, 1 was listed as having disability. 4 houses ramps and 5 have grab rails in we areas.

Asbestos

As some of houses were reported to be over 20 years old, the presence of asbestos is likely. 12 houses were listed as likely to contain asbestos. This material is considered safe if it is not disturbed.

Security

Of the houses we gained access to, 2 did not have serviceable doors and 5 did not have serviceable windows. The majority of houses in Miali Brumby were surrounded by a fence and most were in a reasonable condition.

Recommended Works

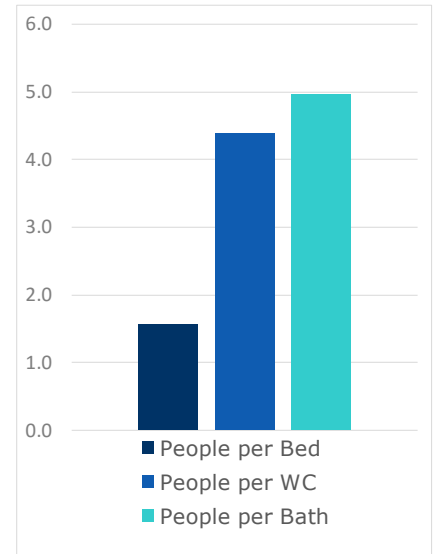
Although the condition of most houses in Miali Brumby are considered very good, the hygiene and cleanliness of the properties presents as serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below the acceptable limit.

The estimated cost to upgrade the current housing assets in Miali Brumby to meet the standards of the Residential Tenancy Act, is \$3,083,321. This includes margins adjustments and GST. Refer to Appendix C for the complete costing report.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.



Miali Brumby - Amenities

Economic Development

Social issues and themes voiced by residents

- Broken promises
- Poor condition of housing
- Over-crowding
- Unwilling to pay rent
- Slow response to repairs and maintenance
- Welfare dependent community
- Transient visitors.

Economic Development Opportunities

Economic development opportunities are good with Town Camp services, pooled employment and individual employment. The Kalano Aboriginal Housing Corporation have a number of initiatives that have the potential to develop the economic capacity of Town Camp residents. Although there are other opportunities in the area with building companies, child and aged care facilities, stores and market gardens all having the potential to develop Town Camps residents to facilitate economic integration.

The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.

For detailed rationale and recommendations see the Economic Development section of the report.

Economic Aspirations

The aspiration of residents are far more concerned with basic necessities than economic development. The vision of the residents is simply quality and affordable housing. Economic participation and vision is driven by Kalano.

The leaseholder, Kalano Community Association Incorporated is driving economic participation.

Investment Opportunities

Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:

- Certainty of ownership
- Commercially viable income streams
- Active market for any equity interests

When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.

The Miali Brumby currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.

It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.

Home Ownership Opportunities

Currently, there are no pathways to home ownership for residents within Miali Brumby. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.

Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

<p>Governance Structure</p>	<p>The governance structure for the Miali Brumby is quite stable as the leaseholder and the service provider are the same. This means that residents only need to go through one entity. Kalano Aboriginal Housing Corporation is also accountable to a council of elders from the community who make major decisions. This appears to work well for Town Camp community involvement.</p> <p>The current governance structure is understood as follows: The original leaseholder is the Kalano Community Association Incorporated. No other leases exist in relation to the Town Camp. Services are as provided to residents by Kalano Aboriginal Housing Corporation.</p> <p>It is recommended that the leasing structure be simplified across all Town Camps by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable for the design and implementation of sustainable maintenance programs. In essence this structure appears to be already in place in Miali Brumby.</p> <p>It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.</p> <p>It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.</p> <p>For detailed rationale and recommendations see the Governance section of the report.</p>
<p>Service Delivery Payment Arrangements</p>	<p>Kalano Community Association Inc. is the leaseholder and the service provider. The Kalano Aboriginal Housing Corporation has a 'periodic tenancy agreement' with residents. This means that it is a running agreement that only gets changed if there is a change of tenant to the house. Main tenant signs agreement on per house. Arrears and evictions go before the Kalano community housing committees and then to board or council.⁸</p> <p>Funding is provided to the Association at \$1300 per annum, per house.⁹ This amount is significantly less than the amount most Town Camps receive as these Town Camps (or communities, as they prefer to be referred to as) are privately owned and not governed by Northern Territory Housing. For each of the houses rent is charged at \$200 per week. The amount is decided upon by the members of the council. This cost is then stipulated in the tenancy agreement that is signed by the resident.¹⁰</p> <p>All billing and payments occur automatically via Centrelink deductions. This is a set amount and is not impacted by incomes, therefore no bills are sent to residents. The resident who contribute these amounts makes up about one third of residents. All money paid goes back into the housing maintenance budget.¹¹</p>
<p>Essential Services Payment Arrangements</p>	<p>All houses serviced by Kalano Community Association Inc. have power card meters that allow residents to pay directly for the power the use. Water, municipal and sewerage costs are paid by the Kalano Community Association Inc.¹²</p>

⁸ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

⁹ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

¹⁰ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

¹¹ This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

¹² This information was provided in consultation with the Chief Executive Officer of Kalano Aboriginal Housing Corporation

Mara

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity



Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region: Borroloola
 Lease: Aboriginal Freehold
 Purpose: N/A

Governance Structure

- Owner:** Narwinbi Aboriginal Land Trust
- Maintenance:** Mabunji Aboriginal Resource Association Incorporated
- Services Delivery:** Mabunji Aboriginal Resource Association Incorporated

Current number of Houses

x 31

Number of residents per room

TBA*

Recommendations

Legal and Legislative

Freehold – no need to change

Housing

TBA*

Number of replacement houses

*Unable to assess due to unavailable population data



Cost of replacement houses
TBA*



Deferred Maintenance Cost
\$4.25m

Infrastructure

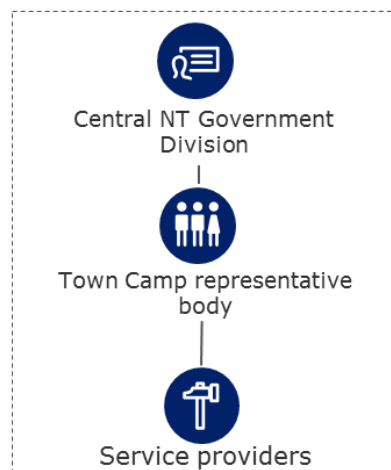


Deferred Maintenance Costs
\$2.20m



Cost to meet Design standard
\$11.09m

Governance



Economic development opportunities

- Town Camp Services
- Pooled Employment Services
- Individual Employment

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Mara

Executive Summary

Land	Aboriginal freehold owned by Narwinbi Aboriginal Land Trust
Service Provider	Mabunji Aboriginal Resource Association Incorporated
Findings	<ul style="list-style-type: none"> • There is not one organisation that is responsible for overall service provision with the also the responsibility for driving change and improving conditions in the camp • The owner is an incorporated Aboriginal Land Trust with very limited resources and therefore limited capacity to drive change • There are many different lease agreements that have been entered into with Narwinbi Aboriginal Land Trust all of which have different end dates for different sections of the land • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • The governance structure is unclear and is not conducive to accountability. This situation is impeding development and disempowers camp residents. • Municipal infrastructure at Mara is varies in condition, the sewerage, stormwater and community structures are all in good condition whereas the water and road infrastructure are poor and very poor condition respectively • The sewer network appears to comply with PWC standards after being upgraded in 2006 • The water network is undersized and non-compliant with current standards • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. • Estimated deferred maintenance costs required for existing infrastructure is circa \$2.20 million • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$11.09 million • Of houses in Mara, 72% were considered poor and very poor and the cleanliness of the properties presents a serious concern from a health and wellbeing perspective • The estimated cost to upgrade the current housing assets in Mara to meet the standards of the Residential Tenancy Act, is \$4.25 million • Good economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs • To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional

body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)

- Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
- Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
- Invest in public housing in areas with the economic capacity to support to the development of residents in transition
- Economic opportunities are Town Camp services, pooled employment services and individual employment which are limited by the remote location of the Town Camp

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

Mara Camp sits on the higher area of Borroloola and is occupied by people from all four language groups in the region Mara, Garawa, Yanyuwa, Gurdangi. Some of the residents have strong connections and are Traditional Owners (TOs) for the islands off the coast of Bing Bong. They mention their parents came to Borroloola for protection in the war and one of the TOs remembers his father and uncle built the 5 small un-serviced sheds that are still occupied today. These spaces are seen as heritage and people do not want these to be removed. They would prefer they weren't lived in but there is such a shortage of housing, and so much overcrowding already, that some people would prefer to live there than force themselves on others. It was also mentioned that, because these dwellings do not have power and water, they put extra strain on the other houses as people have to share their facilities, particularly toilets and showers. It was suggested that if additional housing cannot be provided, a toilet and shower block located near these dwellings would be welcomed by the community members.

As with the other Town Camp communities in Borroloola most of the houses are very overcrowded, with numbers rising and falling according to social and ceremonial activities and seasons. Flooding does not appear to be an issue in Mara as it is on higher ground, but there are no footpaths and water will stay on the road verges for long periods of time after the rains. This makes access to some areas difficult. Safety issues such as no street lights and young people being very mobile at night was mentioned by many residents. As with Borroloola generally there is an issue with youth roaming around at night, and there has been some attempts with night patrol and police to work on this issue. Some people spoke about the need for a youth centre in the town that operates at night. Mara is closely located to the main housing service organisation in the region Mabunji and other services like the RJCP, new Crèche, Playgroup, NLC, Batchelor training centre, Sea Ranges, Aged care facility and community court is also held in the buildings next door.

Despite the significant issues of overcrowding and houses being badly in need of R&M, people said they liked living in the Mara Town Camp community because they had either lived there a long time, or were born there, and their family all lived there. They say people get on well until they get drunk and then they start fighting.

Space

Many of the dwellings in Mara are in need of major repair. The residents say the houses are overcrowded and too much family come and stay. With no alternative accommodation people feel unable to reject a family request for shelter. There were several houses that had tents and other temporary accommodation, like a caravan. These had been used when a funeral was on, but they have now become more permanent features in an attempt by community members to ease the overcrowding stress. One of the ladies mentioned that while her house was really damaged they didn't want it fixed because there was [redacted] there that would just damage it again.

There are several people with disabilities in Mara. [redacted] and his mobility is poor. [redacted] but the house is not designed for that type of access. None of the houses had any mobility aids. There are other people who are on Dialysis in Mara and these people use the self-administering dialysis chairs at the clinic. Some people have family who travel out of the community to Darwin or Katherine which puts stress on family. Because of the close proximity to services people did not see transport as an issue as everything was in walking distance. The shop is approximately 800 meters down the road. People did mention that the roads in Mara were really bad with pot holes with much of the access being unsealed. This creates the problem of mud and mosquito breeding in the wet season and dust in the dry season.

Most of the problems with housing were either electrical, caused mostly by moisture or vermin. Ants, including termites, and rats are major problems. No-one can remember when any pest control was done. Someone asked if the house could be sprayed for rats. Poisons used in pest eradication, and dead animals could be major problems in a culture where there are many dogs. Some people have a ceremonial relationship to dogs and if any die as a result of rat poison it could create significant problems. It seems that urgent maintenance is attended to fairly quickly, but leaks in roofs, busted door locks, collapsing ceilings, are not considered urgent, and residents say they have to wait until Mabunji has the money to fix them. Some residents reported rotting floors and walls from long-term plumbing issues. No-one understands how tenancy works, what happens to the rent, who owns the house. Everyone just thinks if they are living in the house it belongs to them. There is no concept of what it means to be in Public Housing.

Quite a few people expressed a desire for better fencing, and some landscaping to be done as part of the CDP (Work for the Dole program). Others wanted "dead" car bodies removed from yards. They are dangerous and provide a nesting place for snakes and spiders. Several respondents said that the houses never get painted and that would make the house look better, and them feel better. Lack of storage was another issue. When there are so many people in a house it is really difficult if no-one has anywhere to put their clothes and other possessions to keep them clean and safe. Most respondents complained of broken windows (not necessarily the glass), broken doors and screen doors that need replacing or fixing. Several residents said they needed sand dumped in their yard, but did not indicate whether this was for aesthetics, or to eradicate water lying around stagnating and breeding mosquitoes.

Interface

Like many residents of Town Camp communities most residents are living on some sort of benefit with most houses having at least one person who has a full-time job, usually with Mabunji. The residents of Mara indicated Mabunji was the key service organisation for housing. People in Mara were aware of the housing officers at Mabunji, and were comfortable making contact. They live near the Mabunji office in which the Housing team is located. They did however feel that repairs were not done in a timely manner. They didn't see this entirely as the fault of the organisation however. It was discussed on several occasions in different forums that the government should get the houses up to a better standard first. There appears to be no understanding of how "Government" finds the money to undertake the delivery of essential services. Aboriginal people see Public Servants and Politicians with seemingly unlimited funds, visiting the community making promises that never materialise. They just assume that the Government doesn't want to build houses, not that there are insufficient funds to do so. If they have access to media reports and hear about the amount of money that will be spent over a 5 or 10-year cycle they don't understand the budget process and just hear that there is all this money for housing but no houses get built. Many residents were frustrated that they have seen many people coming and going, talking about repairs, and that a Minister of the Northern Territory Government had told them they would be getting new houses last year. A similar story was told at Elliott.

Borroloola sits in a unique position. It services a large region that is important to the Pastoral Industry and has significant mineral prospects. The local Aboriginal people are not equipped to take advantage of the current opportunities and those that will come on line in the future. The local RJCP provider Gulf Savannah NT (GSNT) has struggled to be relevant. There are three skills training centres within walking distance of Mara and most of the time they are unused. The school is currently using one of the training centres to do manual skills and projects with youth attending the school. There are a number of commercial retail outlets at Borroloola and all of these are listed by residents as places they spend their money. No-one commented on prices charged.

Vision

Mara Town Camp community is one of four recognised Town Camp communities in Borroloola and there are others that attach to, but are not recognised, as Town Camps. All of these place a strain on people who have houses with any sort of functioning services, particularly toilets and showers. Not surprisingly among the many improvements people would like to see ablutions feature

- Communal showers and toilets for people who live in sheds that have no services
- A park with a barbeque so that people can have a picnic and cook outside;
- Better roads and drainage, including speed bumps, curbing and footpaths, all sealed
- Improved street lighting
- Properly constructed and maintained fences around the houses
- More organised activities for children and youth, not only during school holidays but all year round. These should include on country cultural activities, using the old people with the knowledge to teach them
- A properly supported Housing Association so that we can make decisions at a community level about who comes to live here. Residents were happy for

Mabunji or a similar organisation to have responsibility for the provision of housing and running the tenancy program

- The yards are hard and have little chance of growing anything. Residents would like to see some soil brought in so that they could make gardens
- People were interested in having a social club where the community could meet and relax
- One resident said there should be more contracts that had to include local people
- The old crèche is empty, having been replaced by a new building. Before it becomes vandalised as a space with no ownership, it could be renovated and used as a Men’s Rehabilitation space
- Most residents’ visions were focused on better housing, renovations, purpose built housing for young people, creating the opportunity for young people to stay in Mara and raise their families by providing more houses for young families. People said flats and duplexes would be a good idea, as well as single peoples accommodation
- Violence fueled by alcohol often results in people behaving erratically in motor vehicles. One suggestion is rock barriers in front of houses so people can’t hit the house with their car
- Residents would like to see a CDP working in the community every day keeping it nice and making improvements
- There was interest in having a basketball court with some cover and lighting.

Land Tenure, Leasing and Legislation

Owner	Narwinbi Aboriginal Land Trust
Location	10194 Carpentaria Highway, McArthur, Borroloola
Land	NT Portion 2087; CUFT Vol 800 Fol 732
Type of Tenure	Aboriginal freehold
Commencement date SPL/CL	N/A
SPL/CL Purpose	N/A
Planning scheme zone	No Zone
Summary of Land Dealing Documents	<p>1. Search Certificate (Date Registered: 29 April 2015; Volume 800, Folio 732)</p> <p>Search lists the following dealings:</p> <ul style="list-style-type: none"> • Lease to Mabunji Aboriginal Resource Association Incorporated - part - Lot 38(A) – expiring 21 April 2025 (Date Registered: 29 April 2015, Dealing No.: 848333) • Lease to Northern Land Council - Part NT Portion 4714(A) - expiring 31 March 2008 (Date Registered: 13 May 1999, Dealing No.: 423000) • Lease to Rrumburriya Malandari Council Aboriginal Corp-Portion 4715 - expiring 26 January 2020 (Date Registered: 27 January 1995, Dealing No.: 324289) • Other interests: <i>The Aboriginal Land Rights Act (NT)</i> imposes restrictions on the rights of the registered proprietor to deal with this land <p>2. Lease (Date Lodged: 25 January 1995, Commencement Date: On the date of registration, Dealing No. 324289, Volume 76, Folio 77)</p>

Grant of lease from the Narwinbi Aboriginal Land Trust (Owner) to Rrumburriya Malandari Council Aboriginal Corporation (Tenant) to the Garawa No 2 Housing Aboriginal Corporation (Lessee) for 25 years (with a right of renewal for 25 additional years) for land described in NTP 2087 Borroloola (Volume 76, Folio 77) for total rent of \$1.00, if demanded. A monthly tenancy (with the amount of rent subject to change) applies upon expiration of the lease term under the same terms and conditions of the lease and terminated with three months' notice.

Lessee covenants include:

- a. duty to pay rent, rates, taxes and applicable interest for leased land
- b. use land for intended purposes specified in the lease
- c. obtain written consent from the Lessor for assignment, transfer, sublet, underlease or disposal of the premises; keep the land clean
- d. maintain and repair improvements (including fencing);
- e. refill and compact excavated land, regressing, soil stabilisation and planting
- f. right of entry and obligations; compliance with applicable legislation and approved plans and specifications
- g. pay costs of compliance if demanded by Lessor; not to annoy persons in the neighbourhood or allow wilful or negligent acts that will result in damage and destruction of any improvements
- h. obtain required consent from Lessor and applicable government department for advertising
- i. assume risks for construction or state of repair, water, air conditioning, gas, oil or other sources of energy or full during the lease term
- j. not hold Lessor liable for property claims, damage or injury to any person or property on the premises or any land near premises with certain exceptions
- k. respect and protect Aboriginal Sacred Sites and consult with Aboriginal persons regarding such sites; assume costs related to damaging Aboriginal Sacred Sites
- l. construct and maintain facilities in accordance with local building requirements and after consultation with and response from traditional Aboriginal owners, other community groups affected by the proposed construction;
- m. remove improvements from the premises without written consent of the Lessor; restore any damage caused by removal of any improvement

The lease does not extinguish customary Aboriginal Title in relation to the premises immediately before the commencement of the lease. At the expiration of the lease any improvements erected on the premises vest with the Lessor.

Lessor covenants:

- a. Quiet enjoyment of the premises without any interruption or disturbance by the Lessor or any person claiming under or in trust for the Lessor
- b. Grant premise access to the Lessee, its employees, servants, members and invitees

A Northern Territory of Australia Planning Act Instrument of Determination (MS0060), dated 7 April 1994 is attached to the lease for the subdivision of NT Portion 2087, Borroloola Locality into three lots. The instrument of determination notes that consent to the subdivision application lapses at the expiration of two years from the date of consent unless subdivision works have substantially commenced and an extension of time may be granted by the consent authority and defines works as applicable to the subdivision.

A Letter from the Northern Land Council, dated 19 January 1995, is attached to the lease requesting the lease to be registered because the lease commencement date is on the date of registration.

3. Memorandum of Lease Office Premises at Borroloola (Date Lodged: 12 May 1999, Commencement Date: 12 February 1999, Expiration Date: 31 March 2008, Dealing No. 423000, Volume 76, Folio 77)

Grant of lease from the Narwinbi Aboriginal Land Trust (Owner/Lessor) to Northern Land Council (Tenant/Lessee) to lease certain Aboriginal land and all buildings, fixtures, fittings and other improvements for 10 years (with no right of renewal) for land described in Part NTP 2087, Parcel 4714(A) (Volume 76, Folio 77) for total rent of \$2.00 per annum, if demanded. Upon expiry of the lease and holding over of the premises, the Lease will be a year to year tenancy with the same term and conditions, which may be terminated with six months written notice.

Lessee covenants include:

- a. duty to pay rent, rates, taxes, reasonable costs and applicable interest for leased land
- b. use land for intended purposes (office, meeting place, residential accommodation and activities associated with carrying out of its functions under the *Land Rights Act*);
- c. allow the Lessor to enter the premises to view condition of the property with reasonable notice and time
- d. shall not remove office building and ablutions block serving the office building or associated fixtures; repair damage from removal of any demountable building and other fixture or fitting from the premises
- e. grant Lessor ownership of all demountable buildings (existing or removed), other buildings and fixtures at the expiry of the lease
- f. reinstate any demountable buildings removed
- g. remove Lessee's furniture and equipment that is not fixed to the premises at the expiry of the lease
- h. obtain written consent from the Lessor to commence any works/construction or removal of earth, stone, clay, sand or gravel
- i. keep the land clean; maintain and repair improvements (including the sewage disposal system)
- j. not to dispose or permit disposal of waste or hazardous material on land that may enter into any watercourse and to dispose of waste properly
- k. rehabilitate land and minimise negative environmental effects
- l. shall not conduct illegal nuisances on the premises
- m. compliance with applicable legislation and approved plans and specifications
- n. share costs of a formal survey plan showing the boundary of the premises
- o. permit Traditional Aboriginal owners of the premises to obtain an independent person to assess the condition and state of repair (once every 12 months) of the premises
- p. bear costs of reports and negotiations (once every 12 months) related to request of Traditional Aboriginal owners of the premises for an independent person to assess the condition and state of repair of the premises and associated negotiations
- q. maintain insurance (public liability, workers compensation, buildings, fixtures, fittings and other improvements) and pay associated premiums throughout the term of the lease of not less than one million dollars
- r. prohibit storage of inflammable substances on the premises or permit any activity that may invalidate insurance
- s. release and indemnify Lessor for any claims for damages and injury
- t. not to transfer, assign, sublet or part with possession of the premises or any part thereof without consent of the Lessor
- u. to allow Lessor to terminate the lease and issue notice to quite (three months) if the Lessee ceases to exist, if there is an assignment without the Lessor's approval, Lessee default or abandonment

The lease does not impair or extinguish any customary or native title in relation to the premises immediately before the commencement of the lease.

Lessor covenants:

- a. To grant Lessee the right to use any sewage disposal system on the adjacent land (as indicated on the attached plan) and construct a sewage disposal system approved by the Lessor
- b. To grant access to adjacent land for construction, inspection than repair of the sewage system
- c. To reserve the right to impose environmental protection conditions to prevent the spread of exotic or noxious flora and fauna
- d. Quiet enjoyment of the premises without any interruption or disturbance by the Lessor or any person claiming under or in trust for the Lessor
- e. Grant premise access to the Lessee, its employees, servants, members and invitees
- f. Grant Lessee the right to surrender the lease upon giving three months' written notice provided the surrender does any prior covenants or agreements

4. Lease (Date Lodged: 29 April 2015, Date Registered: 29 April 2015, Commencement Date: 22 April 2015, Expiration Date: 5 April 2025, Dealing No.: 848333, Volume 76, Folio 77)

Grant of lease from the Narwinbi Aboriginal Land Trust (Owner/Lessor) and Northern Land Council (Lessor) to Mabunji Aboriginal Resource Association Incorporated and Northern Lan Council (Tenants/Lesseees) to lease the whole of that part of the land hatched in red on the plain appearing on Schedule 3 (known as Lot 38(A) on plan(s) S 2006/222A on improvements for 10 years for land described in Part NTP 2087 (Volume 76, Folio 77) for rent of \$1,800.00 per annum. Upon expiry of the lease and holding over of the premises, the Lease will be a monthly tenancy with the same term and conditions.

The conditions and covenants implied by Section 117 and 119 *Law of Property Act* shall not apply to the lease.

Lessee covenants include:

- a. To agree to an annual rent review
 - b. duty to pay rent, rates (including electricity, water and gas), taxes, reasonable costs and applicable interest for leased land;
 - c. use land for intended purposes and seek written consent from Lessor for other uses
 - d. allow the Lessor to enter the premises to view condition of the property with seven days' notice and enter land at any time in an emergency
 - e. grant Lessor ownership of all buildings and improvements at the expiry of the lease
 - f. remove Lessee's plants, furniture, equipment machinery and other chattels that is not fixed to the premises at the expiry of the lease
 - g. obtain written consent from the Lessor to commence any works/construction, replacement or removal of structures;
 - h. keep the land clean; maintain and repair improvements
 - i. not to excavate or remove any extractive minerals from the land without entering into a separate agreement with the Lessor
 - j. not to dispose or permit disposal of waste or hazardous material on land that may enter into any watercourse and to dispose of waste properly
 - k. rehabilitate land and minimise negative environmental effects
 - l. shall not conduct nuisances on the premises
 - m. compliance with applicable legislation and approved plans and specifications
-

- n. Provide six months’ notice (prior to expiration of the lease) of intention to request a further lease term
- o. To observe requirements for sacred sites and sacred objects, including requesting and obtaining authority certificates, compliance with authority certificate conditions, observe and respect sites and meet Lessor and traditional owners requests, and pay compensation for damage or interference to sites
- p. bear reasonable costs related to lease consultations and negotiations, surveying and planning and breach of lease term
- q. maintain insurance (public liability, workers compensation, buildings, fixtures, fittings and other improvements) of \$10,000,000 and pay associated premiums throughout the term of the lease
- r. release and indemnify Lessor for any claims for misuse, damages and injury
- s. not to transfer, assign, sublet or part with possession of the premises or any part thereof without consent of the Lessor
- t. To agree to default term for non-payment or late payment of rent, failure to comply with provisions of the lease and notices to carry out repair and maintenance, abandonment
- u. To bear own costs related and incidental to the negotiation, settlement, preparation and execution of the lease
- v. Maximise employment, training and business opportunities for local aboriginal people, adhere to employment regulations; advertising requirements
- w. Prohibit the sale of liquor, kava, drugs, unleaded fuel or other substances on the premises
- x. bear costs for subdivision applications and planning applications

The lease does not impair or extinguish any customary or native title in relation to the premises immediately before the commencement of the lease.

Lessor covenants:

- a. To reserve the right to impose environmental protection conditions to prevent the spread of exotic or noxious flora and fauna
- b. Quiet enjoyment of the premises without any interruption or disturbance by the Lessor or any person claiming under or in trust for the Lessor
- c. Grant premise access to the Lessee, its employees, servants, members and invitees
- d. To re-enter and take possession of the land and exercise other legal rights by notice to the Lessee upon termination or default of the lease
- e. To bear own costs related and incidental to the negotiation, settlement, preparation and execution of the lease
- f. To allow Lessee to make a subdivision application
- g. To allow any act, matter or thing required or permitted to be done by the Land Trust in relation to the lease may be done by the Land Council on behalf of and in the name of the Land Trust

Level of Understanding	N/A
Compliance with lease conditions and legislation	N/A
Impediments in lease conditions and suggested amendments	N/A

<p>Relevant legislation for land dealings;</p> <p>Legislative impediments; and</p> <p>Suggested amendments</p>	<p><i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i></p> <p>Section 19 – aboriginal land cannot be bought, sold or mortgaged, only transferred to another land trust or surrendered to the Crown.</p> <p>An Aboriginal land owner is able to grant estates or interests in land vested in it to:</p> <ul style="list-style-type: none"> • an Aboriginal or an Aboriginal and Torres Strait Islander corporation for residential, business or community purposes; • the Commonwealth, Northern Territory or an Authority for any public purpose or to a mission for any mission purpose; or • any person for any purpose. <p>Section 19(7) - Ministerial consent is required for grants of estates or interests in the land described above where the term exceeds 40 years.</p> <p><i>Planning Act (NT)</i></p> <p>Unzoned land is not subject to land use controls under the <i>Planning Act</i> other than for:</p> <p>Clearing of native vegetation in excess of 1 ha; or</p> <p>Subdivision or consolidation of the land.</p> <p>So the <i>Planning Act, Regulations</i> and the NT Planning Scheme will still apply in respect of potential subdivision of the land.</p> <p><i>Residential Tenancies Act (NT)</i></p> <p>Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to 'home ownership' then that form of leasing may require exemption from the Residential Tenancies Act (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord's obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).</p>
<p>Relevant legislation for lease holder</p>	<p>N/A</p>
<p>Level of support provided to lease holder and suggested amendments</p>	<p>N/A</p>

Municipal and essential infrastructure

Summary

The Mara community is located north of Borroloola. The community consists of 31 residential dwellings, which are serviced by a formal road, sewer, water and electricity. There are some dwellings at Mara which are currently not serviced by sewer, water or electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Mara varies in condition, the sewerage, stormwater and community structures are all in good condition whereas the water and road infrastructure are poor and very poor condition respectively. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network appears to comply with PWC standards after being upgraded in 2006. The sewer network has sufficient capacity for the current number of houses, although a number of dwellings are currently not connected. No upgrades are required.

The existing network has DN100 and DN150 PVC looped water mains, the DN100 water mains are undersized and non-compliant with the relevant standards. However the capacity of the looped networks is sufficient. Upgrading the DN100 pipes to DN150 is not expected to attain a valuable benefit to the Mara. The community is viewed overall as a large single lot and so it is proposed to have the water usage measured accordingly. In order to measure the water usage as a single lot, a bulk water meter is recommended to be installed, along with associated works to create a single supply point to the community. Additionally, residential lot water meters should be located on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

There was one playground at Mara which was in good condition.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated future maximum demand exceeds the total capacity of the substation on site. Load monitoring must be carried out to confirm the actual existing load. It is recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Sewerage infrastructure condition



Water infrastructure condition



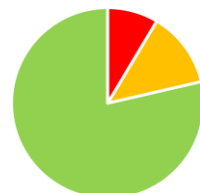
Road infrastructure condition



Community structure condition



Electrical infrastructure condition



Very poor Poor Good Very good Excellent

Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to residents via satellite on application to an appropriate NBN access provider.

The future demand analysis showed that two additional houses are required to provide permanent accommodation for residents that are currently living in non-house dwellings. The location of the two new houses is assumed to be close to the existing houses within the Town Camp, such that significant extensions of the services would not be required. The additional houses will require connections to sewerage, water supply and to the electrical network.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Mara community:

Sewerage

- No immediate upgrades or maintenance works required

Water supply

- Repaint two fire hydrants
- Replace 23 residential lot meter handles
- Install new bulk water meter at community boundary
- Install up to six additional residential lot meters

Roadworks

- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Install stormwater infrastructure, including kerbs and gutters, side entry pits and underground pipes.

Community structures

- No immediate maintenance works required

Electrical services

- Replace one street lights 80W
- Replace six street lights 150W
- Replace three switchboards inside the metering panel
- Install new street lighting - approximately 68 poles
- Since the load on the transformer exceeds 85% it is recommended that power monitoring be undertaken to allow PWC to determine, by assessment, whether the transformer needs to be upgraded or not.

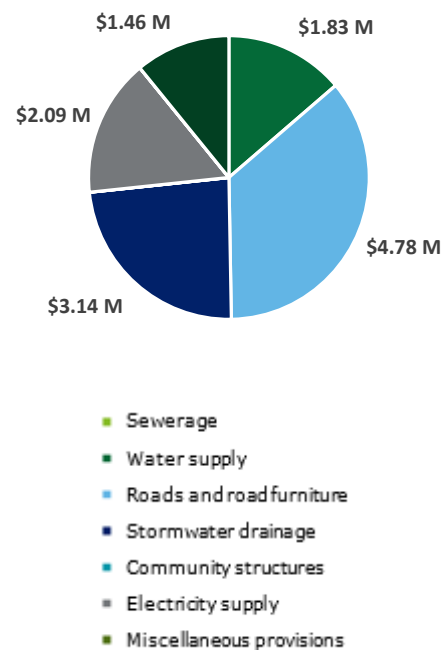
Communications

- No works are required because NBN is available to residents via satellite on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The cost estimates for minor upgrades required for the future number of houses has been incorporated in the upgrades to meet current design cost estimates. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 0	\$ 0
Water supply	\$ 7,000	\$ 1,822,000
Roadworks	\$ 1,834,000	\$ 2,948,000
Stormwater drainage	\$ 0	\$ 3,140,000
Community structures	\$ 0	\$ 0
Electrical	\$ 110,000	\$ 1,980,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 251,000	\$ 1,204,000
Total (including GST)	\$ 2,202,000	\$ 11,094,000
Grand total	\$ 13,296,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Mara

Introduction

The content of this section is extracted from the provided assessment reports prepared by Big River Housing Pty Ltd. The Department of Housing and Community Development identified 28 funded dwellings¹³ in Mara. In total 31 structures were identified in the report.

Current state of play

Housing summary and condition

The age of the housing stock is unknown. The provided photos show a variety of houses of varying ages. The condition of the houses is 56% considered to be very poor, 16% are in poor condition, and 28% are in average condition.

The houses in Mara 1 are of the following construction types:

- 2 houses are semi-elevated steel and suspended concrete slab construction of the same design.
- 6 houses are ground level masonry construction
- 2 houses are semi-elevated with steel floor construction and pre-cast concrete walls
- 3 houses are semi elevated with light weight steel floor and wall construction
- 18 houses are small ground level houses with steel wall frame construction

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

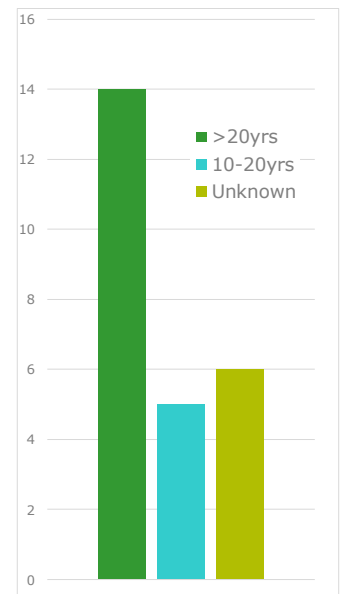
Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Flooding

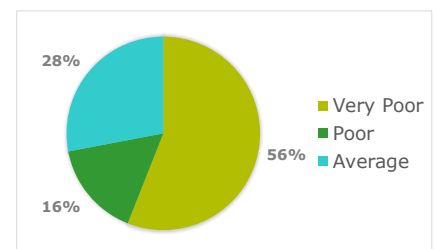
No information was provided about flooding during the 2015 inspections however Mara is not shown to flood on the Northern Territory Government (1 in 100 years) Flood Extent and Flood Surface Contours – March 2012.

Visitors

No information was provided regarding the demographic situation in Mara.



Mara – Age Summary



Mara - Condition Summary

¹³ A list of funded dwellings, provided by the Department of Housing and Community Development, has been included in the appendices.

Amenities

4 types of houses were identified in Mara 1:

- 9 x 2 bedrooms, 1 bathroom and 1 toilet
- 6 x 3 bedrooms, 1 bathroom and 1 toilet
- 7 x 3 bedrooms, 2 bathrooms and 2 toilets
- 3 x 4 bedrooms, 2 bathrooms and 2 toilets

Disabilities

There are some provisions for people with disabilities. 2 Ramps were identified and 2 grab rails were visible on the photos in the provided reports.

Smoke alarms

5 dwellings were identified as having non-serviceable smoke alarms.

Asbestos

In general, housing stock aged older than 20 years, is likely to contain asbestos. Several houses in Mara are estimated to be older than 20 years. Therefore, precaution should be taken when commencing any repair work. Asbestos is considered safe if it is not disturbed.

Security

The provided condition reports shows 10 cases of non-serviceable doors and 23 cases of non-serviceable windows.

Recommended Works

The majority of houses in Mara, 72% were considered poor and very poor. Additionally, the cleanliness of all of the properties presents a serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below an acceptable limit.

The estimated cost to upgrade the current housing assets in Mara to meet the standards of the Residential Tenancy Act, is \$4,254,910. This includes margins, adjustments and GST. Refer to Appendix C for the complete costing report.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.

Economic Development

Social issues and themes voiced by residents

- Unwilling to pay rent
- Broken promises
- Poor condition of housing
- Over crowding
- Drinking
- Violence
- Transient visitors
- Slow response to repairs and maintenance
- Don't want to move
- Child discipline

Economic Development Opportunities

The current economic opportunities are Town Camp services, pooled employment services and individual employment. The opportunities are limited by the remote location of the town, however there are a range of other employment opportunities within the Borroloola area.

Economic development opportunities are most likely to be employment of local residents in Town Camp services. There are also a range of other employment opportunities with the pastoral industry and mineral prospects. The Town Camp is located closely to the local service provided and other services like RJCP, crèche, playgroup, Northern Land Council, Batchelor training centre, Sea Ranges, the Aged care facility and a community court all of which have to potential to generate additional employment opportunities. The economic integration of local residents has been diminishing in recent years due to the employment of external parties to perform work in the Borroloola region

The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.

For detailed rationale and recommendations see the Economic Development section of the report.

Economic Aspirations

The Town Camps resident's aspirations are far more concerned with essential needs than economic integration. Residents did comment that awarded contracts should include clauses that give employment to local people.

Investment Opportunities

Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:

- Certainty of ownership
- Commercially viable income streams
- Active market for any equity interests

When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.

The Mara currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.

It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.

Home Ownership Opportunities

Currently, there are no pathways to home ownership for residents within Mara. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.

Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

<p>Governance Structure</p>	<p>The governance structure for the Mara is reasonably stable. The leaseholder and the service provider are not the same. This has sometimes causes issues with the misalignment of the leaseholder’s expectations and the service delivery from the service provider. There are limited tenancy management processes at Mara.</p> <p>The current governance structure is understood as follows: The original Lease holder is the Narwinbi Aboriginal Land Trust who has given an under lease to Rrumburriya Malandari Aboriginal Corporation. A further lease has then been provided to the Mabunji Aboriginal Resource Association Incorporated who also deliver service to the Town Camp.</p> <p>It is recommended that across all Town Camps the leasing structure be simplified by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable the design and implementation of sustainable maintenance programs.</p> <p>It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.</p> <p>It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.</p> <p>For detailed rationale and recommendations see the Governance section of the report</p>
<p>Service Delivery Payment Arrangements</p>	<p>Tenancy management at Mara is not managed by anyone. Funding is provided to Mabunji Aboriginal Resource Association Incorporated from the Department of Housing and Community Development for essential services and housing repairs and maintenance. Bills are not issues to residents and repairs and maintenance is completed with the funding that is provided by the Territory Government. Approximately 20%¹⁴ of residents are paying for service delivery which is typically paid out of Centrelink deductions or pay checks particularly where the tenant work for Mabunji Aboriginal Resource Association Incorporated.</p>
<p>Essential Services Payment Arrangements</p>	<p>Residents are not paying rates, water or sewage. The removal of the CDEP program has a serious repercussion for this Town Camp as previously some essential services costs where paid from this funding stream.¹⁵</p> <p>There are now mounting debts in relation to essential services as the responsibility for payment cannot be attributed to anyone. The residents typically pay for their own power using power cards.¹⁶</p>

¹⁴ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

¹⁵ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

¹⁶ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

Garawa 1

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity



Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region	Borroloola
Lease	Crown Lease in Perpetuity 1053
Purpose	Aboriginal residential

Governance Structure

- Leaseholder:** Camp Aboriginal Corporation
- Maintenance:** Mabunji Aboriginal Resource Association Incorporated
- Service Delivery:** Mabunji Aboriginal Resource Association Incorporated

Current number of Houses

x 16

Number of residents per room

TBA*

Recommendations

Legal and Legislative

Empower Town Camp residents by modifying the current lease type and purpose to enable wider uses of the land

Housing

TBA*

Number of replacement houses

*Unable to assess due to unavailable population data



Cost of replacement houses
TBA*



Deferred Maintenance Cost
\$3.11m

Infrastructure

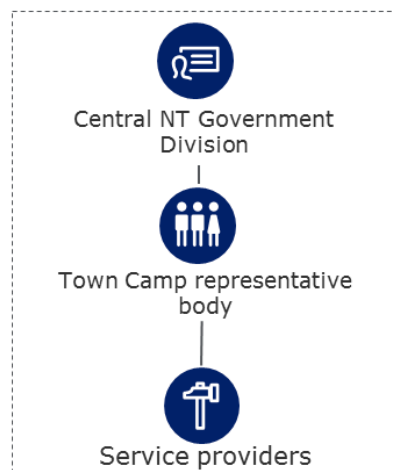


Deferred Maintenance Costs
\$1.19m



Cost to meet Design standard
\$9.27m

Governance



Economic development opportunities

- Town Camp Services
- Pooled Employment Services
- Individual Employment

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Garawa 1

Executive Summary

Land	Crown Lease in Perpetuity 1053 owned by Garawa 1 Camp Aboriginal Corporation
Service Provider	Mabunji Aboriginal Resource Association Incorporated
Findings	<ul style="list-style-type: none"> • There is no organisation charged with overall service provision or with the responsibility for driving change and improving conditions in the camp • The lease holder is a Aboriginal Corporation with very limited resources and therefore limited capacity to drive change • There is no compliance monitoring undertaken in respect of Town Camp leases for either the lessee or the lessor • The purpose of the Crown restricts the use of land to Aboriginal residential • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • The governance structure is unclear, and not conducive to accountability. This situation is impeding development and disempowers camp residents. • Municipal infrastructure at Garawa 1 is generally poor condition with the exception of the sewerage and stormwater drainage which are in an overall good condition • The sewer network does not comply with relevant standards • The water reticulation is inadequate, but the rest of the network is generally compliant with PWC standards • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. • Estimated deferred maintenance costs required for existing infrastructure is circa \$1.19 million • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$9.27 million • The majority of houses in Garawa 1, are considered poor and very poor, however the cleanliness of the properties presents a serious concern from a health and wellbeing perspective • The estimated cost to upgrade the current housing assets in Garawa 1 to meet the standards of the Residential Tenancy Act, is \$3.10 million • Good economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • The purpose of the lease be amended, to allow wider uses of the land • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs

- To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)
 - Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
 - Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
 - Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are individual employment, Town Camp services and pooled employment opportunities are limited by the remote nature of the Town Camp
-

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

Garawa Camp One is located the furthest from Borroloola of all recognised Town Camp communities. When it was settled and why it was settled is a question none of the residents seem able to answer. The general view is that people were rounded up and brought in by the Police or Welfare. There are suggestions that this may have been true in some cases but not true for many cases. Baker (1990) suggests that dispossession and dislocation, coupled with European occupation of important economic and ceremonial places, resulted in Aboriginal people visiting and then staying for increasing periods until they became permanent residents of Borroloola. The residents at Garawa One Camp community appear to fit this particular model. No-one can say when people made the move, though for some it was as a result of the 1969 Cattle Station Case that resulted in an economic win for Aboriginal people, but saw them evicted from stations they had lived on for generations.

The first recollection people at Garawa One have seems to involve the 1985 decision by Government to build them some houses and get them out of the appalling conditions they were living in at the time. They said people were living rough for many years before the current houses were built. The respondents said they came from Robinson River, Borroloola or Tennant Creek and most had lived here all their lives. Though they all wanted to live in the community for the rest of their lives and wanted their children and grandchildren to live there also, they were far from happy with the current conditions in which they lived. One respondent said they were "forced to live like dogs"; the [redacted] when asked what she missed said "Miss that my children are moving away because there are no houses here [for them]". Several respondents said they missed having a nice house.

All respondents said they had major issues with all the municipal services, particularly water and sewerage. The current sewerage infrastructure is not able to cope with the current demand and they say it is always breaking down. The community often runs out of water with the main tank appearing to be too small to cope with needs of the community. Electricity problems seem to be more about issues at a house level, rather than a mains supply issue. The roads are in poor condition and there are no streetlights. The biggest issues however, are more houses, an upgrade to the sewerage infrastructure to allow more houses, and a larger water tank to allow a constant supply of water to households. People say they have lived in these conditions all their lives and they want to see something happen to make things better.

Community violence seems to be an issue, though none of the respondents mentioned alcohol or other substances as being issues. Being the most distant Town Camp community transport is an issue. If people want to shop they need to either walk or get a lift with a family member. There is at least [redacted] and at times [redacted] There are no paths suitable for wheelchairs and [redacted] house has no disabled aids at all. She said someone put rocks down so she can get into her house.

Space

The current housing stock at Garawa One, according to the respondents, is all in poor condition. The majority of residents are dissatisfied with their current housing and want better houses, bigger houses, and more of them.

- Most people complained of over-crowding, with 10-16 people, adults and children, living in two bedroomed houses with one toilet and shower. [REDACTED] had 10 people living in a 2-bedroom house.
- Residents complained about the state of the electrical wiring in the house. They said that ants and rats had made the houses unsafe, with one respondent saying the power “kicks back”. This resident described her living conditions as third world.
- Water and plumbing was also listed as a problem, with leaking taps and busted pipes high on the list.
- Structural issues were also mentioned in a number of houses with people complaining the walls moved and the house wouldn’t survive another cyclone. People complained about leaking roofs and collapsing ceilings.
- One resident complained about a large tree that needed trimming. She was concerned it would fall on the house in a storm.

It is hard for people to have a vision about what a good house might look like. Some felt that the brick houses in the community would be better to live in, and one resident thought the high set house in the community was a good house. The reality is when you’re living in a house where nothing works properly, you’re over-crowded, and the walls move, anything would look better. There was a unanimous view however that people wanted to continue living at Garawa One, and they wanted their children to stay and raise families here also. For that to be a reality they know they need not only more houses but also a diverse housing stock. They say old people and young unmarried people need to have a place to live also and they recognise that means gender specific single bedroom duplexes. There is room in the community for additional housing but there will need to be a significant upgrade in municipal services, particularly water and sewerage.

People complained that the age of the people in the community was a problem. The community was “getting older”. Young people were not staying to raise their families, because they couldn’t get a house, and the current condition of the housing stock, including the overcrowding, was not how they wanted to live their lives. Respondents said they wanted to live in a proper suburb, like town. They are experienced in how other people live in Australia, through travel and media coverage, and they are also quite bi-cultural. As a result, they know how they live is not how non-Aboriginal people live in Australia, and they are deeply dissatisfied.

Interface

There were a surprising number of households where people say there were tenants who worked. Some of these were “real” jobs at the school; and with Mabunji Resource Centre, while others were CDP activities (Working for the Dole) with GSNT (Gulf Savannah NT Aboriginal Corporation). GSNT has experienced governance problems as have Mabunji and Mungoorbada, the two local resource organisations at Borroloola and Robinson River that were instrumental in establishing GSNT. Both organisations appear to have been revitalised by the involvement and support of ORIC (Office of the Registrar of Indigenous Corporations). Like all well managed businesses the success or failure depends on the people at the top and historically CEOs in Aboriginal

organisations tend to burn out quickly or become corrupted by the experience. For the Aboriginal Board members this has been a huge issue over the years as they try and integrate Aboriginal governance with Western governance.

The governance of the service provider is an important factor in the management of housing. Mabunji appears to be in a strong place at the moment, and this will allow the development of local people to undertake housing programs, if resources for additional houses can be identified. Mabunji is the largest employer of Aboriginal people in Borroloola, with around 100 local people employed. One of the questions was about the willingness of people to become involved in the community and whether apathy was a problem. All respondents at Garawa One said that the reason people have given up is that they never get listened too, and despite lots of talk, nothing ever happens.

Most of peoples' daily requirements are able to be met at the Malandari Store, but there was a general complaint that things were expensive and, unless you got a lift, it was a long walk, about 3 kilometres. Mabunji was regarded as the major service provider, and even though people complained about their living conditions, they didn't blame Mabunji. They feel they have been neglected by the wider group of service providers. Most people know an Aboriginal person who has their own business, and over the years Borroloola has produced some outstanding Australians in both business and the arts. There is some strong leadership, but it tends to be family based rather than community wide. Some of the ideas people had for income generation were cleaning, landscaping, and a taxi service. The McArthur River Mine has employed people in the past, but has a limited Aboriginal Employment Program. Their interest depends on the Mine Manager and the Human Resource Superintendent. As a result, engagement of local people in mine services is sporadic.

Visions

The residents at Garawa One have some clearly articulated outcomes they want from this review:

- They want to be listened too and have action taken to improve their current living conditions. They say they are sick of not being listened too, despite numerous community consultations, particularly around living conditions;
- They want work done to provide residents with the same municipal infrastructure as any urban area has. They want sealed roads and drainage, curbing, footpaths, lighting, etc. "a proper suburb";
- They need more housing stock, and they want it to be appropriate to the diverse needs of the tenants. Single person housing, housing for old people, larger houses for multi-generational families. If every family has a house the kids can go to bed early and go to school instead of being tired all the time. Children need to feel safe in their house;
- They want control at a community level over who comes to live at Garawa One. While they are happy for Mabunji to be the housing provider they want local control over tenancy. Whether this includes tenancy support at a local level is unclear;
- They are sick of the water running out and want a much larger water storage tank installed at a nearby hill they have identified;
- The current sewerage infrastructure is unable to cope with the current demand and they want a larger system installed to reflect their desire for more housing;

- The older people want some form of public transport. It is hard for them to get around, unless they qualify for aged care, and then the respite bus might pick them up.

Land Tenure, Leasing and Legislation

Owner	Garawa No. 1 Camp Aboriginal Corporation
Location	Borrooloola (Roper Gulf Shire)
Land	Lot 789, Town of Borrooloola; CUFT Vol 461 Fol 005
Type of Tenure	Crown Lease in Perpetuity 1053
Commencement date SPL/CL	29 October 1992
SPL/CL Purpose	Aboriginal residential
Planning scheme zone	MZ (Multi Zone) including areas of MD (Multiple Dwelling Residential), PS (Public Open Space), CP (Community Purposes) and FD (Future Development)
Summary of Land Dealing Documents	<p>1. Crown Lease in Perpetuity 1053</p> <p>Search certificate lists the following dealings:</p> <ul style="list-style-type: none"> • Easement: Water supply Easement to Power and Water Authority • Easement: Electricity supply Easement to Power and Water Authority • Easement: Access Easement to Power and Water Authority • Previous title is Register Book CUCL Volume 204 Folio 073 <p>The following reservations are listed:</p> <ol style="list-style-type: none"> a. Reservation of right of entry and inspection b. Reservation of all minerals, mineral substances and ores in or under the land including gems, stones, sands, valuable earths and fossil fuels c. Reservation of power of resumption <p>Provisions include purpose of lease (Aboriginal residential), annual rent (nil), forfeiture liabilities, compliance with covenants and conditions, right to surrender lease, improvement rights and compensation.</p> <p>Lessee covenants include duty to pay rent, rates and taxes for leased land; use land for intended purposes specified in the lease (Aboriginal residential); keep the land clean; maintain and repair improvements; right of entry and obligations; compliance with applicable legislation and approved plans and specifications; and submission of plans to the Department of Lands and Housing for approval prior to submitting plans to the Building Authority for building approval.</p>
Level of Understanding	<p>Owner – rights and responsibilities</p> <p>There is a general level of understanding by the SPL/CL holders, but during consultations it was found that in many cases there was inactivity by the SPL/CL holder and/or there was limited capacity of the SPL/CL holder to drive change. This was found to be the main impediment to community development rather than any lack of understanding of rights and responsibilities as a SPL/CL holder.</p> <p>Residents – understanding of lease arrangement</p> <p>The level of understanding of residents was disparate – ranging from some having a sound understanding of the leasing arrangements and their rights/responsibilities, to others with a complete lack of understanding (for example, thinking they owned they house they lived in or considered that service providers were landlords with a right to deal with their tenancy of the house).</p>

Compliance with lease conditions and legislation There is no compliance monitoring undertaken in respect of Town Camp CLs, so compliance with conditions are unknown.

Impediments in lease conditions and suggested amendments Purpose of CL is limited to Aboriginal residential. Recommend this be amended, if required, to the purpose consistent with the proposed use of the land.

Relevant legislation for land dealings; **Crown Lands Act (NT)**
Legislative impediments; and Sections 42 & 44 – Any subdivision would need to comply with the requirements set out in these sections. Recommend review of these sections to ensure references to *Planning Act* are correct and there is no ambiguity as to the operation of each section.

Suggested amendments Section 46 – dealings with the land require the Minister’s consent, which must be applied for in writing to the Minister. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.

Planning Act (NT)

Any proposed development on the land must comply with the *Planning Act, Regulations* and NT Planning Scheme.

The zoning rules for Multiple Dwelling Residential zone are:

- The primary purpose of Zone MD is to provide for a range of housing options to a maximum height of two storeys above ground level.
- The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
- A single dwelling on a lot less than 600m² should be integrated in terms of design and site layout with adjacent development and street infrastructure.

The zoning rules for Public Open Space are:

- The primary purpose of Zone PS is to provide public areas for recreational activity.
- Development should be limited to that which is for public use and enjoyment consistent with the recreational opportunities of the land and which has minimal adverse impact (if any) on adjoining or nearby property.

The zoning rules for Community Purposes are:

- The primary purpose of Zone CP is to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration.
- Design is expected to incorporate landscaping that will enhance the visual appearance of the development. The development of residential accommodation is to only be in association with and ancillary to the primary use of the land.

The zoning rules for Future Development are:

- Zone FD is an interim zone identifying an area that is intended for future rezoning and development in accordance with an Area Plan (where applicable) and its purpose is to:
 - limit uses and development within the zone to a level that will not prejudice the future development; and
 - provide for development in accordance with the Area Plan (where applicable) once services are (or can be) made available to the land.
- Subdivision is not to prejudice the intended ultimate subdivision and future use or development of the land.

An application for the re-zoning of the land may be required where any potential development on the land is not consistent with these zone purposes.

Stronger Futures in the Northern Territory Act 2012 (Cth)

Section 34 – gives the Commonwealth broad powers to amend NT legislation relevant to Town Camps land, land dealings planning and infrastructure. Ideally, this section would be removed, however as this is Commonwealth legislation any changes are not at the NT Government’s discretion.

Native Title Act 1993 (Cth)

The *Native Title Act* is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.

Planning Act (NT), Regulations and NT Planning Scheme

Any proposed development on the land must comply with the *Planning Act, Regulations* and NT Planning Scheme.

The zoning rules for Multiple Dwelling Residential zone are:

- The primary purpose of Zone MD is to provide for a range of housing options to a maximum height of two storeys above ground level.
- The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
- A single dwelling on a lot less than 600m² should be integrated in terms of design and site layout with adjacent development and street infrastructure.

An application for the re-zoning of the land may be required where any potential development on the land is not consistent with these zone purposes.

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The *Native Title Act* is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.

Residential Tenancies Act (NT)

Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to ‘home ownership’ then that form of leasing may require exemption from the Residential Tenancies Act (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord’s obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).

Relevant legislation for lease holder

Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)

Level of support provided to lease holder and suggested amendments

The Office of the Registrar of Indigenous Corporations provides considerable support for Aboriginal corporations including but not limited to training, assistance in preparing the rule book, pro bono legal services, fact sheets, guides, templates, in person assistance with the community and recruitment assistance.

Municipal and essential infrastructure

Summary

The Garawa 1 community is located on the eastern side of Borroloola. The community consists of 14 residential dwellings, which are serviced by a road, sewer, water and electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Garawa 1 is generally in poor condition with the exception of the sewerage and stormwater drainage which are in an overall good condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network generally does not comply with relevant standards. The sewer network has sufficient capacity for the current number of houses. Two pump upgrades are recommended for the current use along with a new emergency overflow storage.

It is understood that the supply to the water reticulation is inadequate. Currently a local bore pumps into a ground level tank and an elevated storage tank near to Garawa 1. The internal network is connected to the storage tanks as a gravity fed system. Although the DN150 water mains within the community generally comply with relevant standards and have sufficient capacity the limited supply deems significant upgrades necessary. It is proposed that the Garawa 1 and Garawa 2 communities are connected to the Borroloola township main water supply via a new water main crossing the river. The Garawa 1 community is viewed overall as a large single lot and so it is proposed to have the water usage measured accordingly. In order to measure the water usage as a single lot, a bulk water meter is recommended to be installed, along with associated works to create a single supply point to the community. Additionally, residential lot water meters should be located on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

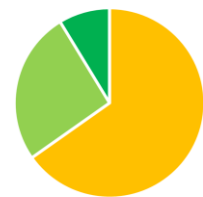
There was one playground at Garawa 1 which was in poor condition due to having no shade cloth. A new shade cloth is recommended.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated maximum demand is within the total capacity of the substation on site. It is recommended

Sewerage infrastructure condition



Water infrastructure condition



Road infrastructure condition



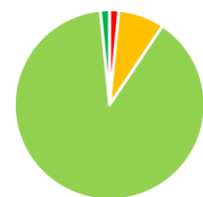
Stormwater drainage condition



Community structure condition



Electrical infrastructure condition



■ Very poor ■ Poor ■ Good ■ Very good ■ Excellent

that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to residents via satellite on application to an appropriate NBN access provider.

As no new developments are currently planned for the community, there are no additional upgrades for any type of infrastructure required to cater for future demand.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Garawa 1 community:

Sewerage

- Upgrade pumps (two) to increase velocity in rising main
- Construct emergency overflow storage
- Install new DN150 PVC reticulation main, including housing connections, manholes and connection to existing sewage pump station

Water supply

- Restore handles to 15 residential lot meters
- Replace rusted air valve
- Clear buried scour valve
- Clear sand and other debris from two fire hydrants
- Repaint three fire hydrants
- Install new water main servicing Garawa 1 and Garawa 2 approximately 3500 m (half the total length allocated to Garawa 1 for cost estimates)
- Install up to two new additional residential lot water meters
- Install new bulk water meter

Roadworks

- Seal road that is currently unsealed, including installing culverts to remove drainage issue – approximately 350 m
- Repair edge breaks – approximately 1000 m
- Repair two floodways, or install culverts (requires further engineer design)
- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Clean out culvert, headwall and endwall.
- Install stormwater infrastructure, including kerbs and gutters, side entry pits and underground pipes.

Community structures

- Install new shadecloth

Electrical services

- Replace one street light 80W
- Install new street lighting - approximately 25 poles

Communications

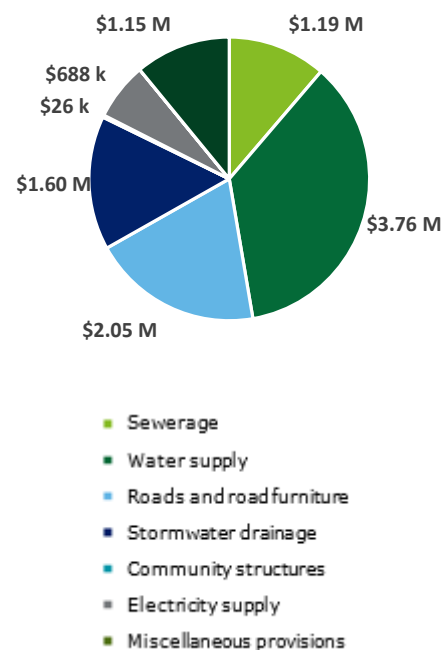
- No works are required because NBN is available to residents via satellite on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Table

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 0	\$ 1,187,000
Water supply	\$ 14,000	\$ 3,748,000
Roadworks	\$ 960,000	\$ 1,089,000
Stormwater drainage	\$ 3,000	\$ 1,596,000
Community structures	\$ 26,000	\$ 0
Electrical	\$ 44,000	\$ 644,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 143,000	\$ 1,009,000
Total (including GST)	\$ 1,190,000	\$ 9,273,000
Grand total	\$ 10,463,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Garawa 1

Introduction

The content of this section is extracted from the provided assessment reports prepared by Big River Housing Pty Ltd. All of the 16 funded dwellings¹⁷ identified by the client in Garawa 1 were identified in the report. It should be noted that inspection were not conducted as part of this report instead reliance was placed on the reports provided. Thus the information available is limited by the reports provided.

Current state of play

Housing summary and condition

The age of the housing stock is unknown. The provided photos show a variety of houses of varying ages. 31% of the housing in Garawa 1 is considered very poor, 38% poor and 31% average.

The houses in Garawa 1 are of the following construction types:

- 2 houses are semi-elevated steel and suspended concrete slab construction.
- 4 houses are ground level masonry construction
- 2 houses are semi-elevated with steel floor construction and pre-cast concrete walls.
- 8 houses are small ground level houses with steel wall construction.

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Flooding

No information was provided about flooding during the 2015 inspections however Garawa 1 is not shown to flood on the Northern Territory Government (1 in 100 years) Flood Extent and Flood Surface Contours – March 2012.

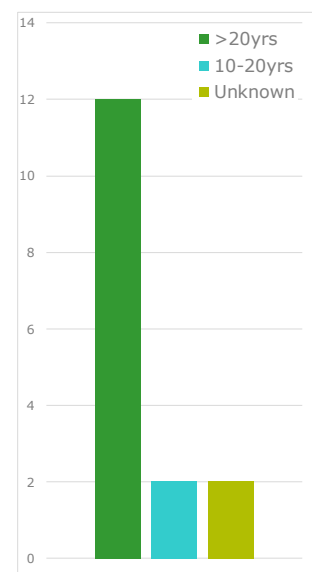
Visitors

No information was provided regarding the demographic situation in Garawa 1.

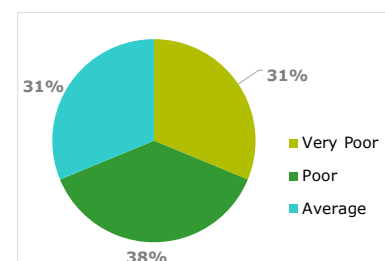
Amenities

7 types of houses were identified in Garawa 1:

- 5 x 2 bedrooms, 1 bathroom and 1 toilet
- 1 x 3 bedrooms, 1 bathroom and 1 toilet
- 2 x 3 bedrooms, 1 bathroom and 2 toilets
- 1 x 3 bedrooms, 2 bathrooms and 1 toilets
- 3 x 3 bedrooms, 2 bathrooms and 2 toilets
- 1 x 4 bedrooms, 1 bathroom and 1 toilet



Garawa 1 - Condition Summary



Garawa 1 - Condition Summary

¹⁷ A list of funded dwellings, provided by The Department of Housing and Community Development, has been included in the appendices.

- 2 x 4 bedrooms, 2 bathroom and 2 toilet

Disabilities

There are some provisions for people with disabilities. 1 house contained grab rails and 2 houses had rails in wet areas that were visible on the photos in the provided reports.

Smoke alarms

5 houses were identified to require smoke alarm replacements

Asbestos

In general, housing stock aged older than 20 years, is likely to contain asbestos. Several houses in Garawa 1 are estimated to be older than 20 years. Therefore, precaution should be taken when commencing any repair work. Asbestos is considered safe if it is not disturbed.

Security

The provided condition reports show 11 cases of non-serviceable windows and 10 with non-serviceable doors.

Recommended Works

The majority of houses in Garawa 1, 71% were considered poor and very poor. Additionally, the cleanliness of all of the properties presents a serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below an acceptable limit.

The estimated cost to upgrade the current housing assets in Garawa 1 to meet the standards of the Residential Tenancy Act, is \$3,105,724. This includes margins and adjustments. Refer to Appendix C for the complete costing report.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.

Economic Development

Social issues and themes voiced by residents

- Broken promises
- Poor condition of housing and infrastructure
- Overcrowding
- Drinking
- Violence
- Don't want to move
- Isolation from Borroloola

Economic Development Opportunities

The currently economic opportunities are individual employment, Town Camp services and pooled employment opportunities. The opportunities are limited by the remote location of the town, however there are a range of other employment opportunities within the Borroloola area.

Garawa 1 has a high level of residents who are employed compared to other Town Camps. Residents hold employment in the local school, Mabunji and at Gulf Savannah NT. There is a need at Garawa 1 for cleaning, landscaping and taxi services. There is also a sporadic relationship with the mine which has the potential to be developed.

The economic integration of local residents has been diminishing in recent years due to the employment of external parties to perform work in the Borroloola region.

The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.

For detailed rationale and recommendations see the Economic Development section of the report.

Economic Aspirations

The Town Camps resident's aspirations are far more concerned with essential needs than economic integration. Residents did comment that awarded contracts should include clauses that give employment to local people.

Investment Opportunities

Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:

- Certainty of ownership
- Commercially viable income streams
- Active market for any equity interests

When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.

The Garrawa 1 currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.

It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.

Home Ownership Opportunities

Currently, there are no pathways to home ownership for residents within Garrawa 1. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific

considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.

Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

Governance Structure

The governance structure for the Garawa 1 is reasonably stable. The leaseholder and the service provider are not the same. This arrangement has sometimes caused issues between the service provider and the leaseholder. This is usually due to the misalignment of the leaseholder's expectations and the service delivery from the provider. There are limited tenancy management processes at Garawa 1.

The current governance structure is understood as follows: The original Lease holder is Garawa No. 1 Camp Aboriginal Corporation. No further leases exist in relation to the Town Camp. Mabunji Aboriginal Resource Indigenous Corporation provides service delivery.

It is recommended that across all Town Camps the leasing structure be simplified by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable the design and implementation of sustainable maintenance programs.

It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.

It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.

For detailed rationale and recommendations see the Governance section of the report.

Service Delivery Payment Arrangements

Tenancy management at Garawa 1 is not managed by anyone.¹⁸ Funding is provided to Mabunji Aboriginal Resource Association Incorporated from the Department of Housing and Community Development for essential services and housing repairs and maintenance. Bills are not issues to residents and repairs and maintenance is completed with the funding that is provided by the Territory Government. Approximately 20%¹⁹ of residents are paying for service delivery which is typically paid out of Centrelink deductions or pay checks particularly where the tenant work for Mabunji Aboriginal Resource Association Incorporated.²⁰

Essential Services Payment Arrangements

Residents are not paying rates, water or sewage. The removal of the CDEP program has a serious repercussion for this Town Camp as previously some essential services costs were paid from this funding stream.²¹

There are now mounting debts in relation to essential services as the responsibility for payment cannot be attributed to anyone. The residents typically pay for their own power using power cards.²²

¹⁸ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

¹⁹ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

²⁰ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

²¹ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

²² This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

Yanyula

Current State

March 2017

Legal and Legislative Housing Infrastructure Economic Opportunity Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region Borroloola
Lease Crown Lease in Perpetuity 869
Purpose Aboriginal Communal Living and Ancillary

Governance Structure

- Leaseholder:** Rumburriya Malandari Housing Association
- Maintenance:** Mabunji Aboriginal Resource Association Incorporated
- Service Delivery:** Mabunji Aboriginal Resource Association Incorporated

Current number of Houses x 28

Number of residents per room TBA*

Recommendations

Legal and Legislative

Empower Town Camp residents by modifying the current lease type and purpose to enable wider uses of the land

Housing

TBA*

Number of replacement houses

*Unable to assess due to unavailable population data



Cost of replacement houses
TBA*



Deferred Maintenance Cost
\$4.86m

Infrastructure

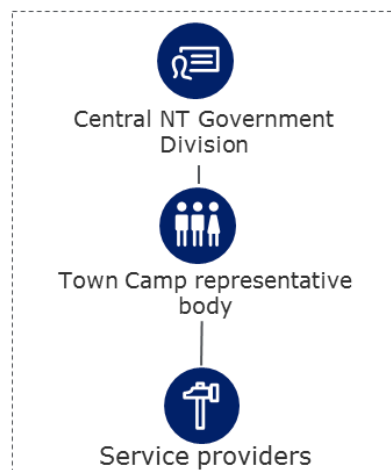


Deferred Maintenance Costs
\$149,000



Cost to meet Design standard
\$3.42m

Governance



Economic development opportunities



Town Camp Services



Pooled Employment Services



Individual Employment

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Yanyula

Executive Summary

Land	Crown Lease in Perpetuity 869 owned by Rrumburriya Malandari Housing Association
Service Provider	Mabunji Aboriginal Resource Association Incorporated
Findings	<ul style="list-style-type: none"> • There is no organisation charged with overall service provision or with the responsibility for driving change and improving conditions in the camp • The lease holder is a Incorporated Aboriginal Association with very limited resources and therefore limited capacity to drive change • There is no compliance monitoring undertaken in respect of Town Camp leases for either the lessee or the lessor • The purpose of the crown lease restricts the use of land to Aboriginal Communal Living and Ancillary • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • The governance structure is unclear and not conducive to accountability. This situation is impeding development and disempowers camp residents. • Municipal infrastructure at Yanyula is generally in poor condition • The sewer network does comply with relevant standards • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards • Estimated deferred maintenance costs required for existing infrastructure is circa \$149,000 • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$3.42 million • 52% of houses are considered to be poor and very poor condition and the cleanliness of the properties presents a serious concern from a health and wellbeing perspective • The estimated cost to upgrade the current housing assets in Yanyula to meet the standards of the Residential Tenancy Act, is \$4.86 million • Good economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • The purpose of the lease be amended, to allow wider uses of the land • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs • To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)

-
- Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
 - Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
 - Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are Town Camp services, pooled employment services and individual employment which are limited by the remote location of the Town Camp
-

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

The Yanyula Camp is located very close to the centre of the Borroloola Township. Many of the people residing here are of Yanyuwa decent, and are recognised as having the Traditional ownership of the Borroloola Township. As with all the other camps in the town, people have intermarried and are connected to all the clan groups in the area. Many of the residents like living in Yanyula and have been there for several generations. Their decision to relocate from their traditional lands to Borroloola has been the subject of research in 1990 (Baker, 1990), and it has been suggested that the location of Borroloola on a place of significant economic and ceremonial importance to the Yanyuwa people resulted in them becoming attached to Borroloola over a period of time, and it was probably a series of pragmatic decisions, or lack of decisions, rather than forced relocation, that eventually saw them become permanent residents. The terrible slaughter as documented by Tony Roberts (<https://www.themonthly.com.au/issue/2009/november/1330478364/tony-roberts/brutal-truth>) was also a significant factor, as it caused a situation in which too many elements had been removed from their control to allow them to continue their previous lives.

Overcrowding is a problem in Yanyula. People are concerned with the number of people living in the houses. Normally 2 people per bedroom is considered the acceptable density. In Yanyula there is probably not one house that has this density. Many have densities that are closer to 6 people per bedroom, and the bedrooms are not very large to start with. People feel it is time for new houses to be built at Yanyula and in Borroloola generally. One of the elements that determines "quality of life" is firstly access to shelter, and then secondly the ability to control that shelter. We constantly heard stories about the frustrations people had with people constantly humbugging them and making it hard to feed their families. There is a level of frustration here with the behaviour of youth in Yanyula and this is true for Borroloola more broadly. The residents say the children run amuck at night and cause problems. Many residents would like parents to be more responsible for their children. Some of the old people had a community meeting at the shop on the 13th December after some kids caused \$70,000 in damage to the school. It is hard to control in overcrowded conditions. People's capacity to provide a stable space with any form of discipline is pretty well non-existent.

As with many of the people we have spoken to as part of this review there is a real frustration with all the talk and the lack of action that follows. There is an identified housing authority person by the name of [REDACTED]. She however is not really aware of what this role means and said she was signed up by housing about a year ago. It seems there was a push about a years ago to identify a Housing person in each of the 43 Town Camp communities, but these people say no-one has told them what to do or trained them. It appears to be a voluntary position. These people have no real authority to do anything so we are not sure what the purpose of this position is.

Yanyula has dedicated playground areas for children, and a church that is used by the wider community. It also has the town Crèche which is located within its boundaries. The crèche will be closing in 2017 as a new one has been built at the other end of town next door to the Sea Ranger unit, where several of the resident's work. There has been many discussions about what to do with the old crèche. Some of the suggestions include.

- A Men's Shelter
- An Alcohol dry-out centre
- A Youth drop in centre
- A Women's shelter

Because of the close proximity to the centre of town people don't feel that transport is a problem. Yanyula is located straight across the road from the secondary school and the Pool, and the shop is in easy walking distance. Residents did discuss that it would be good if there were proscribed footpaths like Katherine to make it safer for kids. Footpaths also allow children to be able to have a range of mobility toys that require a proper surface, such as skates, scooters, skate boards, etc.

Space

Many of the houses are overcrowded and people would like to see more built. The existing houses need to be repaired as some have water leaks and poor electrical wiring, probably as a result of ants and rats. Several residents spoke about the road upgrades that were done in Yanyula two years ago, and apparently never properly completed and now the drains don't work properly and they have to get through a lot of water to leave their house in the wet season.

People had previously been advised that Yanyula sits in the flood zone area so they weren't sure what that meant, but some residents said that if new houses got built they could be put on stilts off the ground, then family could sleep underneath when they came to visit. The use of elevated homes, which have been used extensively in other urban spaces, appear not to be considered suitable for Aboriginal housing, even though they provide the capacity to offer visitors shelter without having them stay inside the house. There would need to be a toilet shower downstairs, but in a tropical area elevated homes have some advantages over ground-level, particularly in flood zones.

Interface

There are several services that people in Yanyula spoke about accessing regularly. These were:

- Indi Kindi
- Liardiburri Play group
- Mabunji Resource Association
- School attendance officers

Many residents recognised Mabunji as the main service provider for housing and many of the residents either have worked there or are working there now. People were also aware of the Mabunji housing officers and felt comfortable with making contact regarding issues. As with the other camps in the area there was a level of frustration about repairs and maintenance not happening in a timely manner.

People were also feeling exhausted by the fact that many different groups had come to discuss housing, but no new houses had been erected for some time. Yanyula has spoken to many different politicians and government people in the last few years particularly in relations to a \$14.5 million that was supposedly allocated for housing in the Town Camps in Borroloola. It was first thought that this review was part of that discussion. People are not really aware what stage that process is at, but would like to see something happen soon

There are a number of respondents who are working, but it is hard to know what percentage of the people at Yanyula Town Camp community are active participants in the local economy. The majority of people in the community are on some form of Welfare benefit, and yet there are some amazing things come out of Borroloola. The John Moriarty Foundation is actively involved with the community generally but also with the Town Camps. Born at Borroloola he was removed as a child and over the years has invested significant amounts of money and time into the community. The Borroloola children are champion Football (Soccer) players, and even went to Brazil for the World Cup. Mr Moriarty's success can be seen as a result of his removal, but what it should do is highlight for all of us the enormous pool of untapped talent that resides in even the most basic of the Town Camp communities.

Visions

It is difficult to separate the four Town Camp communities at Borroloola. They and the growing number of un-serviced living spaces that are springing up close too, but not attached too, the better serviced living places, form one community, even though they have separate languages. They are ceremonially connected, and as human beings have the same needs for shelter, sustenance, safety and security, and loving and belonging, as all other humans; what have come to be regarded as the basic needs. Without these basic needs being met people cannot grow to their potential and get locked into self-destructive behaviours. The residents at Yanyula Town Camp want the following:

- There was a constant desire for more houses to ease current overcrowding and for the future. People want their children to have access to housing so they will stay in the community;
- Residents want to see a regular R&M program that is properly managed. They don't understand how the rent they currently pay, if they pay, is used.
- Some people wanted to see extra rooms added to the houses built by the Army while others said they had been in them for 30 years and they should be knocked down and rebuilt. People still see that they own these houses. There is no understanding of who these houses actually belong too.
- Yanyula is in flood area according to the Northern Territory Government planning authority. People said houses could be raised of the ground. Would be good space underneath for family coming for funerals
- Yanyula people wanted to have their own decision making group for housing. They said Mabunji could do the R&M and rent management. It however mentioned that Rumburria Aboriginal association could be that entity in the future as their capacity was built.
- Respondents wanted more jobs for young people. Quite a few of the sea rangers reside in Yanyula. Ranger jobs are sought after positions, as being on country is more culturally aligned.
- One leader mentioned they would like to purchase the piece of land next to Yanyula that is owned by a lady in Darwin River. It was thought this would be an excellent place for more housing. They were thinking they might be able to use some if the money allocated to the Town Camps in Borroloola (\$14.5

mill) to purchase this. It was agreed at a meeting 2 months ago that the money would be evenly split across the four areas.

- They want to see an improvement in municipal services. They want to have footpaths, drainage and driveways.
- Construct a central meeting bough-shade that would be able to withstand strong winds and storms.

Land Tenure, Leasing and Legislation

Owner	Rrumburriya Malandari Housing Association
Location	290 Robinson Road, Borroloola
Land	Lot 773 Town of Borroloola; CUFT Vol 461 Fol 124
Type of Tenure	Crown Lease in Perpetuity 869
Commencement date SPL/CL	17 May 1989
SPL/CL Purpose	Aboriginal Communal Living and Ancillary
Planning scheme zone	MZ (Multi Zone) including areas of RD (Restricted Development), PS (Public Open Space), MD (Multiple Dwelling Residential), CP (Community Purposes), HT (Heritage), CN (Conservation), U (Utilities) and WM (Water Management)
Other notes re land	Water supply Easement to Power and Water Authority
Summary of Land Dealing Documents	<p>1. Crown Lease in Perpetuity 869</p> <p>Search certificate lists the following dealings:</p> <ul style="list-style-type: none"> • Easement: Water supply easement to Power and Water Authority <p>The following reservations are listed:</p> <ol style="list-style-type: none"> Reservation of right of entry and inspection Reservation of all minerals, mineral substances and ores in or under the land including gems, stones, sands, valuable earths and fossil fuels Reservation of power of resumption <p>Provisions include purpose of lease, annual rent, forfeiture liabilities, compliance with covenants and conditions, right to surrender lease, improvement rights and compensation.</p> <p>Lessee covenants include duty to pay rent, rates and taxes for leased land; use land for intended purposes specified in the lease; erect improvements as approved in writing by the Minister; maintain and repair improvements; right of entry and obligations; implement and maintain infrastructure (stormwater, internal roads and pathways, fencing electrical, water and sewage), comply with building height and frontage restrictions; provision of firefighting equipment; provision of minimal facilities for every ten sites and compliance with applicable legislation, approved plans, specifications and standards.</p>
Level of Understanding	<p>Owner – rights and responsibilities</p> <p>There is a general level of understanding by the SPL/CL holders, but during consultations it was found that in many cases there was inactivity by the SPL/CL holder and/or there was limited capacity of the SPL/CL holder to drive change. This was found to be the main impediment to community development rather than any lack of understanding of rights and responsibilities as a SPL/CL holder.</p>

Residents – understanding of lease arrangement

The level of understanding of residents was disparate – ranging from some having a sound understanding of the leasing arrangements and their rights/responsibilities, to others with a complete lack of understanding (for example, thinking they owned the house they lived in or considered that service providers were landlords with a right to deal with their tenancy of the house).

Compliance with lease conditions and legislation

There is no compliance monitoring undertaken in respect of Town Camp CLs, so compliance with conditions are unknown.

Impediments in lease conditions and suggested amendments

Purpose of CL is limited to Aboriginal Communal Living and Ancillary. Recommend this be amended, if required, to the purpose consistent with the proposed use of the land.

Relevant legislation for land dealings;

Associations Act (NT)

Dealings with prescribed property require Ministerial consent. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.

Legislative impediments; and

Crown Lands Act (NT)

Sections 42 & 44 – Any subdivision would need to comply with the requirements set out in these sections. Recommend review of these sections to ensure references to *Planning Act* are correct and there is no ambiguity as to the operation of each section.

Suggested amendments

Section 46 – dealings with the land require the Minister’s consent, which must be applied for in writing to the Minister. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.

Planning Act (NT)

Any proposed development on the land must comply with the *Planning Act, Regulations* and NT Planning Scheme.

RD (Restricted Development), PS (Public Open Space), MD (Multiple Dwelling Residential), CP (Community Purposes), HT (Heritage), CN (Conservation), U (Utilities) and WM (Water Management)

The zoning rules for Restricted Development are:

- The purpose of Zone RD is to restrict development near an airport.
- The intention is to:
 - ensure development does not prejudice the safety and efficiency of an airport;
 - limit the number of people who reside or work in the area; and
 - retain the non-urban character of the land.

The zoning rules for Public Open Space are:

- The primary purpose of Zone PS is to provide public areas for recreational activity.
- Development should be limited to that which is for public use and enjoyment consistent with the recreational opportunities of the land and which has minimal adverse impact (if any) on adjoining or nearby property.

The zoning rules for Multiple Dwelling Residential zone are:

- The primary purpose of Zone MD is to provide for a range of housing options to a maximum height of two storeys above ground level.
 - The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
-

- A single dwelling on a lot less than 600m² should be integrated in terms of design and site layout with adjacent development and street infrastructure.

The zoning rules for Community Purposes are:

- The primary purpose of Zone CP is to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration.
- Design is expected to incorporate landscaping that will enhance the visual appearance of the development. The development of residential accommodation is to only be in association with and ancillary to the primary use of the land.

The zoning rules for Heritage are:

- The primary purpose of Zone HT is to conserve and enhance those elements that contribute to the heritage significance of an area.
- A use or development is to be compatible with the heritage value and character of the area.

The zoning rules for Conservation are:

- The primary purpose of Zone CN is to conserve and protect the flora, fauna and character of natural areas.
- Development is to be sensitive to the natural features and habitats of the zone and be so sited and operated as to have minimal impact on the environment.

The zoning rules for Utilities are:

- The purpose of this clause is to ensure the use or development of land in Zone U does not prejudice the future development of the utility.
- Land in Zone U may be used or developed for a utility in accordance with the requirements of the Agency or service authority responsible for the utility on the land without consent.
- Land in Zone U may be used or developed other than for a utility only with consent and in accordance with the requirements of the Agency or service authority responsible for the utility on the land.
- In sub-clauses 2 and 3 a utility may include trunk sewers, sewerage ponds, trunk water mains, water storage facilities, electricity transmission and substation facilities, gas pipelines and the like.

The zoning rules for Water Management are:

- The purpose of Zone WM is to restrict development within a water catchment area or other area providing surface or ground water for public water supplies.
- Development is to be in accordance with the principles for water management of the authority responsible for managing the public water supply.

An application for the re-zoning of the land may be required where any potential development on the land is not consistent with these zone purposes.

Stronger Futures in the Northern Territory Act 2012 (Cth)

Section 34 – gives the Commonwealth broad powers to amend NT legislation relevant to Town Camps land, land dealings planning and infrastructure. Ideally, this section would be removed, however as this is Commonwealth legislation any changes are not at the NT Government's discretion.

Native Title Act 1993 (Cth)

The *Native Title Act* is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of

Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.

Residential Tenancies Act (NT)

Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to 'home ownership' then that form of leasing may require exemption from the *Residential Tenancies Act (NT)* if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord's obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).

Relevant legislation for lease holder

Associations Act (NT)

Level of support provided to lease holder and suggested amendments

No specific support for aboriginal associations is provided by the Department of Business/Licencing NT and very limited support is provided in general to incorporated associations.

Recommend transfer to incorporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)*.

Municipal and essential infrastructure

Summary

The Yanyula community is located east of Borroloola. The community consists of 29 residential dwellings, which are serviced by a road, sewer, water and electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Yanyula is generally in poor condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network generally does comply with relevant standards since it was upgraded in recent years. No upgrades are recommended.

The water network complies with relevant standards and the capacity of the DN150 ring main is sufficient. The community is viewed overall as a large single lot and so it is proposed to have the water usage measured accordingly. In order to measure the water usage as a single lot, a bulk water meter is recommended to be installed, along with associated works to create a single supply point to the community. Additionally, residential lot water meters should be located on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

There was one playground at Yanyula which was in good condition.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated maximum demand is within the total capacity of the substation on site. It is recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

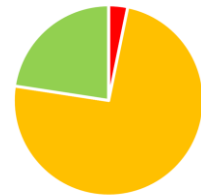
Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to residents via satellite on application to an appropriate NBN access provider.

As no new developments are currently planned for the community, there are no additional upgrades for any type of infrastructure required to cater for future demand.

Sewerage infrastructure condition



Water infrastructure condition



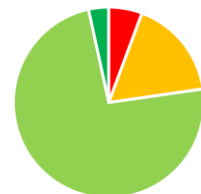
Road infrastructure condition



Community structure condition



Electrical infrastructure condition



■ Very poor ■ Poor ■ Good ■ Very good ■ Excellent

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Yanyula community:

Sewerage

- No upgrades required

Water supply

- Clear debris away from four fire hydrants
- Install and paint concrete slab around hydrant pit lid
- Replace 21 residential lot meter handles
- Disconnect secondary supply point and reconnect to water main creating a looped
- Install new bulk water meter at community boundaries
- Install six additional residential lot meters

Roadworks

- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Install stormwater infrastructure, including kerbs and gutters, side entry pits and underground pipes.

Community structures

- No works required

Electrical services

- Replace eight street lights 80W
- Replace four switchboards inside the metering panel
- Install new street lighting - approximately 26 poles

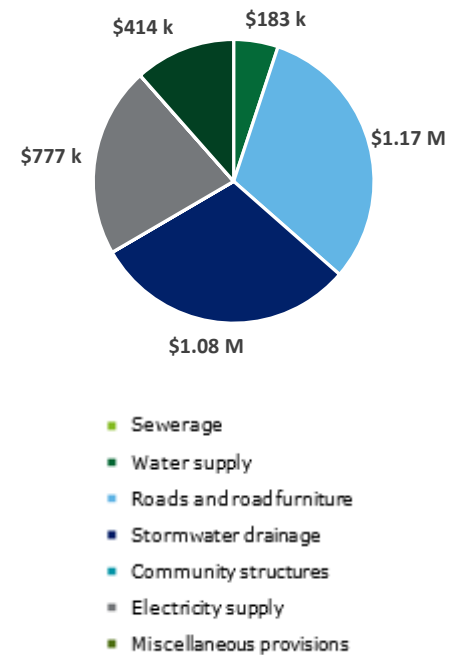
Communications

- No works are required because NBN is available to residents via satellite on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 0	\$ 0
Water supply	\$ 8,000	\$ 175,000
Roadworks	\$ 1,000	\$ 1,116,000
Stormwater drainage	\$ 0	\$ 1,081,000
Community structures	\$ 0	\$ 0
Electrical	\$ 108,000	\$ 669,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 32,000	\$ 382,000
Total (including GST)	\$ 149,000	\$ 3,423,000
Grand total	\$ 3,572,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Yanyula

Introduction

The content of this section is extracted from the provided assessment reports prepared by Big River Housing Pty Ltd. Of the 29 funded dwellings²³ identified by the Department of Housing and Community Development in Yanyula, 28 were identified in the report.

Current state of play

Housing summary and condition

The age of the housing stock is unknown. The provided photos show a variety of houses of varying ages. The condition of the houses in Yanyula varies, 50% is considered to be poor and very poor. 43% of the houses are in an average condition.

The houses in Yanyula are of the following construction types:

- 4 houses are semi-elevated steel and suspended concrete slab construction of the same design.
- 9 houses are ground level masonry construction
- 2 houses are semi-elevated with steel floor construction and pre-cast concrete walls
- 2 houses are split level semi elevated steel frame with and concrete slab duplexes
- 11 houses are small ground level houses with steel wall frame construction

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Flooding

No information was provided about flooding during the 2015 inspections however Yanyula is shown to flood on the Northern Territory Government (1 in 100 years) Flood Extent and Flood Surface Contours – March 2012. It is unknown which residences the flooding may affect.

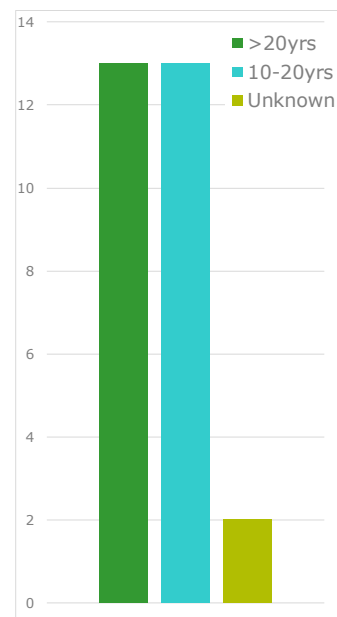
Visitors

No information was provided regarding the demographic situation in Yanyula.

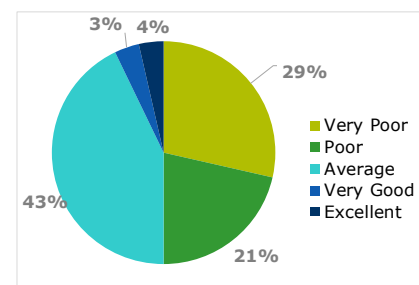
Amenities

7 housing types were identified in Yanyula:

- 2 x 1 bedrooms, 1 bathroom and 1 toilet
- 9 x 2 bedrooms, 1 bathroom and 1 toilet



Yanyula - Age Summary



Yanyula - Condition Summary

²³ A list of funded dwellings, provided by The Department of Housing and Community Development, has been included in the appendices.

- 1 x 3 bedrooms, 1 bathroom and 1 toilet
- 4 x 3 bedrooms, 1 bathroom and 2 toilets
- 9 x 3 bedrooms, 2 bathrooms and 2 toilets
- 1 x 4 bedrooms, 1 bathroom and 1 toilet
- 2 x 4 bedrooms, 2 bathrooms and 2 toilets

Disabilities

There are some provisions for people with disabilities. 2 Ramps and 3 grab rails were visible in the photos provided.

Smoke alarms

10 houses were listed as having non-serviceable smoke alarms.

Asbestos

In general, housing stock aged older than 20 years, is likely to contain asbestos. Several houses in Yanyula are estimated to be older than 20 years. Therefore, precaution should be taken when commencing any repair work. Asbestos is considered safe if it is not disturbed.

Security

The provided condition reports show 28 cases of non-serviceable windows and 26 cases of non-serviceable doors.

Recommended Works

The estimated cost to upgrade the current housing assets in Yanyula to meet the standards of the Residential Tenancy Act, is \$4,864,860. This includes margins, adjustments and GST. Refer to Appendix C for the complete costing report.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.

Economic Development

Social issues and themes voiced by residents

- Poor condition of housing
- Overcrowding
- Don't want to move
- Child discipline
- Slow response to repairs and maintenance
- Welfare dependent community

Economic Development Opportunities

Economic development opportunities are limited by the location of the Town Camp. Borroloola is remote and is not likely to draw linkages with major population and economic centres of the Territory. There are good economic opportunities for Borroloola as there are a number of opportunities in Borroloola Township.

Economic development opportunities are most likely to be employment of local residents in delivering services to indigenous communities. The Yanyula Town Camp has relationships with the Borroloola Sea Rangers and the Mabunji Aboriginal Resource Indigenous Corporation. Additionally the Town Camp has ties to the John Moriarty foundation that develops athletes. All these relationships have the potential to be developed to create more employment opportunities for the Yanyula Town Camp.

The economic integration of local residents has been diminishing in recent years due to the employment of external parties who perform service delivery work in the Borroloola region.

The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.

For detailed rationale and recommendations see the Economic Development section of the report.

Economic Aspirations

The Town Camp resident's aspirations are far more concerned with essential needs than economic integration. Residents did comment that awarded contracts should include clauses that give employment to local people.

Investment Opportunities

Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:

- Certainty of ownership
- Commercially viable income streams
- Active market for any equity interests

When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.

The Yanyula currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.

It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.

Home Ownership Opportunities

Currently, there are no pathways to home ownership for residents within Yanyula. The land and leasing structure makes it challenging for even the most informed organisations to

successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.

Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

Governance Structure	<p>The governance structure for the Yanyula is reasonably stable. The leaseholder and the service provider are not the same. This arrangement has sometimes caused issues between the service provider and the leaseholder. This is usually due to the misalignment of the leaseholder’s expectations and the service delivery from the provider. There are limited tenancy management processes at Yanyula.</p> <p>The current governance structure is understood as follows: The original lease holder is the Rumburriya Malandari Housing Association. Funding is provided by Northern Territory Government for the delivery of repairs, maintenance and essential services by the Mabunji Aboriginal Resource Indigenous Corporation.</p> <p>It is recommended that across all Town Camps the leasing structure be simplified by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable the design and implementation of sustainable maintenance programs.</p> <p>It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.</p> <p>It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.</p> <p>For detailed rationale and recommendations see the Governance section of the report.</p>
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Service Delivery Payment Arrangements	<p>Tenancy management at Yanyula is not managed by anyone.²⁴ Funding is provided to Mabunji Aboriginal Resource Association Incorporated from the Department of Housing and Community Development for essential services and housing repairs and maintenance. Bills are not issued to residents and repairs and maintenance is completed with the funding that is provided by the Territory Government. Approximately 20%²⁵ of residents are paying for service delivery which is typically paid out of Centrelink deductions or pay checks particularly where the tenant works for Mabunji Aboriginal Resource Association Incorporated.</p>
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Essential Services Payment Arrangements	<p>Residents are not paying rates, water or sewage. The removal of the CDEP program has a serious repercussion for this Town Camp as previously some essential services costs where paid from this funding stream.</p> <p>There are now mounting debts in relation to essential services as the responsibility for payment cannot be attributed to anyone. The residents typically pay for their own power using power cards.²⁶</p>
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²⁴ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

²⁵ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

²⁶ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

Garawa 2

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity



Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region	Borroloola
Lease	Crown Lease in Perpetuity 1054
Purpose	Aboriginal Residential

Governance Structure

- Leaseholder:** Housing Aboriginal Corporation
- Maintenance:** Mabunji Aboriginal Resource Association Incorporated
- Service Delivery:** Mabunji Aboriginal Resource Association Incorporated

Current number of Houses

x 11

Number of residents per room

TBA*

Recommendations

Legal and Legislative

Empower Town Camp residents by modifying the current lease type and purpose to enable wider uses of the land

Housing

TBA*

Number of replacement houses

*Unable to assess due to unavailable population data



Cost of replacement houses
TBA*



Deferred Maintenance Cost
\$2.22m

Infrastructure

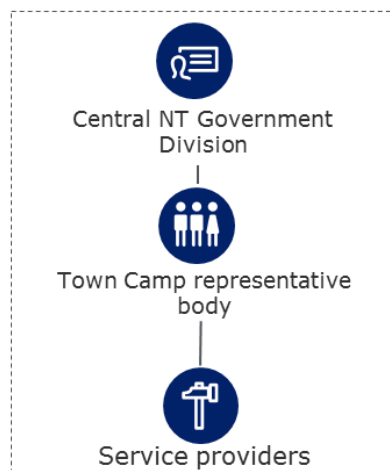


Deferred Maintenance Costs
\$56,000



Cost to meet Design standard
\$8.96m

Governance



Economic development opportunities

- Town Camp Services
- Pooled Employment Services
- Individual Employment

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Garawa 2

Executive Summary

Land	Crown Lease in Perpetuity 1054 owned by Garawa No. 2 Housing Aboriginal Corporation
Service Provider	Mabunji Aboriginal Resource Association Incorporated
Findings	<ul style="list-style-type: none"> • There is no organisation charged with overall service provision or with the responsibility for driving change and improving conditions in the camp • The lease holder is a Incorporated Aboriginal Association with very limited resources and therefore limited capacity to drive change • There is no compliance monitoring undertaken in respect of Town Camp leases for either the lessee or the lessor • The purpose of the special purpose lease restricts the use of land to Aboriginal residential • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • The governance structure is unclear and not conducive to accountability. This situation is impeding development and disempowers camp residents. • Municipal infrastructure at Garawa 2 is generally in either good condition with the exception of the roads which are in an overall very poor condition • The sewer network does not comply with relevant legislation • The water network provides inadequate supply, although the DN150 water mains within the community generally comply with relevant standards and have sufficient capacity the limited supply deems significant upgrades necessary. • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards • Estimated deferred maintenance costs required for existing infrastructure is circa \$56,000 • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$8.96 million • Most houses in Garawa 2 were considered to be in an average or poor condition • The estimated cost to upgrade the current housing assets in Garawa 2 to meet the standards of the Residential Tenancy Act, is \$2.21 million • There is currently good economic opportunities • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • The purpose of the lease be amended, to allow wider uses of the land • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs

- Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
 - To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)
 - Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
 - Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are Town Camp services, pooled employment and individual employment opportunities which are limited by the remote nature of the Town Camp
-

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

Garawa Two is located across the McArthur River approximately 10kms out of the main town centre of Borroloola. Garawa Two is the smallest of the Town Camp communities in Borroloola, with 11 houses in total. People there are family and many residents here have connections to surrounding stations like Greenbank and Seven Emus. It was mentioned that the people in Garawa Two lived on the river bank when they moved in from the stations after the 1969 Cattle Station decision, and that while Garawa One was being built after two cyclones hit Borroloola in 1985, a government person come and said there was some extra money for 9 houses so where would you like them. The current site is where they chose and they moved off the river bank.

Many families have lived here for a couple of generations and say they really like living out of the main town centre. Garawa Two has a strong leader named [redacted] who is very vocal, and is quite frustrated with the level of consultation without action. [redacted] is also the Housing Association representative. She has grown up there and comes from a strong station background, with a very strong work ethic, and [redacted] Seven Emus station. She chooses to live at Garawa Two because [redacted] the community needs her, and this is her place. She was one of the [redacted] [redacted] regularly takes kids from Borroloola who are causing problems, and gives them the opportunity to experience station life and learn general life skills at Seven Emus Station. He has been recognised in the Northern Territory for his success with young men looking for a second chance in their lives.

The roads and streetscapes are not maintained, and there are problems in the wet with water laying around. There is one male resident in Garawa Two that sometimes organises people who are on CDP (Work for the Dole), to do some of the landscaping work, but it is not coordinated in a permanent participation arrangement. It was mentioned that Mabunji has four trailers with all the equipment in their yard, and the equipment can be picked up and utilised if someone makes a request. The town "Sub" is a model that people understand, even though the drainage was dug-up and never repaired properly. But people would like Garawa Two to have that level of amenity.

Municipal infrastructure at Garawa Two has been allowed to degrade to the point where the loop road is potholed and has washouts. None of the side tracks are sealed. As a result, it is really muddy during the wet season and really dusty during the dry season. There are no footpaths or curbing so drainage is non-existent as is street lighting. Good lighting is one of the services that people want to see for safety at night.

Space

As with the other Town Camp communities in the area there are several houses that are extremely overcrowded. These houses tend to be multi-generational from one family. One resident mentioned that he has lived with his family there

for more than ten years. [redacted] of his own and he occupies one bedroom with them all. In [redacted] in his bedroom. The house is a three-bedroom house and usually [redacted] in it. He says it difficult to manage the space and he feels he has little control over his destiny. As a "guest" in this house, he is not the primary tenant. He feels that he has to share his hard-earned money or they'll kick him out. He is constantly buying food for others in the house. He complained that even though [redacted] [redacted] he is not entitled to a house through [redacted] even though he has been [redacted] Borroloola [redacted] years. This is not an uncommon story.

Some of the residents spoke about the housing in all Town Camp communities having problems with dampness and many of the kids have severe skin sores when they come back to school after the holidays. The conditions are such that diet and hygiene are hard to maintain, and communicable disease like Impetigo flourish if left untreated. During the school year children who attend school can access a breakfast program, so during holidays most children also lose weight. One of the local Indigenous student support staff hands out traditional skin cremes for children to use. There is a recognition that the level of overcrowding and the challenges of managing limited resources would be more manageable if the number of people living in houses was reduced.

Residents feel there should be a lot more houses built and that the current houses need a lot of work to bring them up to scratch. One of the questions concerned what a good house might look like. Residents were asked about housing design and whether any houses that had seen would be a good house for them. They responded by saying "we are so desperate for any housing that we can't even think about that". One of the major issues to be resolved is who has responsibility for the housing in the Town Camp communities. Residents are of the view the house belongs to them, even though they never paid for it. Mabunji has no ownership and tenants have no understanding of what their rights and responsibilities are.

Interface

Some of the residents are employed in full-time jobs either with Mabunji or the Northern Territory Government, and some undertake seasonal work on local cattle stations. The majority however are employed on the CDP program (Work for the Dole), essentially a permanent part-time low paying employment program. Borroloola has many employment opportunities but historically Aboriginal people have not accessed these opportunities. As a result, there is a great deal of apprehension among employers as to the reliability of local labour. Gulf Savannah NT Aboriginal Corporation (GSNT), the local Remote Jobs (RJCP) organisation has struggled, through poor governance and local politics, to be a relevant organisation in the region (6 managers in the last 4 years). It was placed in Administration in 2015 by ORIC but is now operating again with a local autonomy. Mabunji is no longer connected to GSNT, even though they were one of the founding organisations.

Mabunji is the major employer of local Aboriginal people with nearly 100 local people on its staff. It is the major service provider for the housing in Garawa Two, and people were aware of the housing officers, who while they don't do outreach, are accessible 5 days a week at the Mabunji office. Many residents felt that repairs and new houses were an absolute priority. Most residents indicated that repairs and maintenance did not occur in a timely manner. One resident mentioned that if you talk straight and do not expect no for an answer, your repairs will happen in a timely manner. People were also quite frustrated about the fact they had seen many people about the housing situation for years, but

had not seen any major improvements or any new builds. "Were sick of talking, talking".

There were several residents that felt the housing allocation was not a fair process. One man mentioned he has had his name down for 10 years, and he has seen others receive a house before him. As with all other Town Camp communities residents say that want control over tenancy issues such as housing allocation at a local level. They are quite happy for Mabunji to operate as the housing provider. As this community is across the river and a fair distance from town, there are some difficulties with getting in and out of town for shopping and other services. The school provides a pickup service and Indy kindy, Families As First Teachers, and playgroup do outreach work in Garawa Two.

Vision

As with the other Town Camp communities the immediate priority is for more houses and long neglected repairs and maintenance. People were also very vocal about wanting something to happen as a result of this process. They say they are sick of the constant consultation that does not improve their lives or the lives of their children. Residents identified on the map the areas for potential. Some of the improvements the residents at Garawa Two want to see are:

- Water Tank large enough to carry the capacity. They are sick of constantly running out of water. It is also unhealthy when you can't flush the toilet;
- Men's and Women's accommodation. Much of the overcrowding is caused by single adult children living with their parents or relatives. This is not acceptable. Residents want purpose designed, gender specific, single person accommodation. These could take the form of duplexes or home unit style accommodation;
- There is a lack of young peoples' and children's space at Garawa Two. Residents feel a Basketball court, with some form of cover and lighting would give young people an activity that would be better than wandering around bored;
- As with other Town Camp communities there is a need for more general housing so that young families can establish themselves near their parents and other family members without sharing the same overcrowded house;
- The residents want to be in charge of Housing allocation, i.e. who comes to live in their community. It was the view of residents that their needed to be a system reflective of an Aboriginal way of doing things and a whitefella way of doing things. People felt that there should be a Garawa Two housing group that made decisions about allocation, rent and who comes and goes. They want someone like Mabunji to be responsible for housing management and maintenance however and financial management of the rent;
- It was believed the best way to pay rent should be per head not per house but that the space needed to be suitable for that number. So, if it were a two-bedroom house with 6 adults and 10 children, the per head rate needed to be different than a three-bedroom home with 6 people.

Land Tenure, Leasing and Legislation

Owner	Garawa No. 2 Housing Aboriginal Corporation
Location	Borroloola
Land	Lot 790, Town of Borroloola; CUFT Vol 205 Fol 010
Type of Tenure	Crown Lease in Perpetuity 1054
Commencement date SPL/CL	16 November 1992
SPL/CL Purpose	Aboriginal residential
Planning scheme zone	MZ (Multi Zone) including areas of MD (Multiple Dwelling Residential), PS (Public Open Space), FD (Future Development), WM (Water Management) and CN (Conservation)
Summary of Land Dealing Documents	<p>1. Crown Lease in Perpetuity 1054</p> <p>Search certificate lists the following dealings:</p> <ul style="list-style-type: none"> • Easement: Water supply Easement to Power and Water Authority • Easement: Electricity supply Easement to Power and Water Authority • Easement: Access Easement to Power and Water <p>Grant of lease from the Minister in the name of the Northern Territory of Australia (Owner/Lessor) to the Garawa No 2 Housing Aboriginal Corporation (Lessee) in perpetuity for land described in Lot 790 Town of Borroloola in the Northern Territory of Australia (22 hectares 5200 m²) for an annual rent of nil. The lease is subject to reservations, provisions, conditions, covenants and encumbrances.</p> <p>Reservations include:</p> <ol style="list-style-type: none"> a. Reservation of right of entry and inspection. b. Reservation of all minerals, mineral substances and ores in or under the land including gems, stones, sands, valuable earths and fossil fuels. c. Reservation of power of resumption. <p>Provisions include purpose of lease, annual rent, forfeiture liabilities, compliance with covenants and conditions, right to surrender lease, improvement rights and compensation.</p> <p>Lessee covenants include duty to pay rent, rates and taxes for leased land; use land for intended purposes specified in the lease (Aboriginal residential); keep the land clean; maintain and repair improvements; right of entry and obligations; compliance with applicable legislation and approved plans and specifications; and submission of plans to the Department of Lands and Housing for approval prior to submitting plans to the Building Authority for building approval.</p> <p>Encumbrances include any easements, rights, powers or privileges for the purpose of water supply, electricity supply and access required by the Power and Water Authority. The electricity supply easement is subject to a height restriction of 12 metres above the natural surface.</p>
Level of Understanding	<p>Owner – rights and responsibilities</p> <p>There is a general level of understanding by the SPL/CL holders, but during consultations it was found that in many cases there was inactivity by the SPL/CL holder and/or there was limited capacity of the SPL/CL holder to drive change. This was found to be the main impediment to community development rather than any lack of understanding of rights and responsibilities as a SPL/CL holder.</p>

Residents – understanding of lease arrangement

The level of understanding of residents was disparate – ranging from some having a sound understanding of the leasing arrangements and their rights/responsibilities, to others with a complete lack of understanding (for example, thinking they owned the house they lived in or considered that service providers were landlords with a right to deal with their tenancy of the house).

Compliance with lease conditions and legislation

There is no compliance monitoring undertaken in respect of Town Camp CLs, so compliance with conditions are unknown.

Impediments in lease conditions and suggested amendments

Purpose of CL is limited to Aboriginal residential. Recommend this be amended, if required, to the purpose consistent with the proposed use of the land.

Relevant legislation for land dealings;

Legislative impediments; and

Suggested amendments

Crown Lands Act (NT)

Sections 42 & 44 – Any subdivision would need to comply with the requirements set out in these sections. Recommend review of these sections to ensure references to *Planning Act* are correct and there is no ambiguity as to the operation of each section.

Section 46 – dealings with the land require the Minister’s consent, which must be applied for in writing to the Minister. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.

Planning Act (NT)

Any proposed development on the land must comply with the *Planning Act, Regulations* and NT Planning Scheme.

The zoning rules for Multiple Dwelling Residential zone are:

- The primary purpose of Zone MD is to provide for a range of housing options to a maximum height of two storeys above ground level.
- The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
- A single dwelling on a lot less than 600m² should be integrated in terms of design and site layout with adjacent development and street infrastructure.

The zoning rules for Public Open Space are:

- The primary purpose of Zone PS is to provide public areas for recreational activity.
- Development should be limited to that which is for public use and enjoyment consistent with the recreational opportunities of the land and which has minimal adverse impact (if any) on adjoining or nearby property.

The zoning rules for Future Development are:

- Zone FD is an interim zone identifying an area that is intended for future rezoning and development in accordance with an Area Plan (where applicable) and its purpose is to:
 - limit uses and development within the zone to a level that will not prejudice the future development; and
 - provide for development in accordance with the Area Plan (where applicable) once services are (or can be) made available to the land.
- Subdivision is not to prejudice the intended ultimate subdivision and future use or development of the land.

The zoning rules for Water Management are:

- The purpose of Zone WM is to restrict development within a water catchment area or other area providing surface or ground water for public water supplies.
-

- Development is to be in accordance with the principles for water management of the authority responsible for managing the public water supply.

The zoning rules for Conservation are:

- The primary purpose of Zone CN is to conserve and protect the flora, fauna and character of natural areas.
- Development is to be sensitive to the natural features and habitats of the zone and be so sited and operated as to have minimal impact on the environment.

An application for the re-zoning of the land may be required where any potential development on the land is not consistent with these zone purposes.

Stronger Futures in the Northern Territory Act 2012 (Cth)

Section 34 – gives the Commonwealth broad powers to amend NT legislation relevant to Town Camps land, land dealings planning and infrastructure. Ideally, this section would be removed, however as this is Commonwealth legislation any changes are not at the NT Government’s discretion.

Native Title Act 1993 (Cth)

The *Native Title Act* is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.

Residential Tenancies Act (NT)

Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to ‘home ownership’ then that form of leasing may require exemption from the Residential Tenancies Act (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord’s obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).

Relevant legislation for lease holder

Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)

Level of support provided to lease holder and suggested amendments

The Office of the Registrar of Indigenous Corporations provides considerable support for Aboriginal corporations including but not limited to training, assistance in preparing the rule book, pro bono legal services, fact sheets, guides, templates, in person assistance with the community and recruitment assistance.

Municipal and essential infrastructure

Summary

The Garawa 2 community is located on the eastern side of Borroloola. The community consists of 11 residential dwellings, which are serviced by a road, sewer, water and electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Garawa 2 is generally in either good condition with the exception of the roads which are in an overall very poor condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network does not comply with relevant standards. The sewer network has sufficient capacity for the current number of houses. A new DN150 PVC gravity main with a new connection to the pump station, manholes and house connections are recommended.

It is understood that the supply to Garawa 2 is inadequate, based on discussions with PWC. Currently a local bore pumps into a ground level and an elevated storage tank near to Garawa 1. The internal network is connected to the storage tanks as a gravity fed system. Although the DN150 water mains within the community generally comply with relevant standards and have sufficient capacity the limited supply deems significant upgrades necessary. It is proposed that the Garawa 1 and Garawa 2 communities are connected to the Borroloola township main water supply via a new water main crossing the river. The Garawa 2 community is viewed overall as a large single lot and so it is proposed to have the water usage measured accordingly. In order to measure the water usage as a single lot, a bulk water meter is recommended to be installed, along with associated works to create a single supply point to the community. Additionally, residential lot water meters should be located on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

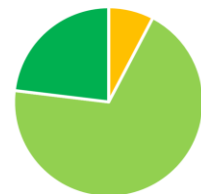
There was one playground at Garawa 2 which was in good condition.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated maximum demand exceeds the total capacity of the substation on site however, Power and Water Corporation have determined that the actual load on the transformers is

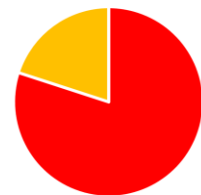
Sewerage infrastructure condition



Water infrastructure condition



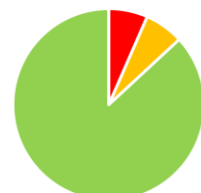
Road infrastructure condition



Community structure condition



Electrical infrastructure condition



■ Very poor ■ Poor ■ Good ■ Very good ■ Excellent

acceptable. It is recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to residents via satellite on application to an appropriate NBN access provider.

As no new developments are currently planned for the community, there are no additional upgrades for any type of infrastructure required to cater for future demand.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Garawa 2 community:

Sewerage

- 600 m of DN150 PVC gravity main, new connection to pump station, new manholes in road reserve or easements, and new house connections.
- Two new pumps for the pump station to increase the velocity in the rising main
- Emergency overflow storage

Water supply

- Repaint two fire hydrants
- Replace residential lot water meter tap handle
- Install up to two new residential lot water meters
- Install new water main servicing Garawa 1 and Garawa 2 approximately 3500 m

Roadworks

- Replace speed limit sign
- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Install stormwater infrastructure, including kerbs and gutters, side entry pits and underground pipes.

Community structures

- No works required

Electrical services

- Replace two street lights 80W
- Install new street lighting - approximately 35 poles
- Since the load on the transformer exceeds 85% it is recommended that power monitoring be undertaken to allow PWC to determine, by assessment, whether the transformer needs to be upgraded or not.

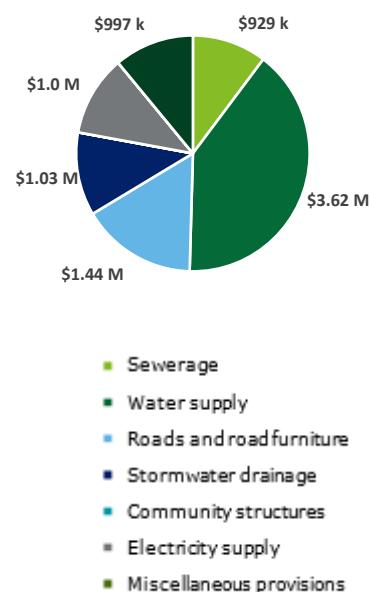
Communications

- No works are required because NBN is available to residents via satellite on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 0	\$ 929,000
Water supply	\$ 1,000	\$ 3,619,000
Roadworks	\$ 1,000	\$ 1,441,000
Stormwater drainage	\$ 0	\$ 1,030,000
Community structures	\$ 0	\$ 0
Electrical	\$ 33,000	\$ 966,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 21,000	\$ 976,000
Total (including GST)	\$ 56,000	\$ 8,961,000
Grand total	\$ 9,017,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Garawa 2

Introduction

The content of this section is extracted from the provided assessment reports prepared by Big River Housing Pty Ltd. Of the 11 funded dwellings²⁷ identified by the client in Garawa 2, 11 were identified in the report.

Current state of play

Housing summary and condition

The age of the housing stock is unknown. The provided photos show a variety of houses of varying ages. 36% of the houses were considered to be in a poor condition, 46% were average.

The houses in Garawa 1 are of the following construction types:

- 2 houses are semi-elevated steel and suspended concrete slab construction of the same design.
- 9 houses are small ground level houses with steel wall frame construction.

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Flooding

No information was provided about flooding during the 2015 inspections however Garawa 2 is shown to flood on the Northern Territory Government (1 in 100 years) Flood Extent and Flood Surface Contours – March 2012. It is unknown which residences the flooding may affect.

Visitors

No information was provided regarding the demographic situation in Garawa 2

Amenities

Two types of houses were identified in Garawa 2:

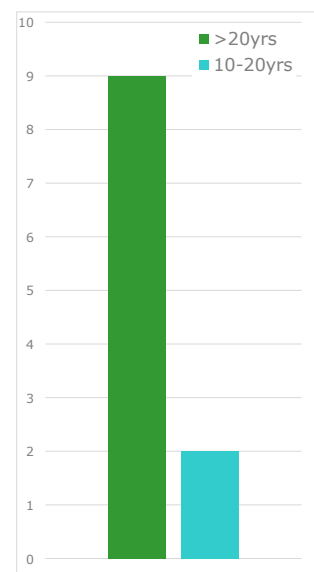
- 9 x 3 bedrooms, 1 bathroom and 1 toilet
- 2 x 3 bedrooms, 1 bathroom and 2 toilets

Disabilities

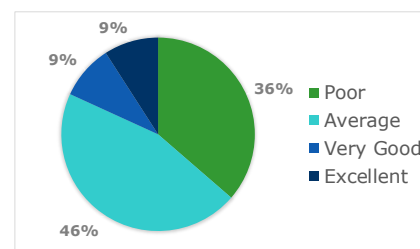
There are some provisions for people with disabilities. Ramps were visible at 2 houses on the photos in the provided reports.

Smoke alarms

7 houses were listed as having non-serviceable smoke alarms.



Garawa 2 - Age Summary



Garawa 2 - Condition Summary

²⁷ A list of funded dwellings, provided by The Department of Housing and Community Development, has been included in the appendices.

Asbestos

In general, housing stock aged older than 20 years, is likely to contain asbestos. Several houses in Garawa 2 are estimated to be older than 20 years. Therefore, precaution should be taken when commencing any repair work. Asbestos is considered safe if it is not disturbed.

Security

The provided condition reports show 10 cases of non-serviceable windows and 5 cases of non-serviceable doors.

Recommended Works

Of the houses in Garawa 2, 36% were considered to be poor and the remaining were average and above. The cleanliness of all of the properties presents a serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below an acceptable limit.

The estimated cost to upgrade the current housing assets in Garawa 2 to meet the standards of the Residential Tenancy Act, is \$2,215,275. This includes margins, adjustments and GST. Refer to Appendix C for the complete costing report.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.

Economic Development

Social issues and themes voiced by residents

- Unwilling to pay rent
- Broken promises
- Poor housing condition
- Overcrowding
- Slow response to repairs and maintenance
- Don't want to move
- Drinking
- Violence
- Welfare dependent community

Economic Development Opportunities

The currently economic opportunities are individual employment, Town Camp services and potentially pooled employment opportunities. The opportunities are limited by the remote location of the town, however there are a range of other employment opportunities within the Borroloola area.

There is some landscaping work organised by a Garawa 2 resident for CDP participants, and there may be opportunity to build upon this relationship. There is also a resident who employed at the school that could assist in developing residents for employment at the local school. Garawa 2 residents also undertake seasonal cattle station work. The community has a relationship building opportunity with the Seven Emus Station who currently take young people out to experience station life.

The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.

For detailed rationale and recommendations see the Economic Development section of the report.

Economic Aspirations

The Town Camps resident's aspirations are far more concerned with essential needs than economic integration. Residents did comment that awarded contracts should include clauses that give employment to local people.

Investment Opportunities

Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:

- Certainty of ownership
- Commercially viable income streams
- Active market for any equity interests

When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.

The Garawa 2 currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.

It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.

Home Ownership Opportunities

Currently, there are no pathways to home ownership for residents within Garawa 2. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of

additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.

Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

Governance Structure

The governance structure for the Garawa 2 is reasonably stable. The leaseholder and the service provider are not the same. This arrangement has sometimes caused issues between the service provider and the leaseholder. This is usually due to the misalignment of the leaseholder's expectations and the service delivery from the provider.

The current governance structure is understood as follows: The lease holder is the Garawa No 2 Housing Aboriginal Corporation. Funding is provided by Northern Territory Government for the delivery of repairs and maintenance and essential services by the Mabunji Aboriginal Resource Indigenous Corporation.

It is recommended that across all Town Camps the leasing structure be simplified by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable the design and implementation of sustainable maintenance programs.

It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.

It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body. For detailed rationale and recommendations see the Governance section of the report.

Service Delivery Payment Arrangements

Tenancy management at Garawa 2 is not managed by anyone.²⁸ Funding is provided to Mabunji Aboriginal Resource Association Incorporated from the Department of Housing and Community Development for essential services and housing repairs and maintenance. Bills are not issued to residents and repairs and maintenance is completed with the funding that is provided by the Territory Government. Approximately 20%²⁹ of residents are paying for service delivery which is typically paid out of Centrelink deductions or pay checks particularly where the tenant work for Mabunji Aboriginal Resource Association Incorporated.

Essential Services Payment Arrangements

Residents are not paying rates, water or sewage.³⁰ The removal of the CDEP program has a serious repercussion for this Town Camp as previously some essential services costs were paid from this funding stream.³¹

There are now mounting debts in relation to essential services as the responsibility for payment cannot be attributed to anyone. The residents typically pay for their own power using power cards.³²

²⁸ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

²⁹ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

³⁰ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

³¹ This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

³² This information was provided in consultation with the Chief Executive Officer of Mabunji Aboriginal Resource Association Incorporated

Pine Creek Compound

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity



Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region	Pine Creek
Lease	Estate in Fee Simple
Purpose	N/A

Governance Structure

- Owner:** Pine Creek Aboriginal Advancement Association
- Maintenance:** Pine Creek Aboriginal Advancement
- Service Delivery:** Pine Creek Aboriginal Advancement

Current number of Houses x 4

Number of residents per room x 1.6

Average number permanent residents per room not including visitors

Recommendations

Legal and Legislative

Estate in Fee – no need to change

Housing

x 0

Number of replacement houses

Cost of replacement houses
\$0

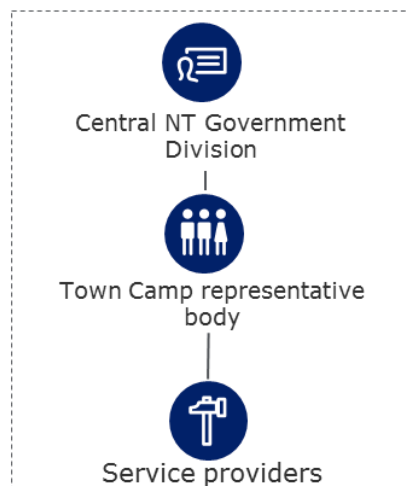
Deferred Maintenance Cost
\$633,270

Infrastructure

Deferred Maintenance Costs
\$75,000

Cost to meet Design standard
\$1.69m

Governance



Economic development opportunities

- Town Camp Services
- Pooled Employment Services

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Pine Creek Compound

Executive Summary

Land	Estate in Fee Simple owned by The Pine Creek Aboriginal Advancement Association
Service Provider	Pine Creek Aboriginal Advancement Association
Findings	<ul style="list-style-type: none"> • Pine Creek Aboriginal Advancement Association is charged with overall service provision or with the responsibility for driving change and improving conditions in the camp • The owner is a Incorporated Aboriginal Association with very limited resources and therefore limited capacity to drive change • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • Municipal infrastructure at Pine Creek is generally in poor condition • The sewer network generally complies with relevant standards • The water network does not comply with relevant standards as the water main is undersized. • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards • Estimated deferred maintenance costs required for existing infrastructure is circa \$75,000 • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$1.69 million • The Pine Creek houses are generally in average or poor condition, however, the cleanliness of the properties presents a serious concern from a health and wellbeing perspective. • The estimated cost to upgrade the current housing assets in Pine Creek to meet the standards of the Residential Tenancy Act, is \$633,270 • Good economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • A process should exist for streamlined ministerial consent for dealings with the land • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs • To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth) • Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership • Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents

-
- Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are limited to Town Camp Services and pooled employment services
 - It is recommended that any private investment in the Town Camp has a guaranteed income from the Government
-

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

The Compound, formerly known as Town Camp and Railway Dam is a small community with a very rural feel. Located on a .6-hectare block behind the historical precinct at Pine Creek it has been used as a casual seasonal camping space since the 2nd World War. It became more permanent with the Cattle Station case decision which saw Aboriginal people throughout the Northern Territory being moved off cattle stations in the region (Pine Creek Aborigines and Town Camps <https://openresearch-repository.anu.edu.au/handle/1885/8369> by JS Wolfe – 1987). Though managed by Kybrook Farm (Pine Creek Aboriginal Advancement Association Inc), they see themselves as separate. They tend to be a bit diverse with people from Kakadu, Central Arnhem and local Jarwoyn and Wagaman. It is an interesting demographic. An older couple and some older men and a group of Young men 18-25, and a younger couple. There are no young children residing permanently at the Compound. Attempts have been made in the past to encourage them to relocate to Kalano but they are really comfortable in their place. They are within walking distance of the Pine Creek township (1.5 kms) and all the services they need; health, shopping, hotel, etc. Kybrook Farm is about 5 kilometres away and requires access to transport.

Though the residents are comfortable where they are there is little opportunity to create economic activity on the community. There is seasonal work in the area such as mango picking and pruning, some seasonal station work, civil works on road crews, and the boom or bust mining industry that has operated at Pine Creek since around 1869. All the eligible men are on the CDP crew and JobFind has a local coordinator who provides small projects to allow residents to meet their compliance requirements (work for the dole).

There are some simple relatively low cost works that need to be done to improve the infrastructure. They say there is a need for some drainage which would be a couple of small floodways on the ring road. The access road floods during heavy rain but resides fairly quickly. There is an old ablution block that needs demolition (noted also in Wolfe 1987). The residents asked whether an activity shed could be erected on the site to give them a space to do art and other creative work. There was a request to fence the lease and they could do some landscaping as part of their CDP activities.

Space

It is difficult to know how old the houses are possible 30 years, certainly over 20 years. There are some major issues with design and current condition:

- None of the houses has guttering so water runoff is a major problem particularly in heavy rain.
- One of the one bedroom houses has electrical issues with a "live wire" that shocks residents when opening back door.
- No drainage around the houses.
- No driveways and or fences.
- Sewerage compound straight across the road, apparently sewerage tap near floodway entrance leaks into the floodway where kids swim.
- Issues raised for the first home – need more space, lounge area is too small, toilet is too close to bedrooms, water leaks from the shower and now into the walls that have rotted. No wheelchair access and elderly women using a walking frame lives there.
- The houses are like ovens, poorly ventilated and dark.

When asked why they don't relocate from the compound [redacted] [redacted] had lived there and it was now his place. Others had come there looking for a range of things and it was now their home. Though the housing is in very poor condition the community itself is quite pleasant, clean and according to them rarely has problems, except when people from other places come to visit and get drunk and difficult.

Interface

The Compound is very much a Welfare based economy. During the review none of the residents were working full-time though they were fulfilling their CDP responsibilities. They seem to be very much part of the community and are very comfortable walking around and spending time sitting in the Park in the town centre. When they don't have any structured activities they seem to find things to do to pass the time. There was some interest in the idea of an activity shed with quite a bit of support from the group. One young man has some design skills and is seen as an artist. There seems to be no local arts and crafts activities, nor are there any outlets. Kybrook had some interest in Arts and Craft in the past but not at the moment. Creative activities are a good outlet but don't tend to be great income generators. There seems to be little local Indigenous tourism opportunities which is a surprise given the rich history of the area. The ongoing survival of the Compound is very much tied to Kybrook Farm and the resources and ideas they can develop for all their members.

Visions

As with many other Town Camp communities the Pine Creek Compound is primarily focused on the immediate issue of shelter. With the wet season approaching they know their houses will be difficult to live in.

Future aspects:

- Brick houses, bigger with verandas around them, toilets away from bedrooms, kitchens spaces bigger, wheelchair accessible.
- To have 3 one bedroom units for single men living there, able to have their own space.
- Middle space area to build a nursery/activity workshop. Want to sell own plants and to be able to plant plants in residents houses.

- Rainwater tanks for each residence – if not, one big rainwater tank for them to drink.
- Build another 3 bedroom house and office space to build own cooperation – selling of plants or tourism potential
- Entrance into compound clear area, make own Aboriginal name, signage/display.
- Small drainage floodways, street lights
- Jobfind to support more programs that support their skills, white cards (construction work), mechanical, horticultural etc. Ranger work.

Land Tenure, Leasing and Legislation

Owner	The Pine Creek Aboriginal Advancement Association
Location	Pine Creek
Land	Lot 179 Town of Pine Creek; CUFT Vol 429 Fol 001
Type of Tenure	Estate in Fee Simple
Commencement date SPL/CL	N/A
SPL/CL Purpose	N/A
Details of Tenure	N/A
Planning scheme zone	No Zone
Summary of Land Dealing Documents	<p>1. Search Certificate for Estate in Fee Simple</p> <p>Search certificate lists the following dealings:</p> <ul style="list-style-type: none"> • Statutory Notice of Prescribed Property – s 26A Association Incorporation Act (Date Registered: 31 July 1995, Dealing No. 335326) • Notice of Right to a Grant of Interest (Date Registered: 31 July 1995, Dealing No. 335325) <p>2. Memorandum for Purposes of Statutory Restrictions Notice (Date Lodged: 26 July 1995, Dealing No. 335326)</p> <p>Provides notice of statutory authority restriction per s 26A (Prescribed Property) <i>Associations Incorporation Act</i> for Lot 179 Town of Pine Creek (Plan S83/267).</p> <p>3. Notice of a Right to a Grant of an Interest (Date Registered: 31 July 1995, Dealing No. 335325)</p> <p>Provides a right to grant an interest in land for Lot 179 Town of Pine Creek (Area: 6190 m², Plan: S83/267) for Estate in Fee Simple (Commencing on: N/A, Expiry: N/A) to the Pine Creek Aboriginal Advancement Association of PO Box 106 Pine Creek, NT 0847 under s 9(1), 10(1) and 12(3) <i>Crown Lands Act</i>. All reservations and rights are subject to the Crown Lands Act. An attached letter from the Department of Lands, Planning and Environment (Dated July 1995) states that Lot 179 was previously held under Crown Lease Term 325 which has since expired, previously unalienated Crown land and not subject to a claim under the <i>Aboriginal Land Rights Act (NT)</i>.</p>
Level of Understanding	N/A

Compliance with lease conditions and legislation	N/A
Impediments in lease conditions and suggested amendments	N/A
<p>Relevant legislation for land dealings;</p> <p>Legislative impediments; and</p> <p>Suggested amendments</p>	<p><i>Associations Act (NT)</i></p> <p>Dealings with prescribed property require Ministerial consent. Recommend a streamlined/fast-track process for consent to ensure minimal delays to land dealings.</p> <p><i>Planning Act (NT)</i></p> <p>Unzoned land is not subject to land use controls under the Planning Act other than for:</p> <ul style="list-style-type: none"> • Clearing of native vegetation in excess of 1 ha; or • Subdivision or consolidation of the land. <p>So the <i>Planning Act, Regulations</i> and the NT Planning Scheme will still apply in respect of potential subdivision of the land.</p> <p><i>Native Title Act 1993 (Cth)</i></p> <p>The Native Title Act is potentially relevant if section 47A applies to enliven any extinguishment of native title rights where the area is held expressly for the benefit of Aboriginal peoples and one or members of the claimant group occupy the area. Any potential native title rights and interests will need to be considered in greater depth prior to any prospective variations to the underlying tenure.</p> <p><i>Residential Tenancies Act (NT)</i></p> <p>Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to 'home ownership' then that form of leasing may require exemption from the Residential Tenancies Act (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord's obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).</p>
Relevant legislation for lease holder	<i>Associations Act (NT)</i>
Level of support provided to lease holder and suggested amendments	<p>No specific support for aboriginal associations is provided by the Department of Business/Licensing NT and very limited support is provided in general to incorporated associations.</p> <p>Recommend transfer to incorporation under the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)</i>.</p>

Municipal and essential infrastructure

Summary

The Pine Creek Compound community is located north of Pine Creek. The community consists of four residential dwellings, which are serviced by a road, sewer, water and electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Pine Creek Compound is generally in poor condition, while the roads and accessible water infrastructure are in very poor condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network generally complies with relevant standards. The sewer network has sufficient capacity for the current number of houses. No major upgrades are required for the current use however some minor maintenance is required to the existing infrastructure.

The water network does not comply with relevant standards as the water main is undersized. There is insufficient capacity to meet fire flow demands and currently there are no fire hydrants installed within the community. It is recommended that upgrades to a DN150 PVC looped water main are undertaken and fire hydrants are installed on the network. Water usage is proposed to be measured with a bulk water meter located at the community boundary. Additionally, residential lot water meters should be installed on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

There were no community structures at Pine Creek Compound.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated maximum demand is within the total capacity of the substation on site. It is recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to residents via satellite on application to an appropriate NBN access provider.

Sewerage infrastructure condition



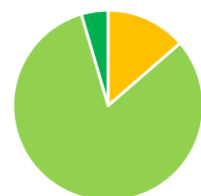
Water infrastructure condition



Road infrastructure condition



Electrical infrastructure condition



■ Very poor ■ Poor ■ Good ■ Very good ■ Excellent

As no new developments are currently planned for the community, there are no additional upgrades for any type of infrastructure required to cater for future demand.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Pine Creek Compound:

Sewerage

- Upgrade three sewer manholes

Water supply

- Install up to four new residential lot water meters
- Install new DN150 looped water main, approximately 500 m
- Install DN150 bulk water meter
- Install two fire hydrant

Roadworks

- Repair approximately 100 m of edge break
- Repair potholes
- Repair surface cracking
- Replace sign
- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Construct stormwater drainage, including underground pipes, kerbs and gutters, and side entry pits. Approximately 250 m required.

Community structures

- No upgrades required.

Electrical services

- Replace two 80W street lights.
- Install new street lighting - approximately 12 poles

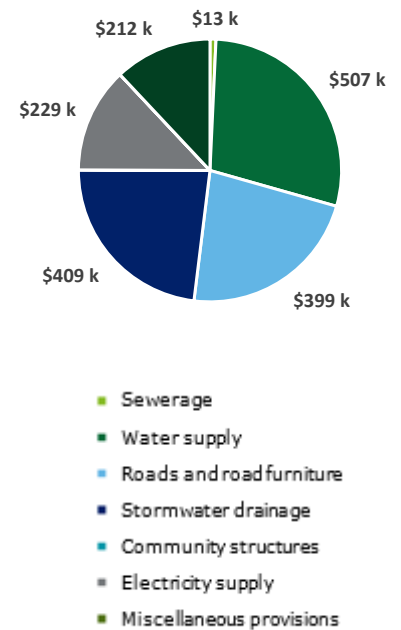
Communications

- No works are required because NBN is available to residents via satellite on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 13,000	\$ 0
Water supply	\$ 1,000	\$ 506,000
Roadworks	\$ 36,000	\$ 363,000
Stormwater drainage	\$ 0	\$ 409,000
Community structures	\$ 0	\$ 0
Electrical	\$ 6,000	\$ 223,000
Communications	\$	\$ 0
Miscellaneous provisions	\$ 19,000	\$ 193,000
Total (including GST)	\$ 75,000	\$ 1,694,000
Grand total	\$ 1,769,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Pine Creek

Introduction

Pine Creek Compound was surveyed on the 29th of November 2016. All of the 4 funded dwellings³³ identified by the client were identified on site. Most residents allowed entry and surveys were completed both internally and externally for 3 houses. House No. 3 was vacant and undergoing renovation.

Current state of play

Housing summary and condition

The houses varied in age. The majority of houses, 50%, were considered to be of an average condition. However, this rating does not take into account the cleanliness of the residences and it doesn't mean they comply with the residential tenancy act. The houses have been constructed in steel studs framed walls with metal cladding on a concrete slab. The roofs are cladded with sheet metal roofing material.

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Smoke alarms

3 of the houses surveyed internally in Pine Creek Compound were identified as having non-serviceable smoke alarms.

Flooding

Pine Creek is occasionally subject to flooding. When it floods, the water recedes quickly due to the floodway that eases the water flow during heavy rainfall.

Visitors

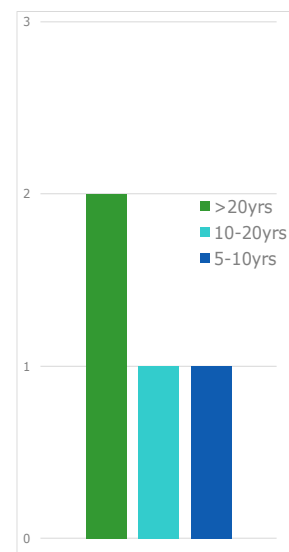
The dwellings to which we were permitted to access, in house no. 2 and house no. 4, had 2 visitors each. House no. 4 with 2 visitors is a 2-bedroom home with 6 permanent residents, resulting in 4 people per room and 8 people per toilet, which would present a significant strain on the amenities.

Amenities

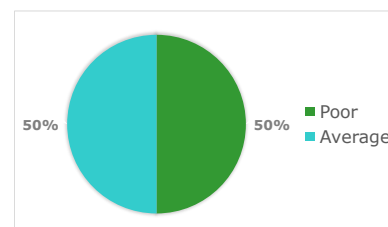
The data analysis of the community shows that on average there are 2.0 residents per bedroom and 3.3 per toilet. The individual house analysis shows a maximum recorded occupancy of 3 people per room and maximum of 6 people per toilet. These are considered reasonable.

Disabilities

Of the residents recorded, only 1 was identified as having disabilities. The house they resided in was identified as having a ramp and appropriate grab rails in the wet areas.



Pine Creek - Age of Housing Stock



Pine Creek - Condition Summary

³³ A list of funded dwellings, provided by the Department of Housing and Community Development, has been included in the appendices.

Asbestos

As one of houses was reported to be over 20 years old, the presence of asbestos is likely. This material is considered safe if it is not disturbed. The other houses were considered unlikely to contain asbestos.

Security

Of the houses we were permitted access, all had serviceable doors. 2 houses did not have serviceable windows. All the houses in Pine Creek Compound were not fenced properly and did not display any other physical boundaries.

Recommended Works

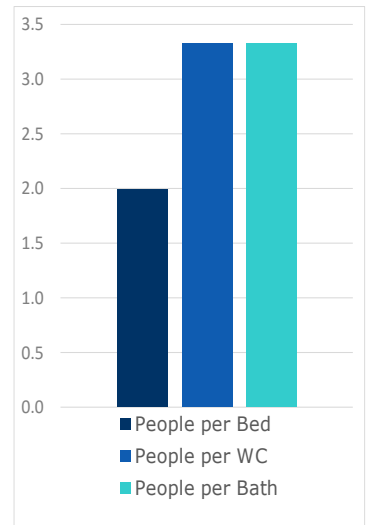
Although the condition of majority of the houses in Pine Creek Compound are of average condition the cleanliness of the properties presents serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below the acceptable limit.

The estimated cost to upgrade the current housing assets in Pine Creek to meet the standards of the Residential Tenancy Act, is \$633,270. This includes margins adjustments and GST. Refer to Appendix C for the complete costing report.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.



Pine Creek - Amenities

Economic Development

Social issues and themes voiced by residents

- Poor condition of housing
- Don't want to move
- Drinking
- Violence
- Transient visitors
- Welfare dependent community

Economic Development Opportunities

Currently economic development opportunities are limited to Town Camp services and pooled employment services. All opportunities are limited by the size and the remote location of the Town Camp.

Economic development opportunities are most likely to be the employment of local residents in delivering services to indigenous communities. Opportunities for pooled employment services have been identified for the Pine Creek compound such as mango picking, station work or road crews. Approximately 25% of residents are employed in mainstream positions and the remaining residents receive some type of benefit. i.e. unemployment, parenting or disability. Residents are willing to complete landscaping work as part of the CDP program.

The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.

For detailed rationale and recommendations see the Economic Development section of the report.

Economic Aspirations

Investment Opportunities

Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:

- Certainty of ownership
- Commercially viable income streams
- Active market for any equity interests

When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.

The Pine Creek Compound currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.

It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.

Home Ownership Opportunities

Currently, there are no pathways to home ownership for residents within Pine Creek Compound. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.

Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited

financial contributions by residents and limited control over tenancies. This provides minimal incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

Governance Structure

The current understanding of the governance structure is: the owner of the land is the Pine Creek Aboriginal Advancement Association. Funding is provided by Northern Territory Government for the delivery of repairs and maintenance and essential services by the Pine Creek Aboriginal Advancement Association who also acts as the service provider.

It is recommended that across all Town Camps the leasing structure be simplified by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable for the design and implementation of sustainable maintenance programs. In essence this structure appears to be already in place in Pine Creek Compound.

It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.

It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.

For detailed rationale and recommendations see the Governance section of the report.

Service Delivery Payment Arrangements

Pine Creek Aboriginal Advancement Association is the association overseeing Pine Creek Compound. Rent is a flat rate of \$20 per week, three of the four tenants are elderly pensioners whose payments are made through automatic Centrelink Pay deductions. The other resident is a fulltime employee with the Department of Education and Training (DET) and makes a direct payment.

Essential Services Payment Arrangements

Pine Creek Aboriginal Advancement Association are responsible for housing maintenance, municipal and essential services, which excludes rubbish collection.

Mulggan

Current State

March 2017

Legal and Legislative



Housing



Infrastructure



Economic Opportunity



Governance



Legend

- Excellent
- Very Good
- Good
- Poor
- Very poor



Details

Region	Mataranka
Lease	Aboriginal Freehold
Purpose	N/A

Governance Structure

- Leaseholder:** Mataranka Aboriginal Land Trust
- Maintenance:** Roper Gulf Regional Council
- Service Delivery:** Roper Gulf Regional Council

Current number of Houses



Number of residents per room



Recommendations

Legal and Legislative

Empower Town Camp residents by modifying the current lease type and purpose to enable wider uses of the land

Housing



Number of replacement houses



Cost of replacement houses
\$4.62m



Deferred Maintenance Cost
\$1.19m

Infrastructure

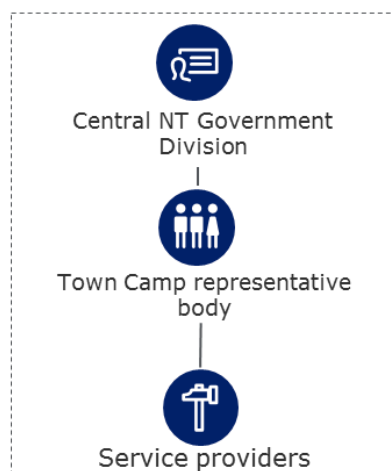


Deferred Maintenance Costs
\$409,000



Cost to meet Design standard
\$4.94m

Governance



Economic development opportunities



Town Camp Services



Pooled Employment Services

Costing estimates are a preliminary estimate only. Actual prices may be different to those used to prepare estimates. There is no guarantee that the works can or will be undertaken at the estimated price. Housing and Infrastructure colour indicators are based on the average condition of the assets assessed and does not take into account the cost to meet infrastructure design standards.

Mulggan

Executive Summary

Land	Aboriginal freehold owned by Mataranka Aboriginal Land Trust
Service Provider	Roper Gulf Regional Council
Findings	<ul style="list-style-type: none"> • There is no organisation charged with overall service provision or with the responsibility for driving change and improving conditions in the camp • Very little support is afforded to Aboriginal Associations Incorporated under the Associations Act (NT) • The governance structure is very limited and not conducive to accountability. This situation is impeding development and disempowers camp residents. • Municipal infrastructure at Mulggan is generally in good condition with the exception of the roads which are in an overall poor condition • The sewer network does not comply with relevant standard since the sewer main is undersized, and the rising main does not meet the minimum requirements for self-cleansing • The water network does not comply with relevant standards as the DN100 PVC water main is undersized • The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards • Estimated deferred maintenance costs required for existing infrastructure is circa \$409,000 • Estimated costs of infrastructure upgrades required to meet current design standards is circa \$4.94 million • The houses in Mulggan were in all in an average condition or below and cleanliness of the properties presents a serious concern from a health and wellbeing perspective • The estimated cost to upgrade the current housing assets in Mulggan to meet the standards of the Residential Tenancy Act, is \$1.18 million • 5 new houses are required to house permanent residents at an estimated cost of \$4.62 million • Economic development opportunities currently exist • There is currently no established pathway to private investment • There is currently no established pathway to home ownership
Recommendations	<ul style="list-style-type: none"> • A process should exist for streamlined ministerial consent for dealings with the land • Incorporate a regional body representative of the Town Camps residents under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth) • A summary of the recommended infrastructure maintenance works required can be found in works required section below • All existing housing stock should be refurbished or renovated to meet the standards of the Residential Tenancy Act • Tenancy and asset maintenance plans should be developed and implemented to improve asset durability and to decrease maintenance costs • To address limited governance, it is recommended that both a Central NT Government Division and a Town Camp regional body be created. The regional

body should be representative of the Town Camps residents and Incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)

- Stronger governance structures should lay the foundation for allocated responsibilities and support Town Camps to undertake a defined and coordinated pathways to economic development and home ownership
 - Funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents
 - Invest in public housing in areas with the economic capacity to support to the development of residents in transition
 - Economic opportunities are Town Camp Services and pooled employment services are limited by the remote nature of the Town Camp
-

Resident consultation and visioning statement

This is a summary of the outcome of the consultation process with local residents about the place, space and interface, including the resident's vision for the Town Camp. This is a direct community narrative, completed in the Town Camps visioning process which does not necessarily reflect the technical and governance data captured in this report.

Place

Mulggan is a unique community. It sits within the Mataranka town boundary but is viewed by Jilkminggan as an outstation. The lease on which Mulggan sits is held by the Jilkminggan Community Aboriginal Corporation. None of the residents identify with the Jilkminggan community and none have either the spiritual connections or relationships. The nature of the land tenure makes governance difficult. Residents identify with Mulggan and some have been residents there for over 30 years. It is uncertain if anyone traces their connection back to World War 2 but some say their family came here in the time when Aboriginal people were moved off the cattle stations. They say their biggest problem, apart from not enough houses, is the influx of people from Ngukurr and even Numbulwar during the wet season. They come to Darwin or Katherine for shopping and drinking and get stuck at Mulggan when the rivers rise, often for 6 or 8 weeks.

The services at Mulggan are fairly basic with people living in tents and dilapidated caravans because of the lack of housing. People rely on unsafe power leads and there are arguments because of the shortage of power points. The Roper Gulf Shire takes responsibility for services but as with all Town Camp communities the state of the housing, or lack of it, makes it very difficult to run an effective R&M program. Despite the conditions people call Mulggan home and don't want to live somewhere else. They would like to see an improvement in services and they have some ideas about what these services might look like. They say there is enough land for more houses now but as more people come there to live they might need more space.

Space

Housing is the pressing issue at Mulggan. At least three of the houses have leaking roofs. There are no gutters and no drainage so heavy rain is a real issue. One of the older men who is married with no children says he has been waiting for 25 years to get a house and lives in a caravan in very poor condition. He works for the Roper Gulf Council and is considered a senior decision maker. There are a number of older men, two of whom are blind and have mobility problems. One of these men lives in an old shed. There is a designated Aged Care Centre but it has none of the disabled features that would normally be found in specified disability accommodation. Though these older and disabled residents are supported by a local HAAC program there is a general view they need supported single accommodation in 1 bedroom units. There are a number of dwellings that are beyond repair and need to be demolished.

Diversity of housing stock was once again raised in the discussion. Mulggan has no young families. Whether this is a function of the lack of housing or the proximity of Katherine is difficult to say. There is much more chance of getting a house in Katherine and there are other attractions. People believe however that the development of a good housing stock will encourage young families back to Mataranka.

Interface

Mataranka is a service point for surrounding cattle stations, Aboriginal communities and the tourist industry. The tourist traffic is high with the thermal springs and the historic Elsey Station and the story We of the Never Never. Aboriginal people have their own story to tell and could be an important part of the tourism sector adding quality and a cultural experience. This is not the current situation. The residents of Mulgga are embedded in a welfare economy that sees them as an important part of the local economy primarily as passive consumers rather than income generators. There is a local CDP program managed by the Roper Gulf Council and with appropriate support and resourcing there is an opportunity for some members of the Mulgga community to work either seasonally or on a part-time basis.

Vision

The Mulgga vision is fairly simple because their experience has shown them that it is unlikely they will get too much from this process.

- They need some municipal work done. The community has no night lighting and people would like to have a better lit space to improve security and make people feel safer.
- There is one part of the community that collects water and it is near an area they would like to put a house if possible. They would like this area drained with some form of non-intrusive drainage system.
- They would like some speed bumps put on the roads (about 4) to slow down people who drive erratically when either drunk or angry.
- They would like each of the houses fenced so that people can care for their own yards.
- They would like to see smaller dwellings constructed for single people and the older members of the community, especially the disabled with proper safety railings and things.
- They need more 2 and 3 bedroom houses to relieve the current crowded conditions, maybe 5 or 6 houses. They say they haven't had any new houses for many years.
- They want to be able to have more control over our housing and the land the community sits on. They say they want to be able to make stronger rules.

Land Tenure, Leasing and Legislation

Owner	Mataranka Aboriginal Land Trust
Location	87 Martin Road, Mataranka
Land	NT Portion 3858; CUFT Vol 246 Fol 186 NT Portion 3859; CUFT Vol 246 Fol 186
Type of Tenure	Aboriginal freehold
Commencement date SPL/CL	N/A
SPL/CL Purpose	N/A
Details of Tenure	N/A
Planning scheme zone	No Zone
Summary of Land Dealing Documents	<p>1. Search Certificate Search certificate lists no dealings.</p> <p>2. Aboriginal Land Rights (Northern Territory) Act 1976 Section 12 Deed of Grant (Seal Date: 5 December 1991, Volume 246, Folio 196) Grant of an estate in fee simple (N.T. Portions 3858 and 3859 plan(s) S 90/170A), 1072.7 hectares to the Mataranka Aboriginal Land Trust subject to provisions of the <i>Aboriginal Land Rights Act (NT) 1976</i>. Land grant excludes the following:</p> <ul style="list-style-type: none"> • Homestead Road (public right of way) and the land adjacent to the road and within 50 metres on each side of the centre line • Right to any minerals existing in their natural condition or in a deposit of waste material obtained from any underground or surface working, on or below the surface of the land <p>The following reservations are included in the land grant:</p> <ul style="list-style-type: none"> • Commonwealth of Australia and Northern Territory of Australia, its officers, servants and agents and such person(s) shall from time to time be authorised to ingress, egress and regress upon the land and to search for mine dig and remove minerals
Level of Understanding	N/A
Compliance with lease conditions and legislation	N/A
Impediments in lease conditions and suggested amendments	N/A
Relevant legislation for land dealings; Legislative impediments; and Suggested amendments	<p><i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i> Section 19 – aboriginal land cannot be bought, sold or mortgaged, only transferred to another land trust or surrendered to the Crown.</p> <p>An Aboriginal land owner is able to grant estates or interests in land vested in it to:</p> <ul style="list-style-type: none"> • an Aboriginal or an Aboriginal and Torres Strait Islander corporation for residential, business or community purposes;

-
- the Commonwealth, Northern Territory or an Authority for any public purpose or to a mission for any mission purpose; or
 - any person for any purpose.

Section 19(7) - Ministerial consent is required for grants of estates or interests in the land described above where the term exceeds 40 years.

Planning Act (NT)

Unzoned land is not subject to land use controls under the Planning Act other than for:

- Clearing of native vegetation in excess of 1 ha; or
- Subdivision or consolidation of the land.

So the Planning Act, Regulations and the NT Planning Scheme will still apply in respect of potential subdivision of the land.

Residential Tenancies Act (NT)

Whilst not relevant to the current land dealings, if any form of long term residential leasing is considered akin to 'home ownership' then that form of leasing may require exemption from the Residential Tenancies Act (NT) if the legislative provisions are found to be at odds with the proposed long term leasing model (i.e. landlord's obligation to repair, payment of rates and taxes, payment in advance and payment of a premium).

Relevant legislation for lease holder	N/A
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Level of support provided to lease holder and suggested amendments	N/A
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Municipal and essential infrastructure

Summary

The Mulggan community is located north-west of Mataranka. The community consists of 8 residential dwellings, which are serviced by an informal road, sewer, water and electricity. The community also has a number of temporary dwellings which are not serviced by sewer, water or electricity.

The status of the municipal infrastructure and services, being the sewerage, water supply, roads and road furniture, stormwater drainage, community structures, electrical supply and communication services were assessed in late 2016. No intrusive excavations or potholing of buried services were undertaken within the community. The condition of the above ground / visible services were assessed against a standardised rating, categorised as being in very poor, poor, good, very good or excellent condition.

Currently the municipal infrastructure at Mulggan is generally in good condition with the exception of the roads which are in an overall poor condition. A summary of the recommended maintenance works required can be found in the following section.

A desktop study was undertaken to assess the capacity of the existing infrastructure and to determine whether it meets current relevant requirements and standards. This assessment was based on available drawings and the condition assessments from the site inspections.

The sewer network does not comply with relevant standard since the sewer main is undersized, and the rising main does not meet the minimum requirements for self-cleansing. The sewer network has sufficient capacity for the current number of houses, including the temporary dwellings. It is recommended that approximately 300 m of DN150 PVC gravity main, 200 m of DN150 PVC rising main and two new pumps in the pump station are installed at a minimum, so the network meets current requirements.

The water network does not comply with relevant standards as the DN100 PVC water main is undersized. The capacity of the existing water main is insufficient for fire flow demands. It is recommended that the network is upgraded to a DN150 PVC looped water main. Water usage is proposed to be measured with a bulk water meter located at the community boundary. Additionally, residential lot water meters should be installed on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network. It should be noted that the external water main supplying the community is a single DN100 PVC pipe. Associated headworks are required to achieve a valuable improvement to the internal pressures. Cost estimates for the external headworks have not been included.

It is recommended that the roads are upgraded to two lane roads with footpaths and stormwater drainage, including kerbs and gutters, side entry pits, underground pipes, and culverts where required.

There were no community structures at Mulggan.

The electrical network generally complies with relevant standards and practices for private infrastructure but not with PWC standards. The calculated future maximum demand exceeds the total capacity of the substation on site. Load monitoring must be carried out to confirm the actual existing load. It is

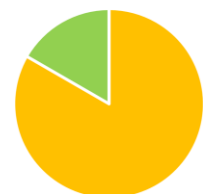
Sewerage infrastructure condition



Water infrastructure condition



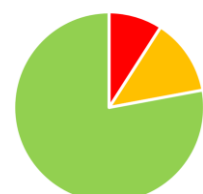
Road infrastructure condition



Stormwater drainage condition



Electrical infrastructure condition



■ Very poor ■ Poor ■ Good ■ Very good ■ Excellent

recommended that the site infrastructure be upgraded to PWC standards and that new street lighting is installed.

Details of communications infrastructure are held by Telstra and were not provided for this report. The NBN rollout map confirms that NBN is available to residents via satellite on application to an appropriate NBN access provider.

The future demand analysis showed that four additional houses are required to provide permanent accommodation for residents that are currently living in non-house dwellings. The location of the four new houses is assumed to be close to the existing houses within the Town Camp, such that significant extensions of the services would not be required. The additional houses will require connections to sewerage, water supply and to the electrical network.

These recommendations are based on the site inspections and available data at the time. Further investigations/studies may be required for the engineering design of the upgrades. A detailed report can be found in Appendix B.

Recommended works

The following works, including maintenance to the existing infrastructure and upgrades to comply with relevant standards, are recommended for Mulgga community:

Sewerage

- 300 m of DN150 PVC gravity main
- 200 m of DN150 PVC rising main
- Two new pumps

Water Supply

- Clear area surrounding fire hydrant
- Replace three residential lot meters
- Install up to four residential lot water meters
- Replace network with DN150 PVC looped main, approximately 1000 m
- Install new DN150 water meter
- Install two new fire hydrants

Roadworks

- Fill and repair 15 potholes
- Regrade 1200 m² of road
- Seal 1320 m² of road
- It is recommended that the road is upgraded to a two lane network with all appropriate road furniture, line marking, kerbs, footpaths, etc.

Stormwater drainage

- Construct stormwater drainage, including underground pipes, kerbs and gutters, and side entry pits.

Community structures

- No upgrades or new installations of community structures are currently required.

Electrical services

- Replace four 80W street lights.
- Replace one prepaid digital meter
- Replace four switchboards inside the metering panel
- Install new street lighting - approximately 43 poles
- Preparation of layout and schematic record drawings of the electrical reticulation system.
- Load monitoring to determine the detailed demand profile of each transformer.
- Modelling of the reticulation system to confirm load flow and voltage drop.
- Preparation of design documentation for modification of existing infrastructure to rectify issues found and incorporate provisions for four additional dwellings.

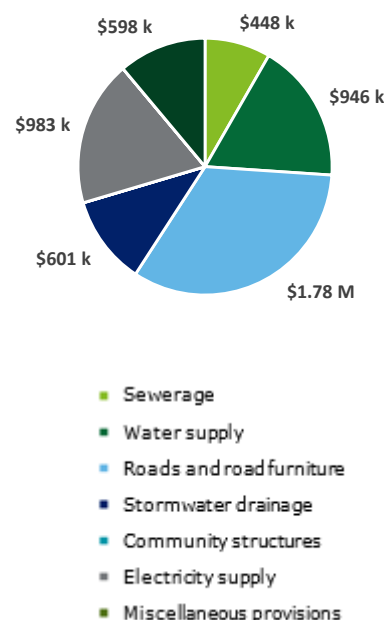
Communications

- No works are required because NBN is available to residents via satellite on application to an appropriate NBN access provider.

Cost estimates

The table below shows a summary of the cost estimates to undertake the maintenance required to fix the existing infrastructure, and to upgrade the existing network to meet current design standards. The costs for reviewing the electrical network with the additional houses has been included in the upgrades to meet current design cost estimates below. The estimates take into account a 30% contingency, are inclusive of GST, and include a location factor for Town Camps outside of Darwin.

Infrastructure	Maintenance of existing infrastructure	Upgrades to meet current design
Sewerage	\$ 0	\$ 448,000
Water supply	\$ 1,000	\$ 945,000
Roadworks	\$ 331,000	\$ 1,444,000
Stormwater drainage	\$ 0	\$ 601,000
Community structures	\$ 0	\$ 0
Electrical	\$ 21,000	\$ 962,000
Communications	\$ 0	\$ 0
Miscellaneous provisions	\$ 56,000	\$ 542,000
Total (including GST)	\$ 409,000	\$ 4,942,000
Grand total	\$ 5,351,000	



The cost estimates are a preliminary estimate only. Since Aurecon has no control over the cost of labour, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Aurecon cannot guarantee actual costs will not vary from these estimates.

Housing: Mulggan

Introduction

Mulggan (Mataranka) was surveyed on the 30th of November 2016. Of the 12 funded dwellings³⁴ identified by the Department, 8 were identified on site, 2 funded dwellings were not identified within the Town Camp. 1 funded dwelling was demolished and 1 was characterised as a temporary emergency shelter. Other structures found on site included 8 tents and 5 caravans.

Current state of play

Housing summary and condition

The housing stock is aging with majority over 20 years old. 43% of the houses were considered to be of average condition. However, this rating does not take into account the cleanliness of the residences and it doesn't mean they comply with the residential tenancy act. Half of houses have been constructed in blockwork on a concrete slab with sheet metal roofing material. The remaining half were steel framed elevated structures with sheet metal roofing material.

Urgent and immediate issues

Refer to the individual housing reports in the appendices for evident WHS or OHS issues and urgent and immediate repair issues. When urgent and immediate issues were identified during an inspection, tenants were advised to raise the issues with the relevant service provider.

Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Smoke alarms

Of the houses surveyed internally in Mulggan, 7 were identified as having non-serviceable smoke alarms.

Flooding

None of the houses in Mulggan are said to flood, however severe flooding during the wet season drove other people from the surrounding areas to seek shelter at Mulggan. As a result, the increased volume of visitors increases the strain on housing and amenities at Mulggan.

Visitors

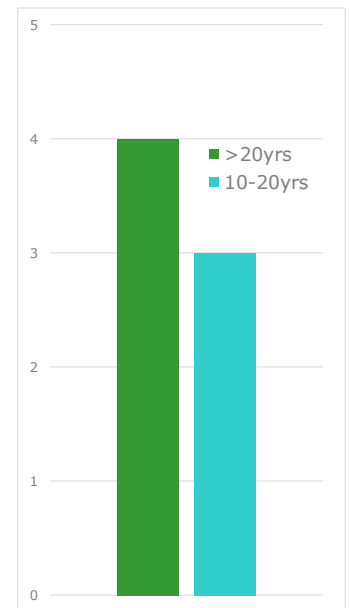
4 houses in Mulggan had visitors ranging from 5 visitors to 2, per house. As noted in the section above, the wet season brings a large increase in visitors. Mulggan has an emergency shelter, however this cannot accommodate all of the visitors. People bring their caravans or build tents. Only a few of these structures are connected to potable water supply and/or electrical power source.

Overcrowding

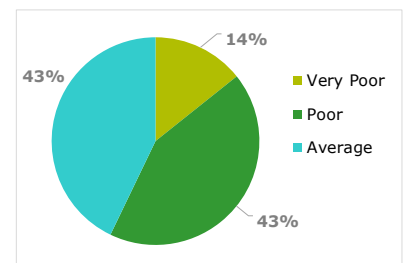
The surveys revealed that overcrowding is an issue as there are more than 2 permanent resident adults per bedroom.

Amenities

A snap shot of the community shows that on average there are 2.5 residents per bedroom and 5.3 per toilet. The residence which contained 5 visitors was a



Mulggan - Age of housing Stock



Mulggan - Condition Summary

³⁴ A list of funded dwellings, provided by The Department of Housing and Community Development, has been included in the appendices.

three-bedroom home with fourteen permanent residents, resulting in 6.3 people per room and 19 people per toilet which would present significant strain on the amenities. These would generally be considered inappropriate.

Disabilities

Of the residents recorded, 2 residents were listed as having disabilities. 2 of the houses in Mulgga had ramps and only 1 was identified as having grab rails in wet areas.

Asbestos

As more than half of houses were reported to be over 20 years old, the presence of asbestos is likely. 7 houses were listed as likely to contain asbestos. This material is considered safe if it is not disturbed.

Security

Of the houses we gained access to, 3 did not have serviceable doors and 5 did not have serviceable windows. The majority of houses in Mulgga were surrounded by a fence and most were in a very good condition.

Recommended Works

The houses in Mulgga are of a very poor to average standard. The cleanliness of the properties also presents as serious concern from a health and wellbeing perspective. It is proposed that all existing housing stock be refurbished or renovated to meet the standards of the Residential Tenancy Act. Once the houses have been brought to standards a maintenance plan needs to be implemented to prevent the standards from dropping below the acceptable limit.

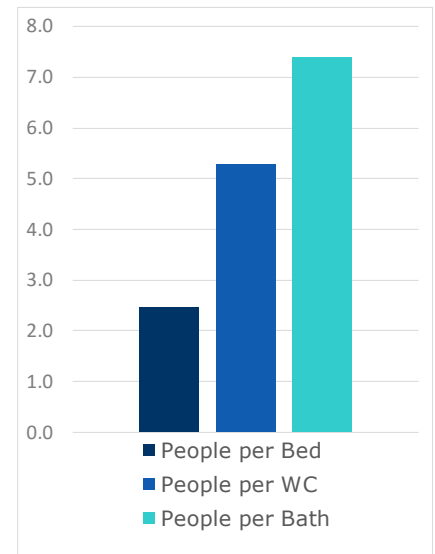
The estimated cost to upgrade the current housing assets in Mulgga to meet the standards of the Residential Tenancy Act, is \$1,188,145. This includes margins, adjustments and GST. Refer to Appendix C for the complete costing report.

It has been identified that, in addition to the current housing stock, 5 additional new houses are required to accommodate the permanent Town Camp residents. The estimated cost for the new houses is \$4,621,063. The total cost for Mulgga to meet future demands is \$5,809,208.

Asbestos recommendations

We highly recommend that a specific asbestos inspections be performed to ensure the safety of residents.

For future works or maintenance contractors should be made aware there is a likely presence of asbestos before commencing any works to residences that were constructed prior to it being banned for use in the building industry. Contractors should refer to the HOW TO MANAGE AND CONTROL ASBESTOS IN THE WORKPLACE Code of Practice published by Safe work Australia. It is recommended that the materials be identified and houses labelled with appropriate warnings, as occupants and trespassers of the dwellings have been engaged in destructive activities that have disturbed the materials such as pulling down ceiling linings and pulling up asbestos floor tiles.



Mulgga - Amenities

Economic Development

<p>Social issues and themes voiced by residents</p>	<ul style="list-style-type: none"> • Housing and infrastructure in poor condition, particularly drainage • Over-crowding • Residents don't want to move • Transient visitors who are often stranded • Drinking and violence • Welfare dependent community
<p>Economic Development Opportunities</p>	<p>The economic development opportunities are currently Town Camp services and pooled employment services. There are opportunities for residents to be employed within the tourism industry in the area with tourist traffic visiting Mataranka. Indigenous residents could play an important role in this sector with the right investment into the appropriate long term support and development.</p> <p>Government run employment programs have high levels of participation at Mulgga and this relationship with the service provider Roper Gulf regional council has the potential to impart long term skills to residents. This is currently constrained by the difficulty in the leaseholder group to be contacted for any decision making which among other factors has prevented the development of tenancy management at Mulgga.</p> <p>The Community Development Programme (CDP) is government funded and provides an avenue to indigenous employment. In order to develop more comprehensive employment opportunities we recommend that funding and private development contracts should include enforceable training and Indigenous employment clauses with set parameters to impart lasting skills onto local residents.</p> <p>For detailed rationale and recommendations see the Economic Development section of the report.</p>
<p>Economic Aspirations</p>	<p>The economic aspirations of the Town Camps residents is restrained by more essential needs. Residents are primarily seeking quality housing that can be controlled.</p>
<p>Investment Opportunities</p>	<p>Any private investment requires certain criteria to be filled before investment opportunities will realistically be pursued. This criteria includes:</p> <ul style="list-style-type: none"> • Certainty of ownership • Commercially viable income streams • Active market for any equity interests <p>When the above criteria is satisfied financial institutions and investors are in a position to provide financial and investment opportunities.</p> <p>The Mulgga currently does not meet the criteria for private investment opportunities into housing or infrastructure. The land and leasing structure provides no certainty of ownership. The difficulties in obtaining contributions from residents' means that potential income streams are not commercially viable. The leasing structure also makes active markets for any equity interest highly unlikely.</p> <p>It is unlikely that there will be private sector investment until there are changes that impact upon the above criteria.</p>
<p>Home Ownership Opportunities</p>	<p>Currently, there are no pathways to home ownership for residents within Mulgga. The land and leasing structure makes it challenging for even the most informed organisations to successfully secure subleasing let alone individual residents. Further there are a number of additional considerations that need to be made prior to any lease amendment. For specific considerations and recommendations regarding the leasing structure refer to the Land Tenure, Leasing and Legislation summary above.</p> <p>Aside from the leasing structure there are a range of economic constraints that further restrict a pathway to home ownership for residents. Within Town Camps there is limited financial contributions by residents and limited control over tenancies. This provides minimal</p>

incentive to invest or purchase a house and as such results in there being no active market for Town Camps, which further dis-incentivises investment. For specific consideration of establishing a pathway to home ownership see the Economic Development section of the report.

Governance

<p>Governance Structure</p>	<p>The governance structure for Mulgga is limited. The leaseholder and the service provider are not the same. Many of the residents do not have connect or relationship with Mataranka Aboriginal Land Trust which makes governance quite difficult. Roper Regional Gulf Council also notes the difficulties in contacting the leaseholders which makes decisions virtually impossible.³⁵</p> <p>The current governance structure is understood as follows: The original leaseholder is the Mataranka Aboriginal Land Trust. No further leases exist and funding is provided by the Northern Territory Government to Roper Gulf Regional Council for the provision of essential services and repairs and maintenance to the Town Camps.</p> <p>This governance structure is characterised by confusion and unnecessary complication that does not afford residents the ability to control their own space and the assets located within the Town Camp. It is recommended that the leasing structure be simplified across all Town Camps by empowering Town Camps residents to take control of their own space through the formulation of a regional body representative of the Town Camps residents. This can enable for the design and implementation of sustainable maintenance programs.</p> <p>It would then be appropriate for this regional body to use the funding to employ service providers that provide tenancy management, repairs, maintenance, municipal services and essential services. All of the governance and service providers need to have a clear connection to the local communities in order for them to be effective.</p> <p>It is recommended there is the creation of a Central NT Government Division which assists with advice and the distribution of government funding to the regional body. The Central Division would provide support, oversight and governance for the regional body.</p> <p>For detailed rationale and recommendations see the Governance section of the report.</p>
<p>Service Delivery Payment Arrangements</p>	<p>Tenancy management is not occurring at Mulgga by either the original leaseholder or the service provider.³⁶ Town Camp residents are typically residing in houses for free, with no rights or responsibilities.</p> <p>The camp has approximately 50 residents, 4 of which are contributing to the payment of rent through fortnightly Centrelink deductions to the service provider.³⁷ The payment is clearly for the provision of services however, the service provided is not aware of the basis for the calculation of the funds collected.³⁸</p>
<p>Essential Services Payment Arrangements</p>	<p>Residents do not contribute anything to the payment of essential services.³⁹ This get billed to Roper Gulf Regional Council who has no way to on-charge these costs to residents. The water bills at Mulgga have been flagged as substantially high which often erodes the majority of the essential services funding provided to Roper Gulf. Excess bills for essential services are paid by Roper Gulf Regional Council.⁴⁰</p>

³⁵ This information was provided in consultation with Roper Gulf Regional Council

³⁶ This information was provided in consultation with Roper Gulf Regional Council

³⁷ This information was provided in consultation with Roper Gulf Regional Council

³⁸ This information was provided in consultation with Roper Gulf Regional Council

³⁹ This information was provided in consultation with Roper Gulf Regional Council

⁴⁰ This information was provided in consultation with Roper Gulf Regional Council