



## Central Land Council input to Northern Territory Government Infrastructure Audit

12 September 2022

### Introductory Comments

While an audit of infrastructure is a necessary step in the process of addressing lack of infrastructure in central Australia, it should be noted that our deficits are enormous and prohibitively challenging and reflect ongoing neglect, particularly over the past decade. There appears to have been limited political resolve, financial commitment or strategic engagement with Aboriginal communities.

Central Australia is very different from Top End or Coastal communities. In the Central Land Council's view, a radical new approach is required if we are to make any dent in the backlog of urgent and important needs.

We need a good evidence-based policy framework that sets us up to deliver essential infrastructure—including housing, water and sewerage, reliable power, decent roads, green space and other civic services that support appropriate first-world community living conditions and underpin the future for our young people. Central Australian Aboriginal people need attention and real help, to bring us up to a level that is even close to equivalent with mainstream Australia.

We need investment in infrastructure based on real demographic information.

We need a genuine commitment to community planning, spanning both Homelands and communities.

We need to involve Aboriginal people at all stages of planning and development. There is a need to address the loss of community councils and the way it leaves our people with a real gap in knowledge, understanding and agency. Aboriginal people should be central to planning new infrastructure and at the decision making table.

Most importantly, we need investment. An Independent Central Australian Infrastructure Investment Fund—real infrastructure investment, spent strategically. Central Australia needs a commitment to reconstruction, similar to a post-war or Cyclone Tracey approach. This will address current needs and future proof the region.

### **1. Does the infrastructure currently serving your region meet the current community needs?** Please describe any concerns or issues.

The Central Land Council supports our 24,000 members living in 35 communities across nine sub-regions in Central Australia, the Barkly and Big Rivers regions of the NT and members from many smaller outstations. Infrastructure needs in most communities fall short of meeting standards considered appropriate or acceptable in a regional and urban setting. It is the CLC's view that the remote infrastructure needs of Aboriginal communities and homelands across the NT are beyond the capacity of the NT Government to fund alone.



In the short term, to address this problem we advocate for a scaling up of the NT National Remote Housing Partnership Agreement (NPRHNT) when the current NPRHNT expires in mid-2023 to guarantee that the NT meets the Closing the Gap overcrowding target of 18% by 2031. To ensure delivery based on the essential infrastructure policy framework referred to earlier, we call for the establishment of a new remote infrastructure funding partnership agreement between the Australian and Northern Territory governments that can meet the current and future need for essential service infrastructure across NT communities and homelands. Meeting those needs is critical to achieving a range of closing the gap targets and ensuring equity of access to essential services taken for granted by urban and regional Australians.

## Housing

The NPRHNT is a 5-year agreement with a combined \$1.1 billion from the NT and Commonwealth Governments that ends in mid-2023. The aim of the partnership is to reduce overcrowding in 73 remote communities by an average of 22% in each community.

To date the agreement has delivered an additional 1,454 bedrooms but the proportion of overcrowded homes has dropped by only 3.1% from 58.1% to 55%<sup>1</sup>. This leaves the NT a long way from achieving the National Closing the Gap of reducing overcrowding to 18%.

The *Remote Housing Review (2017)*, estimated 5,500 remote homes were still needed nationally at the end of the \$5.4 billion NPARIH Strategy. It also identified that half of these (approx. 2,750) would be needed in the Northern Territory alone to reduce overcrowding to acceptable levels.<sup>2</sup>

At 31 July 2022, with just eleven months remaining of the current NPRHNT, the CLC estimates that (based on figures provided in the NPRHNT Evaluation) \$200 million will be needed each year from mid-2023 to:

- i. build 2,000 new houses
- ii. upgrade 4,000 existing houses
- iii. maintain all remote housing in accordance with the 9 Healthy Living Practices

In real terms there are just ten fewer overcrowded homes than there were when the current remote housing partnership agreement commenced in 2018. There is still considerable work to be done to reduce overcrowding and thereby improve health and wellbeing and education outcomes for remote Aboriginal Territorians in line with Closing the Gap. The Commonwealth has a unique relationship with the Aboriginal people of the Northern Territory and with that

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<sup>1</sup> Northern Territory Government, Out Community Our Future Our Homes: website: <https://ourfuture.nt.gov.au/> September 2022

<sup>2</sup> Commonwealth of Australia, Department of the Prime Minister and Cabinet, Remote Housing Review: A review of the National Partnership Agreement on Remote Indigenous Housing and the Remote Housing Strategy (2008-2018) Commonwealth of Australia, Department of the Prime Minister and Cabinet, Remote Housing Review: A review of the National Partnership Agreement on Remote Indigenous Housing and the Remote Housing Strategy (2008-2018), p.2



comes a responsibility for long term resourcing and support. The unique circumstances of the Northern Territory warrant ongoing and increased Commonwealth commitments.

With respect to infrastructure needs, remote housing need in the NT is far greater than any other jurisdiction in Australia with a homelessness rate 15 times the national average and, as noted above, 55% of Aboriginal people in remote communities living in overcrowded conditions. The continuation of Commonwealth support for remote housing in the NT is of paramount importance with CLC's expectation being that a new and more significant remote housing partnership agreement will be developed with NT Land Councils and other indigenous housing stakeholders to replace the current agreement in mid-2023.

### **Homelands Essential Services**

Commonwealth funding for remote outstation municipal and essential services ended in 2015-16 when the Commonwealth with a one-off final payment of \$154.8 million in 2015-16 to the Northern Territory Government (NTG). Since that time the NTG has run a Homelands program for the provision of those services through contracted providers. Despite that one-off investment the level of funding available to individual homelands is small and restricted. To be eligible for the program a homeland must already:

- have a sustainable, potable water supply;
- have a water supply in operating condition;
- have its own operating power supply;
- have safe and secure housing;
- be accessible;
- be the principal place of residence; and
- a service provider, recognised under the Homelands Program, must be willing to undertake the responsibility for servicing the homeland and be able to deliver services in a safe environment.<sup>3</sup>

In some instances the lack of a funded service provider means many homelands, even if eligible for funding, are unable to access that service.

Despite the large resident population on homelands there is currently no funding from either the NTG or Commonwealth for new housing on homelands. Much of the existing housing and infrastructure installed under ATSIC has fallen into a state of significant disrepair. In response to high demand for homelands housing following the 2018 NT Homelands Review, the former NT Minister for Remote Housing and Homelands, Chansey Paech established a new Homelands Working Group and was also successful in calling for an election commitment from Labor for homelands housing. The Working Group has since supported the commissioning of an independent homelands infrastructure audit across a snapshot of 100 homelands. The report from the audit will provide an important indicator of the extent of

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<sup>3</sup> <https://nt.gov.au/community/local-councils-remote-communities-and-homelands/services-to-remote-communities-and-homelands>



homeland housing and infrastructure need and underpin future funding priorities and decisions.

In the lead up to the recent federal election the Labor Party made a commitment to funding \$10 million for homelands housing and infrastructure. This commitment has been restated now they have formed government. The CLC welcomes this commitment but we are also aware that the need is far greater than can be met with those funds. We recommend that homelands are formally recognised as part of the housing continuum irrespective of land tenure with ongoing and additional funding allocated as part of a future remote housing partnership agreements beyond mid-2023.

### **Remote Community Essential Services**

The delivery of essential services to remote NT communities and homelands, including power, water and sewerage is the responsibility of Indigenous Essential Services (IES). IES delivers these services to 73 remote communities and 79 outstations across the NT –to a total of approximately 39,000 customers. In 2020-21 Territory Families, Housing and Communities (THFC) allocated \$80.4 million for IES to provide electricity, water and sewerage services.

Despite this allocation, ageing essential service infrastructure in NT remote communities is a large scale and critical issue with significant budgetary implications for the NT Government. Issues range from inadequate sewerage systems, leaking water pipework, borefield replacement, low penetration of renewable energy and gaps in other essential services infrastructure to improve water availability and quality to meet standards enjoyed by urban Territorians.

In 2021, former Minister for Remote Communities and Homelands, Chansey Paech announced a \$28 million commitment over four years to improve water quality and supply in Laramba, Engawala, Yuendumu, Epenarra, Imanpa, Atitjere, Warruwi, Angurugu, Beswick and Numbulwar. This announcement was welcome and has enable commitments including a uranium filtration system in Laramba.

However, it is clear that the needs are far greater than the annual budget of \$80 million can address. For example, the Central Land Council has supported advocacy to the NTG and Commonwealth for repair of Ampilatwatja’s sewerage system and installation of critical drinking water infrastructure for Alpururulam. The following case studies provide important context for understanding the extent of remote infrastructure need and the costs associated with implementing significant but essential projects. The following case studies provide important context for understanding the extent of remote infrastructure need and the costs associated with implementing such significant but essential projects across the whole of the NT.



## 1. Ampilatwatja

Ampilatwatja community has experienced failing sewerage infrastructure for more than ten years. Despite a range of stop gap measures to try to address issues with the sewerage system, problems persisted and in 2020 local residents approached former federal Minister for Indigenous Australians, Ken Wyatt seeking his support to find and fund a permanent solution. The National Indigenous Australians Agency (NIAA) subsequently commissioned technical consultants, Ekistika to develop a scoping report. Ekistika found that “the failure of the existing septic tanks and absorption trenches have been well documented and communicated for over 10 years and action is strongly recommended to better protect residents from these public health risks.” Ekistika’s final recommendation is for installation of Calgon water softening treatment with a capital cost of \$93,000 and annual operating cost of \$50,000 and a fully centralised sewerage system with a capital cost of \$8.2 million and annual operating cost of \$464,223.

## 2. Alpururulam

Alpururulam residents with the assistance of Central Land Council, and cooperation and engagement with native title holders and pastoralists, have advocated for funding for a new borefield and associated water infrastructure to improve the community’s water quality and supply the Lake Nash homestead with solar power. The project is needed to address issues including drinking water that falls well short of the standards set by the Australian Drinking Water Guidelines. Alpururulam’s water is shown to exceed the Australian Drinking Water Guidelines for fluoride and the result is changes in the water’s appearance, taste, feel and odour.

While the community is reassured the water is considered safe to drink, its quality is very poor and has affected the acceptance of the drinking water with residents purchasing water at the store or turning to sweetened drinks. In addition, the high calcium in the water has led to solar hot water services clogging and breaking (with residents often waiting months for tradesmen to come from Tennant Creek to fix them leaving them without hot water). The project has been costed by Power and Water Corporation at \$3.9 to 5 million. The community paid \$40,000 from its own leasing income to install a Calgon water softener and have set aside an additional \$100,000 for the water infrastructure. In 2020, CLC applied for Aboriginals Benefit Account (ABA) funds on behalf of the community and was successful in getting an additional \$4.4 million for the project. NIAA also provided an additional \$1 million to cover the rising cost of materials between the ABA application and the awarding of the grant. Unfortunately 12 years after advocacy for the project commenced there is still a gap of \$850,000.

The Alpururulam and Ampilatwatja essential service infrastructure needs are not unique but demonstrate the scale of infrastructure need across just two of the 73 remote communities and 79 homelands serviced by IES with an inadequate level of funding.



## Telecommunications

In 2021, CLC made a detailed submission to the Australian Government's *Regional Telecommunications Review*. In that submission and our more recent submission to the *Indigenous Digital Inclusion Discussion Paper, November 2021*, the CLC identified concerns with the persistence of a digital divide, with continuing disadvantage for our communities.

Digital Divide refers to the gap that persists between those sectors of the population who have good access to current digital technologies, and who are generally well informed, and prepared for emerging digital innovations, and the many Indigenous communities who do not have the same ease of access, or information and preparedness. In those submissions we drew particular attention to:

- Lack of provision of payphones in remote communities and town camps;
- Poor coverage of mobile phones to remote areas;
- Limited uptake of standard telephone services by Aboriginal consumers; and
- Limited access to, and uptake by Aboriginal communities to the rollout of broadband services.

It is this structural disadvantage faced by our communities in the digital era, with exclusion and inadequate provision of reliable infrastructure and services that contribute to the ongoing digital divide.

Furthermore, our submissions identified that while some communities have mobile phone and high speed data services as a result of the mobile blackspot program and other federal and territory government sponsored initiatives, many remote and isolated communities still rely on ageing and obsolete technology, such as High Capacity Radio Concentrator (HCRC) links to provide fixed telephone services and NBN satellite links to provide data services.

These technologies do not provide sufficient bandwidth to support video conferencing and other real-time applications that are being increasingly used to deliver health, education and social services. The variation in communications capability across communities means service providers need to restrain their digital service delivery approaches to suit the lowest level of connectivity in their service areas, thus limiting the opportunities to introduce telehealth, online learning and other high bandwidth dependent services that are vital to our communities' needs. This gap was highlighted by the challenges faced by secondary students forced to return home to remote communities during COVID lockdowns who struggled to continue their education because of connectivity issues.

The provision of infrastructure for telecommunications services is an essential prerequisite; however most Aboriginal residents in regional and remote areas of Central Australia face other barriers, including affordability (lack of), the lack of local access, and insufficient skills to benefit from the capacity available. Socio-economic circumstances including housing and other issues relating to disadvantage, and remoteness, preclude most Aboriginal peoples from subscribing to fixed telephone and broadband services at their residences, and they



rely on payphones, prepaid mobile services, community access facilities and public Wifi for local access. Dependence on shared public access facilities reduces convenience and utility, while prepaid mobile phone and data services are expensive and limit access for people on low incomes.

The necessary focus of government policy on prioritising telecommunications infrastructure investment in areas of the greatest demand and lowest cost to provision has benefited larger, and less remote communities. The challenge now is for governments to implement programs to connect smaller, and more isolated communities by focusing on inclusion and equity and rather than prioritising revenue generation and industry, co contributions to justify new investments.

## **Roads**

The condition and perceived safety of roads is a high priority for CLC members and these matters are, without exception, raised at every full Council meeting. With 75% of the NT road network unsealed, this presents a challenging infrastructure and funding challenge for the Northern Territory Government and Regional Councils.

Determining who is responsible for road infrastructure repair and maintenance can also be confusing for our members. The NTG manage and maintain major roads and main roads connecting communities. These roads include:

- Stuart Highway
- Tanami Road and Kintore Road
- Plenty Highway and Sandover Highway
- Lasseter Highway and Docker River Road
- Finke and Santa Teresa Roads
- Larapinta Drive
- Lajamanu Road and Buntine Highway.

IES is responsible for contracting homelands essential services and this includes road repair and maintenance. As outlined previously the funding available for a broad array of homelands essential services is small and road works are expensive which means many remain in a state of disrepair for long periods of time. In addition, those homelands not eligible for essential services funding may have no access to any road repair assistance unless it can be funded through community development projects utilising royalty or other land use or leasing payments.

The issue of road condition and safety comes up at each of our three annual full Council meetings of 90 delegates. At those meetings our nine regions meet separately to raise matters of concern for their region. At the Ampilatwatja meeting in 2020 and the Kalkarindji meeting in 2021 all but three regions raised concerns about the state of roads. Particularly outstation roads and backroads to communities. Most of the issues related to road condition, lack of repair and maintenance and safety including the need for installation of water points in case of vehicle breakdowns. Delegates also raised matters of concern about Homelands



Service providers not doing the work needed to maintain these roads or, alternatively the lack of any service provider.

Some of the specific issues raised at the two CLC Council meetings referred to above include:

- Jarra Jarra (ongoing issues with poor road condition on the road from Willowra to Jarra Jarra and on to the Stuart Hwy).
- Access road to airstrip in Mt Liebig and Haasts Bluff is really bad when it rains
- Back road to Nyirrpi. This road is wrecked. Can the mining company fix it?
- More road side stops on the Tanami road
- Epanarra Rd in poor condition
- Nyirrpi to Kintore road –safety issues
- Shelter, water and shade on Docker River Road

Following the 2007 Intervention, scores of community councils across the NT were replaced by mega-shires (now regional Councils), “Intervention powers were used to transfer buildings and municipal assets to the new Shires, leading to a collapse in local authority, employment and services.” The assets including critical plant and equipment were taken out of the hands of communities and to the new councils. This combined with the end of CDEP programs to take responsibility for remote road infrastructure repair and management away from local communities.

It is CLC’s view that future training and real employment opportunities will be generated by a careful transition back to Aboriginal Community Control maintenance and repair of this critical infrastructure. This would necessitate an increase in funding for that purpose as part of an overall boost in regional essential service funding for communities and homelands.

### **Climate Change and Remote and Urban Infrastructure**

Climate change will continue to have an impact on many aspects of remote life in the NT with implications for infrastructure. There is anecdotal evidence of increased seasonal mobility into regional centres during hot summer months. Focused research is needed to better understand changes in mobility patterns to assist in planning both urban and remote infrastructure.

With the exception of stores, schools and offices most communities lack shared spaces that are comfortable, spacious and air conditioned. This means that remote residents are effectively trapped in their home environment where air-conditioning may be non-functional, non-existent or limited to one living area. The NTG’s housing design guidelines<sup>4</sup> under the *Our Community Our Future Our Homes* housing program do not provide for landscaping for shade nor do they allow for more than two verandahs. This limit on passive cooling attributes forces people indoors to air-conditioned rooms during long hot summer months as there are few alternatives in communities. Worryingly the NTG has also recently rejected adopting the

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<sup>4</sup> [https://ourfuture.nt.gov.au/\\_\\_data/assets/pdf\\_file/0007/821581/capital-works-design-guidelines.pdf](https://ourfuture.nt.gov.au/__data/assets/pdf_file/0007/821581/capital-works-design-guidelines.pdf)





new National Building Code requirement for all new houses to be 7-Star rated. The current requirement of 5-stars is unacceptable in the context of climate change and in light of the fact that Housing SA is achieving 8 to 8.5 star rating with new housing on the APY Lands.<sup>5</sup>

Any increase in movement away from remote communities over summer will place additional strain on urban housing and town camps and highlights the need for more investment in suitable, family transitional accommodation. Provision of more communal, cool spaces in remote communities coupled with incorporation of more passive cooling feature in houses and surrounding gardens could combine to reduce that movement.

## **2. What are the opportunities for your region in the planning and delivery of infrastructure, and what are the drivers of these?**

The Central Land Council as a member of the Joint Steering Committee overseeing the implementation of the NT Remote Housing Partnership Agreement has participated in the process for reviewing the Community housing model for delivery of remote housing services. The CLC has contributed significant documentation to this review including a detailed discussion paper that describes remote housing systems under ATSIC and remote community councils and following the Intervention through the imposition of a public housing model. We have also developed a comprehensive document describing the key components of a future remote community controlled housing model and the essential framework that would need to be established to support that transition. Finally, we have developed a detailed Remote Community Housing Trial plan and we are currently in negotiations with the NTG and Remote Aboriginal community controlled organisations around a possible trial in our region.

The Central Land Council sees this transition as a critical driver in building the capacity of the Aboriginal community controlled housing sector to plan, design and support remote community housing infrastructure delivery, repair and maintenance at a regional level. This transition has the potential to improve Aboriginal engagement with housing, build capacity and create a pipeline of jobs in the housing sector particularly with respect to housing repair and maintenance and tenancy support.

## **3. What are the key infrastructure challenges or difficulties that your region is likely to face in the future, and what are the drivers of these?**

Consider whether the planned infrastructure is likely to meet future needs of your community. (*For example: builders may not be able to transport the necessary equipment to the community due to the road conditions*)

See above with respect to community housing and housing, roads, homelands and telecommunications.

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<sup>5</sup> Pers comm. Clayton Reeves and Philip Herse, Housing SA, 17 June 2022



**4. How do you identify and plan the infrastructure that your community needs?**

Is your organisation’s existing approach to infrastructure planning based on any defined service levels standards (or similar)? And if so, are these standards suitable and effectively used?

The Central Land Council works with a range of remote Aboriginal community committees and Traditional Owner groups to plan infrastructure needs that groups may choose to fund with a range of community development income streams. These income streams are derived from royalty payments, land use agreement payments, leasing income and parks rent and gate fees. These funds belong to Aboriginal people but are, increasingly being used to fund essential services that in a regional and urban context are the responsibility of government.

For example, in the past 5 years community development expenditure on homelands infrastructure has totalled: \$3,387,053.81.

<b>2017 - 2022</b>	
Homelands - Housing with Solar with Solar R&M/Upgrades	\$ 1,298,333.50
Homelands - Amenities with Solar R&M/Upgrades	\$ 87,942.00
Homelands Amenities - Inclusive of Car Removal, Ablution blocks & Sewerage, Bore camping ground maintenance	\$ 1,037,795.25
Homelands Waste Removal and Services	\$ 74,114.87
Homelands - Bore Water Supply and Reticulation	\$ 306,995.00
Homelands - Housing & Water	\$ 79,999.70
Homelands Bore Road Grading & Support	\$ 8,304.00
Homelands - Housing & Power	\$ 483,978.40
Homelands - Power Generators	\$ 9,591.10
<b>Total inc gst</b>	<b>\$ 3,387,053.81</b>

In addition, significant allocations of Aboriginal Benefit (ABA) funds have also been applied to fund homelands infrastructure. In 2018, \$15.75 million was made available and the CLC Executive resolved that 105 homelands would each be eligible for up to \$150,000 of support. The CLC Council selected priority homelands and CLC staff consulted each outstation developed project plans and costings. These were then provided to NIAA for contracting.



In November 2020, former Minister for Indigenous Australians, Ken Wyatt announced that an ABA stimulus package would be made available to the four NT Land Councils for economic stimulus but also for small-scale infrastructure projects to create jobs and improve the potential of Aboriginal land, such as fencing, water infrastructure and homelands upgrades. To date close to \$1.3 million has been allocated for homelands infrastructure projects from the ABA stimulus bucket.

While these allocations have been welcomed there are critical equity considerations to be considered when the funds are used to install much needed essential service infrastructure funded by governments in urban and regional contexts.