



## Royal Commission into Aboriginal Deaths in Custody Recommendation

### 73. Consideration of cultural needs in housing design

*That the provision of housing and infrastructure to Aboriginal people in remote and discrete communities, including the design and location of houses, take account of their cultural perceptions of the use of living space, and that budgetary allocations include provision for appropriate architectural and town planning advice to, and consultation with, the serviced community.<sup>1</sup>*

<b>Background<sup>2</sup></b>	<p>The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) emphasised the need for flexible and culturally inclusive housing policies that respect and reflect Aboriginal ways of living. The Commission highlighted that Aboriginal perspectives on housing differed significantly from Western models, particularly in how living spaces were used and valued. It found that housing policies based on Western notions of private, nuclear-family dwellings often conflicted with Aboriginal cultural practices, such as strong kinship ties, different privacy norms, spending substantial time outdoors, and customs like abandoning houses after a death.</p> <p>The RCIADIC highlighted the need for policies that respect and integrate the diverse cultural perspectives of Aboriginal communities, emphasising flexibility and inclusivity in housing design and accommodation approaches.</p>
<b>Intent</b>	Incorporate Aboriginal cultural perspectives into housing policies and design and budget for provision of architectural and planning advice to and consultation with the community.
<b>Responsibility</b>	The Commonwealth and all state and territory governments.
<b>Key contacts</b>	Homes Victoria, Department of Families, Fairness and Housing (DFFH); Aboriginal Housing Victoria (AHV).
<b>Key action taken</b>	
<b>2005 Review<sup>3</sup></b>	<p>The Department of Human Services assessed Recommendation 73 as <b>fully implemented</b>.</p> <p><b>Department of Human Services</b></p> <p>During 1997-98, the Victorian Government committed \$1 million to the Lake Tyers Aboriginal Community to build six family houses. The first house was completed in 2002 with a further three completed and handed over to the Community in 2004. The Aboriginal Community at Lake Tyers were consulted on all aspects of the buildings which included several meetings to ensure that the design and location of the housing best met the needs of the local community.</p>

<sup>1</sup> Royal Commission into Aboriginal Deaths in Custody (Final Report, 1991) vol 2, 434 ('RCIADIC').

<sup>2</sup> Ibid vol 2, 432-4 [18.3.1].

<sup>3</sup> Aboriginal Justice Forum (Vic), Department of Justice (Vic), *Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody* (Review Report, October 2005) vol 1, 184 ('2005 Review').

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	<p>The Department of Human Services (DHS) advised that Recommendation 73 had limited application in Victoria as properties managed by the Office of Housing and the Aboriginal Housing Board of Victoria were located in metropolitan Melbourne and regional areas. There were no properties located in isolated or remote communities.</p> <p><b>Victorian Indigenous Housing Joint Planning Committee</b></p> <p>In 2004, representatives from the Department of Family and Community Services, the Office of Housing, Aboriginal community organisations, Regional Councils and the Aboriginal Housing Board of Victoria conducted the first meeting of the Victorian Indigenous Housing Joint Planning Committee. This Committee aimed to improve housing outcomes for Aboriginal Victorians across a range of tenures and geographical locations including in Lake Tyers and Framlingham.</p> <p><b>Review Team</b></p> <p>The Review noted that DHS, in conjunction with other departments, had embarked upon a pilot program and subsequent program development at Lake Tyers Aboriginal Community involving housing and a range of related issues.</p>
<p><b>2018 Review<sup>4</sup></b></p>	<p><b>Commonwealth Government</b></p> <p>Deloitte determined that Recommendation 73 was <b>fully implemented</b> by the Commonwealth Government through National Partnership Agreements focused on improving housing and infrastructure and promoting culturally sensitive and inclusive town planning for Aboriginal and Torres Strait Islander communities. This included earlier bilateral agreements administering the Aboriginal Rental Housing Program, followed by the National Partnership Agreement on Remote Indigenous Housing, which addressed poor housing conditions, overcrowding and homelessness. In 2016, this was replaced by the National Partnership on Remote Housing, with a stronger focus on housing sustainability and employment opportunities for Aboriginal people, alongside the National Partnership Agreement on Remote Service Delivery, which changed the service delivery model for remote Aboriginal and Torres Strait Islander communities.</p> <p><b>Victorian Government</b></p> <p>Deloitte concluded that Recommendation 73 was <b>fully implemented</b> as the Victorian Government transferred \$500 million of social housing assets to Aboriginal Housing Victoria (AHV) with the aim of improving the cultural appropriateness of housing.</p>
<p><b>Since then</b></p>	<p><b>Department of Families, Fairness and Housing<sup>5</sup></b></p> <p>The department noted several programs and funding initiatives related to the provision of housing and infrastructure. Initiatives with information relating to Aboriginal community engagement on location and design of housing are:</p>

<sup>4</sup> Deloitte Access Economics, Department of Prime Minister and Cabinet, *Review of the Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody* (Report, August 2018) 148-149 ('2018 Review').

<sup>5</sup> Homes Victoria, 'Review of Housing Recommendations from the Royal Commission into Aboriginal Deaths in Custody' (Response to AJC Request).

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### The Big Housing Build

Ten percent net of the Victorian Big Housing Build is allocated to housing for Aboriginal people to increase access to social and affordable housing options. The delivery approach is being guided by Aboriginal self-determination principles.

### Social Housing Growth Fund

The Homes for Aboriginal Victorians grant round in combination with the Mental Health Supported Housing round and regional round aim to deliver 420 new homes for Aboriginal people in Victoria. Through this fund, Aboriginal organisations are eligible to apply either in partnership with a housing agency or become a registered housing agency under the *Housing Act 1983* (Vic).

### Community Housing Pathways Initiative

Provides a co-ordinated housing response for people exiting Victorian correctional facilities. Establishment of two positions within ACCOs to deliver culturally safe, tailored responses for Aboriginal people exiting correctional facilities.

### **Aboriginal Housing Victoria, Aboriginal Justice Housing Solutions Plan<sup>6</sup>**

The plan discusses the lack of culturally appropriate housing, and names various cultural factors (i.e. having family and cultural obligations) that make available housing ill-suited to meet the needs of Aboriginal tenants. It does not provide further detail on issues with how housing is planned, funded and designed by government agencies, but recognises that despite the government handing \$500 million worth of existing housing stock over to Aboriginal Housing Victoria (AHV) to manage, it is insufficient to meet Aboriginal community needs or ensure that it is culturally appropriate.

## Evidence of impact

### Authorising<sup>7</sup> Document

### **Mana-na woorn-tyeen maar-takoort - Every Aboriginal Person has a Home**

In 2020, the Victorian Aboriginal Housing and Homelessness Framework (VAHMF) was launched with the goal of ensuring quality housing outcomes for all Aboriginal people in Victoria within a generation. It serves as a blueprint for collaboration between government and the Aboriginal housing sector, facilitating the transition of power and responsibility to communities to address their housing needs. The VAHMF outlines a 20-year plan to reform policies and address specific housing needs, with governance arrangements involving Aboriginal Community Controlled Organisations (ACCOs) and Traditional Owners.

The VAHMF 5-year implementation plan focuses on expanding the sector's capacity and identifying housing priorities across various government portfolios affecting Aboriginal communities, such as justice, child protection, family violence, disability and elder care.

<sup>6</sup> Aboriginal Housing Victoria, 'The Aboriginal Justice Housing Solutions Plan '.

<sup>7</sup> Aboriginal Housing and Homelessness Forum (AHHF), Aboriginal Housing Victoria, *Mana-na Woorn-tyeen maar-takoort: Every Aboriginal Person Has A Home* (The Victorian Aboriginal Housing and Homelessness Framework, 2020) ('Mana-na Woorn-tyeen maar-takoort').

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<p><b>Outputs</b></p>	<p>The Department of Families, Fairness and Housing (Homes Victoria) reported several key initiatives supporting Aboriginal housing. This includes allocating 10 per cent of the Big Housing Build to Aboriginal communities, guided by self-determination principles, and delivering 420 new homes through the Social Housing Growth Fund. The Community Housing Pathways Initiative provides housing support for individuals exiting prisons, with two ACCO positions focused on culturally safe transitions. Additionally, the Mana-na woorn-tyeen maar-takoort framework aims for long-term housing outcomes, emphasising community-led decision-making and strategic planning over the next 20 years.</p>
<p><b>Outcomes</b></p>	<p>Homes Victoria within DFFH provided data from The Big Housing Build indicating that to March 2024, 314 Aboriginal households had been housed, with 60 of them managed by AHV. DFFH noted that implementation efforts related to the framework are monitored through the VAHHF Annual Report Card, a collaborative effort between the Victorian Aboriginal community, led by AHV and the State Government.<sup>8</sup></p>
<p><b>Community views</b></p>	<p><b>Darren Smith, CEO, Aboriginal Housing Victoria<sup>9</sup></b></p> <p><i>Aboriginal Housing Victoria is not just a housing provider; we are the custodian of housing assets for the Aboriginal community... This transfer of title ensures that Aboriginal Housing Victoria is in the best place to align our housing assets to the needs of the Victorian Aboriginal community in the long-term.</i></p> <p><b>Aboriginal Housing Victoria<sup>10</sup></b></p> <p>Members of the Looking Back, Moving Forward project and Aboriginal Housing Victoria (AHV) teams met in July 2024 to discuss implementation of this recommendation. AHV noted the:</p> <ul style="list-style-type: none"> <li>• Absence of remote housing in Victoria, but difficulties in providing sufficient regional and rural housing to meet the needs of Aboriginal families and individuals.</li> <li>• Broad engagement with Aboriginal communities and perspectives that occurs under Mana-na woorn-tyeen maar-takoort to inform decisions around location of housing and type of accommodation required (one, two, three-bedroom properties etc.).</li> <li>• Absence of specific guidelines/approaches for engaging Aboriginal communities in the design of housing to ensure homes reflect cultural perceptions of the use of living space and enable cultural obligations to be met (i.e. fire pits, sufficient rooms to support kinship care obligations to be met, or flexible floorplans so that family/community members can stay when visiting regional or metropolitan centres to access Aboriginal support services).</li> <li>• Support for ACCOs to become registered housing providers so that they can access State and Commonwealth funding for housing and have a greater say in the design and development of housing proposals. At the time of discussion AHV and Rumbalara Aboriginal Cooperative were the only two registered Aboriginal Housing Providers.</li> </ul>

<sup>8</sup> Homes Victoria, 'Review of Housing Recommendations from the Royal Commission into Aboriginal Deaths in Custody'.

<sup>9</sup> Victorian State Government, 'Next Stage of Aboriginal Housing Handover Commences' (Media Release 23 July 2017) <<https://www.premier.vic.gov.au/next-stage-aboriginal-housing-handover-commences>>.

<sup>10</sup> Meeting with Aboriginal Housing Victoria (Project Team, 22 July 2024) ('Meeting with AHV').

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- Examples of ACCO-led housing projects that reflected broader community needs are the elders villages in Ballarat (Ballarat and District Aboriginal Cooperative) and Robinvale (Murray Valley Aboriginal Cooperative), Village 21 developments in Frankston (Victorian Aboriginal Child and Community Agency), Gippsland (Gippsland and East Gippsland Aboriginal Cooperative) and Shepparton (Rumbalara Aboriginal Cooperative) and Kids Undercover developments that ensured Aboriginal children and young people were able to live on properties with their extended family.

### Related recommendations

None identified.

### Assessment summary<sup>11</sup>

Recommendation 73 intended for Aboriginal perspectives to be incorporated into housing policies and design, as well as budget for provision of architectural and planning advice to, and consultation with, the Community.

While the Department of Families, Fairness and Housing (DFFH) has implemented several initiatives to enhance housing options for Aboriginal people in Victoria, gaps remain in fully aligning with this recommendation's intent. Programs like the Big Housing Build and the Social Housing Growth Fund have increased access to social and affordable housing and encouraged Aboriginal organisations to participate in housing provision. Additionally, the Mana-na woorn-tyeen maar-takoort framework facilitates engagement with Aboriginal communities to inform decisions on housing locations and types (e.g., one- to three-bedroom properties).

There is evidence of broad community engagement and Aboriginal Community Controlled Organisation (ACCO) led housing developments. This includes projects like elders' villages in Ballarat and Robinvale, Village 21 in various regions, and initiatives ensuring children remain with extended families through Kids Undercover. These demonstrate positive outcomes in meeting community needs.

However, there are notable gaps. The absence of specific guidelines for engaging Aboriginal communities in the design of housing limits the cultural appropriateness of these initiatives. Current efforts do not fully account for cultural requirements like fire pits, adaptable floorplans for kinship care, or spaces to accommodate visiting family members accessing services in urban areas. While support for ACCOs to become registered housing providers exists, only two (Aboriginal Housing Victoria (AHV) and Rumbalara) were registered at the time, indicating limited representation in decision-making over housing design.

*We've got the issue across the board with houses not built for suitability. Houses are not built for people that have children with neurological disabilities. Here in the West, they built brand new houses, however it wasn't to the standard that should have been required by government. In one case, the heater wasn't working, there were slippery floors in the bathroom, and the oven was too close to the wall. Technically, under the VCAT laws the house is condemned, but an Elder is still living in it. It was like a Lego home. (Kooramyee Cooper, former Chairperson, Western Metropolitan RAJAC)*

Recommendation 73 remains highly relevant as there continue to be significant issues with homelessness and housing access among Aboriginal communities in Victoria. While there are some positive examples of housing

<sup>11</sup> Meeting with Aboriginal Justice Caucus Working Group (Project Team, Online, 24 July 2024) ('Working Group Meeting (24 July 2024)'); Meeting with Aboriginal Justice Caucus (Project Team, In person, 12 February 2025) ('Aboriginal Justice Caucus Meeting (12 February 2025)').

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projects that reflect Aboriginal community engagement, these are limited in scale and do not cover all regions. The lack of comprehensive and consistent implementation across the state indicates that further efforts are needed to ensure culturally appropriate housing options. This recommendation remains a high priority for further work, especially to expand these initiatives to more areas and improve housing outcomes and self-determination for Aboriginal communities.

### Assessment of Recommendation 73

**Is the intent of the recommendation accurately described?**

Yes  No

**Does the action taken align with the intent of the recommendation?**

0 – No action taken

1 – Action taken is of little relevance to the intent of the recommendation

2 – Action taken partially aligns with the intent of the recommendation

3 – Action taken fully aligns with the intent of the recommendation

**1.5**

(Score out of 3)

**Is there evidence of the desired impact or outcome/s?**

0 – No evidence

1 – Evidence of output rather than outcome

2 – Some evidence action contributed to outcome/s

3 – Clear link between action and impact or outcome/s

**2**

(Score out of 3)

**How relevant is the recommendation in the current context?**

0 – No relevance – refers to practices, agencies or laws that no longer exist

1 – Low – some relevance, but most aspects of the recommendation no longer apply

2 – Moderate – remains relevant, but some aspects of recommendation no longer apply

3 – High – entirely relevant to current context

**3**

(Score out of 3)

**Does full implementation have the potential to reduce incarceration, increase safety in custody and/or progress Aboriginal self-determination?**

0 – No potential to improve Aboriginal justice outcomes

1 – Low – potential to improve Aboriginal justice outcomes, but none of the three identified

2 – Moderate – potential to progress one or two of the outcomes identified

3 – High – potential to reduce incarceration AND increase safety in custody AND self-determination

**2**

(Score out of 3)

### Potential actions for further work

#### Expanding housing initiatives statewide

Broaden the reach of existing successful projects (e.g. Elders' villages, Village 21) to cover both regional and metropolitan areas, ensuring consistent access to culturally appropriate housing for Aboriginal communities across Victoria.

#### Enhancing community engagement

Develop specific guidelines for engaging Aboriginal communities in the design of housing to better reflect cultural needs, including flexible living spaces to accommodate kinship care and community visitors, and culturally significant features like fire pits.

### Increasing support for ACCOs to become registered housing providers

Provide more support for Aboriginal Community Controlled Organisations (ACCOs) to become registered housing providers, enabling them to access State and Commonwealth funding. This would strengthen their role in designing and delivering housing solutions tailored to community needs.

### Reviewing sustainability and long-term outcomes

Conduct reviews of existing housing projects to assess their long-term sustainability, cost-effectiveness, and environmental impact, ensuring they continue to meet community needs effectively.

### Advocating for broader definitions of remote communities

Engage with the Commonwealth to revisit definitions of 'remote' to include isolated regional areas in Victoria, allowing these communities to access additional housing and infrastructure support currently limited to more traditionally remote regions.

## High priority for further work

### Relevance and potential impact

		Low (0-2)	Moderate (3-4)	High (5-6)
Extent of action taken and evidence of outcomes	High (5-6)			
	Moderate (3-4)			Rec 73
	Low (0-2)			

## Bibliography

- Aboriginal Housing and Homelessness Forum (AHHF), Aboriginal Housing Victoria, *Mana-na Woorn-tyeen maartakoort: Every Aboriginal Person Has A Home* (The Victorian Aboriginal Housing and Homelessness Framework, 2020)
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- Homes Victoria, Fairness and Housing Department of Families 'Review of Housing Recommendations from the Royal Commission into Aboriginal Deaths in Custody' (Response to AJC Request, 27 February 2024)
- Royal Commission into Aboriginal Deaths in Custody* (Final Report, 1991)
- Victorian State Government, 'Next Stage of Aboriginal Housing Handover Commences' (Media Release 23 July 2017) <<https://www.premier.vic.gov.au/next-stage-aboriginal-housing-handover-commences>>