



Royal Commission into Aboriginal Deaths in Custody Recommendation

76. Housing as a determinant of health, as per UPK Report

That the integrated analysis of infrastructure, housing, essential services and health as illustrated by the Nganampa Health Council's Uwankara Palyanyku Kanyintjaku (UPK) Report be considered as a model worthy of study and adaption for the development of community planning processes in other States and areas.¹

Background²	The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) highlighted the need to respect Aboriginal cultural views of domestic space while addressing poor housing and infrastructure. It endorsed the Nganampa Health Council's survey as a model for linking housing, water and waste systems, population pressures and health. The Uwankara Palyanyku Kanyintjaku (UPK) Report emphasised the relationship between improved housing and living conditions and better health outcomes.
Intent	Consider the UPK Report as a model for integrated analysis of infrastructure, housing, essential services, and health for community planning processes.
Responsibility	The Commonwealth and all state and territory governments.
Key contacts	Homes Victoria, Department of Families, Fairness and Housing; Department of Transport and Planning; Aboriginal Housing Victoria.

Key action taken

2005 Review³	<p>Recommendation 76 was not assessed. It was deemed the sole responsibility of the Commonwealth Government in the Victorian Government 1996-97 Implementation Report.</p> <p>Review Team</p> <p>The Review Team did not agree that integrated analyses of infrastructure, housing, essential services and health were not relevant to Victoria, citing Lake Tyers as an example.</p> <p>At the time of the 2005 Review, between 120 and 150 people resided on approximately 4000 acres belonging to the Lake Tyers Aboriginal Trust (the Trust). Whilst not considered remote, the community was isolated due to its geographical location, lack of access to public transport and limited access to 'off-site' services.</p> <p>In 2003 the situation on the Trust became very difficult. In addition to concerns around governance and management issues, most State and Commonwealth Government agencies withdrew from on-site service delivery to the Lake Tyers community.</p>
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¹ Royal Commission into Aboriginal Deaths in Custody (Final Report, 1991) vol 2, 462 ('RCIADIC').

² Ibid vol 2, 459-462 [18.8].

³³ 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, 191-192 ('2005 Review').

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	<p>At the request of the 'Trust Aunties' a partnership between the Trust and Victorian Government commenced in 2005 to deliver a decade long Community Renewal Program. The Department of Justice worked to ensure whole of government commitment to this 10-year renewal program. A committee comprising Trust residents, State and Commonwealth public servants was established to facilitate community participation and engagement in the planning, development, delivery and monitoring of the Community Renewal Program, which aimed to address a range of governance, social, economic and community issues.⁴</p>
2018 Review⁵	<p>Commonwealth Government</p> <p>Deloitte found the Commonwealth Government had fully implemented Recommendation 76 through national strategies to improve housing and Aboriginal health outcomes. The Aboriginal and Torres Strait Islander Commission (ATSIC) endorsed the UPK findings incorporated them into ATSIC-funded projects. The National Indigenous Housing Guide provided advice to support the design, construction, and maintenance of safe, healthy housing for remote communities. It was included in the National Partnership Agreement on Remote Indigenous Housing and updated as needed.</p> <p>Victorian Government</p> <p>Deloitte concluded that Recommendation 76 was fully implemented through the Victorian Government's incorporation of relevant principles and coordinated approach to Aboriginal health and wellbeing issues under the Aboriginal Health and Wellbeing Strategic Framework.</p>
Since then	<p>Lake Tyers 10-year Community Renewal Plan⁶</p> <p>The Lake Tyers Aboriginal Community is one of only two discrete Aboriginal communities in Victoria. The Aunts of Lake Tyers were inducted into the Victorian Indigenous Honour Roll in 2005 for their instrumental work in the construction of a community health centre and in helping Lake Tyers residents access more health services at the Bairnsdale Hospital.</p> <p>The Aunts played a major role in providing children's services and developed a Breakfast and After School Activities Program for primary and secondary students to reduce absenteeism rates. They built links with Victoria Police and started a community safety committee in response to local people's concerns about safety and community violence.</p> <p>Most importantly, they played a critical role in stabilising a local community under extraordinary pressure and developing the Lake Tyers 10-year Community Renewal Plan.</p> <p>Evaluation of Lake Tyers 10-year Community Renewal Program⁷</p> <p>The Victorian Government engaged EMS Consultants from 2004 to evaluate this project over ten years. The initial formative evaluation' included: an audit of State and Commonwealth</p>

⁴ Lake Tyers Aboriginal Trust, 'IDC Report', *Lake Tyers Aboriginal Trust* (Web page, July 2024)

<https://www.laketyersaboriginaltrust.com.au/index.php?option=com_content&view=article&id=7&Itemid=13> ('IDC Report').

⁵ 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) 154-155 ('2018 Review').

⁶ Victorian Government, 'The Aunts of Lake Tyers', *VIC.GOV.AU* (Webpage, July 2024) <<https://www.vic.gov.au/aunts-lake-tyers>> ('The Aunts of Lake Tyers').

⁷ <https://www.emsconsultants.com.au/departments-of-justice/>

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government services and programs provided to Lake Tyers' residents; a community survey to capture demographic, health and wellbeing information, and insights into resident satisfaction with services, programs and infrastructure; an audit of non-residential buildings and infrastructure and community meetings to determine views of critical and priority issues. This baseline data was used to inform the 'whole of government' strategic and service response to priority issues.

Follow-up evaluations focusing on progress and providing ongoing recommendations to improve the impact of the Renewal Project were undertaken in 2007 and 2009 with the final evaluation taking place in 2015.

Department of Families, Fairness and Housing (Homes Victoria)⁸

The Department of Families, Fairness and Housing (DFFH) provided the same response for several recommendations covering many initiatives related to the provision of housing and infrastructure. The most relevant information is below, but appears of limited relevance to the integrated analysis of infrastructure, housing, essential services and health:

The Big Housing Build

Ten percent of net funding for the Big Housing Build is dedicated to housing for Aboriginal people, expanding access to social and affordable housing, with delivery guided by Aboriginal self-determination principles.

Social Housing Growth Fund

The Homes for Aboriginal Victorians grant round, together with the Mental Health Supported Housing and regional rounds, seeks to deliver 420 new homes for Aboriginal people across Victoria. Under this funding, Aboriginal organisations can apply either in partnership with an existing housing agency or by becoming a registered housing agency under the *Housing Act 1983* (Vic).

Department of Transport and Planning⁹

The Department of Transport and Planning's response indicated that DFFH is responsible for housing policy and the delivery of social and affordable housing. It did not include commentary on community planning processes in Victoria.

Evidence of impact

Authorising documents

Mana-na woorn-tyeen maar-takoort - Every Aboriginal Person has a Home¹⁰

In 2020, the Victorian Aboriginal Housing and Homelessness Framework (VAHFF) was launched with the goal of ensuring quality housing outcomes for all Aboriginal people in Victoria within a generation. It is a blueprint for collaboration between government and the

⁸ Homes Victoria, 'Review of Housing Recommendations from the Royal Commission into Aboriginal Deaths in Custody' (Response to AJC Request).

⁹ Department of Transport and Planning (Vic), 'Response from the Department of Transport and Planning Regarding RCIADIC Recommendations. '.

¹⁰ Aboriginal Housing Victoria, Aboriginal Housing Victoria, *Mana-na woorn-tyeen maar-takoort translates to 'Every Aboriginal Person has a Home', The Victorian Aboriginal Housing and Homelessness Framework* (Report 2020) ('Mana-na woorn-tyeen maar-takoort translates to 'Every Aboriginal Person has a Home', The Victorian Aboriginal Housing and Homelessness Framework').

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	<p>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.</p>
<p>Outputs</p>	<p>Mana-na woorn-tyeen maar-takoort - Every Aboriginal Person has a Home</p> <p>Homes Victoria allocated \$1.16 million over three years to support VAHMF implementation, to provide funding certainty and bolster job security, with this commitment annually reviewed for impact assessment. Progress is monitored through the VAHMF Annual Report Card, a collaborative effort between the Aboriginal community, led by Aboriginal Housing Victoria (AHV), and the State Government. This report card evaluates yearly work plans and outcomes against 20 measures aligned with VAHMF strategic directions, highlighting stabilisation in key areas like access to homelessness services.</p> <p>The VAHMF 5-year Implementation Plan, developed by AHV and the Victorian Aboriginal Housing and Homelessness Forum, 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.</p>
<p>Outcomes</p>	<p>Apart from the Lake Tyers 10-year Community Renewal Program, we found few examples of integrated analyses of infrastructure, housing, essential services and health for Aboriginal communities across Victoria.</p>
<p>Community views</p>	<p>Darren Smith, CEO, Aboriginal Housing Victoria</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.¹¹</i></p> <p>Aboriginal Housing Victoria</p> <p>Members of the AJC Project and Aboriginal Housing Victoria (AHV) teams met in July 2024 to discuss implementation of this recommendation. AHV noted:</p> <ul style="list-style-type: none"> • Broad engagement with Aboriginal communities and perspectives occurs under Mana-na woorn-tyeen maar-takoort to inform decisions around location and type of housing. • Absence of specific guidelines/approaches for engaging Aboriginal communities in the design of housing to ensure homes enable cultural obligations to be met (i.e. sufficient rooms to support kinship care, or flexible floorplans so that family/community members can stay when visiting regional or metropolitan centres to access support services). • Examples of ACCO-led housing projects that reflect broader community needs, including social and emotional wellbeing, include 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),

¹¹ 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>>.

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Gippsland (Gippsland and East Gippsland Aboriginal Cooperative) and Shepparton (Rumbalara Aboriginal Cooperative) and Kids Undercover developments to enable Aboriginal children and young people to live on properties with their extended family.

- The need for greater Aboriginal community engagement and integrated responses.

Related recommendations

2005 Review¹²

Recommendation 10

That the Department for Victorian Communities (Aboriginal Affairs Victoria):

- (a) report on the extent of whole-of-government approaches regarding Recommendation 76
- (b) report on an integrated analysis of infrastructure, housing, essential services and health to Lake Tyers and Framlingham Aboriginal Trust communities, and
- (c) provide a report to the Aboriginal Justice Forum on (a)-(b).

That the Victorian Government continue to implement and monitor Recommendation 76 through any monitoring process established as a consequence of this Review.

Assessment summary¹³

Recommendation 76 intended for governments to consider the UPK Report as a model for integrated analysis of infrastructure, housing, essential services, and health for community planning processes.

Government responses to this recommendation were of limited relevance and did not directly address the use of this type of integrated analysis in community planning processes.

I think the departments have got a lot to answer for here, given that housing is a determinant of health. I mean everyone knows that. It's disappointing in terms of the government responses and inaction. (Marion Hansen, Co-Chairperson AJC, and Chairperson, Southern Metropolitan RAJAC).

There is little evidence of the desired outcomes. Since the Lake Tyres Community Renewal project ended in 2015, there aren't more recent examples of holistic community planning processes to improve housing, health and related conditions for Aboriginal communities across Victoria.

Recommendation 76 remains relevant, as there is still a need for integrated community planning around infrastructure, housing, health, and essential services for regional and rural Aboriginal communities.

I think it's very relevant and they just need to do something about it and the states need to pick up their responsibilities. (Marion Hansen, Co-Chairperson AJC; Chairperson, Southern Metropolitan RAJAC).

¹² 2005 Review.

¹³ 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)').

Assessment of Recommendation 76

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

(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

0

(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

2.5

(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

1.5

(Score out of 3)

Potential actions for further work

Expanding innovative housing initiatives

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

Focus on sustainable technologies to improve housing affordability and liveability.

Enhance community engagement on housing and infrastructure

Develop specific guidelines for engaging Aboriginal communities in the design of housing to better reflect cultural and Community needs.

Ensure better engagement with Aboriginal communities, especially tenants and Traditional Owners, regarding housing and infrastructure needs.

Increase support for ACCOs to provide housing

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 holistic housing solutions tailored to Community needs.

Moderate 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)			
	Low (0-2)		Rec 76	

Bibliography

- Aboriginal Housing Victoria, Aboriginal Housing Victoria, *Mana-na woorn-tyeen maar-takoort translates to 'Every Aboriginal Person has a Home', The Victorian Aboriginal Housing and Homelessness Framework* (Report 2020)
- Meeting with Aboriginal Justice Caucus (Project Team, In person, 12 February 2025)
- Meeting with Aboriginal Justice Caucus Working Group (Project Team, Online, 24 July 2024)
- 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)
- 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)
- Department of Transport and Planning (Vic), 'Response from the Department of Transport and Planning Regarding RCIADIC Recommendations.' (18 November 2024)
- 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)
- Lake Tyers Aboriginal Trust, 'IDC Report', *Lake Tyers Aboriginal Trust* (Web page, July 2024) <https://www.laketyersaboriginaltrust.com.au/index.php?option=com_content&view=article&id=7&Itemid=13>
- Royal Commission into Aboriginal Deaths in Custody* (Final Report, 1991)
- Victorian Government, 'The Aunts of Lake Tyers', *VIC.GOV.AU* (Webpage, July 2024) <<https://www.vic.gov.au/aunts-lake-tyers>>
- 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>>