

Aboriginal Settlements Guideline 2: Provision of Housing and Infrastructure

March 2012



Prepared by the Department of Planning on behalf of the Western Australian Planning Commission in partnership with the Department of Housing and the Department of Indigenous Affairs on behalf of the Aboriginal Lands Trust



Department of **Planning**
Department of **Housing**



Western
Australian
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Aboriginal Settlements Guideline 2: Provision of Housing and Infrastructure

Version 1

Endorsed by the Western Australian Planning Commission on 27 March 2012
under provision of State Planning Policy 3.2 – Aboriginal Settlements

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Published by the
Western Australian Planning Commission
140 William Street
Perth WA 6000

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Perth WA 6001

Published January 2013

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Aboriginal Settlements Guideline 2: Provision of Housing and Infrastructure

1 Purpose

- 1.1 To provide a practical, equitable and easily understood platform for the coordination and prioritisation of housing and infrastructure development on existing Aboriginal settlements in Western Australia (WA).

2 Objectives

- 2.1 To promote the orderly and efficient development of housing and infrastructure on Aboriginal settlements.
- 2.2 To ensure that housing and infrastructure development is targeted to Aboriginal settlements that can provide a high standard of living for residents.
- 2.3 To provide improved clarity and certainty for the residents of Aboriginal settlements regarding the delivery of housing and infrastructure and associated service standards.
- 2.4 To ensure that housing and infrastructure development is targeted to Aboriginal settlements that can maximise the returns on government investment.

3 Background

- 3.1 The development of Aboriginal settlements has largely occurred outside normal state and local government planning and regulatory requirements. The provision of capital infrastructure has also not always been supported by adequate recurrent funding or access to other government services and technical expertise. As a result many Aboriginal settlements have developed in inappropriate locations and experience poor physical and social conditions. The lack of access to services and isolation from the mainstream economy has compromised community safety and wellbeing, and inhibited the choices and opportunities available to residents.

4 Policy Framework

- 4.1 State Planning Policy 3.2 – Aboriginal Settlements (SPP3.2) has been prepared under the *Planning and Development Act 2005*. This Guideline should be read in conjunction with SPP3.2.
- 4.2 SPP3.2 provides that operational policies described as guidelines may be prepared to address a range of matters relevant to that Policy, including the provision of housing and infrastructure in Aboriginal settlements.
- 4.3 SPP3.2 includes a number of useful definitions, including the following:

Aboriginal community:

An entity that accords with the definition of Aboriginal community as prescribed in the Aboriginal Communities Act 1979.

Aboriginal settlement:

A discrete place that is not contiguous with a gazetted town, is inhabited or intended to be inhabited wholly or principally by persons of Aboriginal descent, as defined under the Aboriginal Affairs Planning Authority Act 1972, and which has no less than 5 domestic dwellings and/or is supported by essential services that are provided by one or more state agency(s).

- 4.4 This Guideline has been developed in accordance with the National Investment Principles in Remote Locations, endorsed by the Council of Australian Governments in December 2008 as part of the National Indigenous Reform Agreement.

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5 Assessment Matrix

- 5.1 The Matrix is an assessment tool. It works by identifying indicators that combined can serve to characterise an Aboriginal settlement for the purposes of prioritising and coordinating housing and infrastructure. It is essentially a method of collating information that can be quantified objectively to establish a rating that characterises the capacity of an Aboriginal settlement to provide a high standard of living for residents and that can maximise returns on government investment.
- 5.2 The Housing and Infrastructure Assessment Matrix (the Matrix), at Table 1, provides a list of indicators for equitably assessing the capacity that an Aboriginal settlement has to be targeted for government funded housing and infrastructure development, and the order in which such investment can be effectively allocated.
- 5.3 The Matrix identifies 15 indicators that have been categorised as either 'development essentials' or 'place and planning characteristics'.
- 5.4 The 'development essentials' indicators are those characteristics that determine the level of complexity likely to be experienced when implementing housing and infrastructure development proposals, they are: drinking water; electricity; flood; land tenure, and; wastewater services. Collectively, the 'development essentials' indicators have been value-weighted at 50% of the total maximum rating. These indicators are the critical broad issues that can determine timely and successful implementation of a housing or infrastructure project, but are not the sole factors to be considered.
- 5.5 The 'place and planning' indicators are those characteristics that determine the basic level of amenity experienced by the residents of a community, they are: emergency assistance; education; health; food; transport; waste services; employment and enterprise; governance; planning, and Aboriginal heritage. Collectively, the 'Place and Planning' indicators have been value-weighted at 50% of the total maximum rating. These indicators have been selected, as they can determine the basic quality of life and capability indicators that can be quantified and subject to government action.



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- 5.6 The Matrix focuses on key indicators only and is not a complete measure of health risk or community amenity.
- 5.7 If any Aboriginal Settlement rates as 'high risk' for any of the 'Development Essentials' indicators, resolution of the respective nature of the risk should be prioritised.
- 7.3 A central data base of matrix assessments is to be developed and maintained.
- 7.4 If a Matrix assessment characterises an Aboriginal settlement as "under-developed" this should directly inform a planned approach to address the relevant issues.

6 Rating Analysis

- 6.1 The Housing and Infrastructure Assessment Ratings Analysis chart, at Table 2, provides an assessment of an Aboriginal settlement using the Matrix results in a 'rating'. The rating can be a maximum of 100 and a minimum of zero. Table 2, identifies three base group ratings. Each group-rating correlates to a 'Characterisation': Developed (100 to 75.1); Developing (75 to 25.1), and; Under-developed (25 to 0).
- 6.2 The 'Characterisation' outlines the probability of meeting the objectives of the Guideline. The 'Prioritisation and Coordination' outlines the appropriate action to be undertaken with regards to housing and infrastructure.

7 Assessment Preparation, Maintenance and Publication

- 7.1 Matrix assessment of Aboriginal settlements is to be completed in conjunction with the preparation, review and amendment of Layout Plans.
- 7.2 In the instance that any state agency or authority intends to develop housing or infrastructure on an Aboriginal settlement that does not have a Layout Plan a Matrix confirming suitability of investment is to be completed prior to development commitment.

8 Application

- 8.1 State agencies and authorities responsible for the provision of housing and infrastructure are to have regard to this guideline when determining prioritisation and coordination of service delivery to Aboriginal settlements.
- 8.2 This guideline does not negate the need for developers to secure all relevant consents, approvals, licences and clearances prior to commencing physical works on site.
- 8.3 This guideline is not the sole determinant of eligibility for state programs or funding. Individual agencies and programs may have additional specific criteria or obligations relating to, for example, the provision of essential services, health or education facilities.
- 8.4 In applying this guideline, it is acknowledged that any approach to service provision to Aboriginal settlements must recognise the often highly mobile nature of the Aboriginal people who live in these locations, the cultural connections between communities and the service relationships between Aboriginal settlements, outstations, town-based communities and major regional centres.

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Table 1: Housing and Infrastructure Assessment Matrix

Development Essentials			
Indicator	Low risk (10)	Medium risk (5)	High risk (0)
1 Drinking Water	Drinking water services managed by a <i>regulated service provider</i> . AND Water quality sufficient for current demand and projected <i>future growth</i> AND Drinking water source protection plan endorsed by Department of Water.	Drinking water services operated by <i>community organisation</i> with repair, maintenance and capital works support and water quality monitoring provided by government contracted service provider. AND Water quantity sufficient for current population	Drinking water services are managed by <i>community organisation</i> . OR Water quantity not sufficient for current demand. OR Water quality and/or quantity unknown.
2 Electricity	Regulated electricity supply with reliable generation, distribution and retailing.	Electricity supply and distribution network operated by <i>community organisation</i> with repair, maintenance and capital works support provided by government. OR Generation capacity and distribution network constrain future development.	Electricity supply and distribution network is <i>community organisation</i> operated and managed. OR Limited access to technical support.
3 Flood	<i>Settlement area</i> located on land whereon <i>flood</i> is not expected to risk safety or infrastructure.	<i>Settlement area</i> located on land whereon <i>flood</i> is known to be experienced but <i>mitigation measures</i> are in place.	<i>Settlement area</i> located on land whereon <i>flood</i> is known to be experienced and no mitigation measures are in place.
4 Land tenure	<i>Settlement area</i> completely located on land with <i>secure and appropriate land tenure</i> .	<i>Settlement area</i> partially located on land with <i>secure and appropriate land tenure</i> .	<i>Settlement area</i> located on land without <i>secure and appropriate land tenure</i> .
5 Wastewater	Wastewater services comply with relevant government sewerage policy AND In the case of reticulated sewage, wastewater services managed by a <i>regulated service provider</i> .	Wastewater services comply with relevant government sewerage policy AND In the case of reticulated sewage, wastewater services are not managed by a <i>regulated service provider</i> .	Wastewater services do not comply with relevant government sewerage policy.
Place And Planning			
Indicator	Low risk (5)	Medium risk (2.5)	High risk (0)
6 Emergency assistance	<i>Emergency services</i> no more than 30 minutes <i>total travel time</i> . AND Reliable <i>telecommunications</i> services.	<i>Emergency services</i> greater than 30 minutes but no more than 2 hours <i>total travel time</i> . OR Unreliable <i>telecommunications</i> services.	<i>Emergency services</i> more than 2 hours <i>total travel time</i> . OR No <i>telecommunications</i> service.
7 Education	<i>School</i> no more than 30 minutes <i>reliable road access</i> OR Alternative <i>school</i> service (such as distance education) available.	<i>School</i> greater than 30 minutes but no more than 1 hour <i>reliable road access</i> .	<i>School</i> more than 1 hour <i>reliable road access</i> . OR No alternative <i>school</i> service (such as distance education) available.
8 Health	<i>Full-time clinic</i> within 30 minutes <i>reliable road access</i>	<i>Part-time clinic</i> within 30 minutes <i>reliable road access</i> . OR <i>Full-time clinic</i> greater than 30 minutes but no more than 1 hour <i>reliable road access</i> . OR Regular professional <i>outreach</i> service available.	<i>Clinic</i> (full-time or part-time) more than 1 hour <i>reliable road access</i> . OR Regular professional <i>outreach</i> service not available.

Table 1 continues next page

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Table 1: Housing and Infrastructure Assessment Matrix (cont.)

Place And Planning			
Indicator	Low risk (5)	Medium risk (2.5)	High risk (0)
9 Food	Shop no more than 30 minutes reliable road access. AND/OR Year-round alternative food sources proximate to Aboriginal settlement.	Shop greater than 30 minutes but no more than 1 hour reliable road access. AND/OR Seasonal alternative food sources proximate to Aboriginal settlement.	Shop more than 1 hour reliable road access. AND/OR Alternative food sources not proximate to Aboriginal settlement.
10 Transport	Reliable road access to regional centre. OR District airstrip no more than 30 minutes reliable road access. OR Reliable barge service.	Road access to regional centre known to become seasonally cut-off for periods of no more than 2 consecutive weeks. OR District airstrip greater than 30 minutes but no more than 2 hours reliable road access.	Road access to regional centre known to become seasonally cut-off for periods of more than 2 consecutive weeks. OR District airstrip more than 2 hours reliable road access.
11 Waste Services	Waste is disposed of in a regulated rubbish tip. AND There is a regular and reliable rubbish service.	Waste is disposed of in an unregulated rubbish tip that is in a location that complies with relevant government policy. AND There is a regular and reliable rubbish service.	Waste is disposed of in an unregulated rubbish tip that is in a location that does not comply with relevant government policy.
12 Employment and enterprise	No more than 1 hour total travel time from an established job market. OR Community organisation or individuals and families have existing enterprises.	Greater than 1 hour but no more than 2 hours total travel time from an established job market. OR Community organisation or individuals and families have potential enterprises.	More than 2 hours total travel time from an established job market. OR Community organisation or individuals and families have no existing or potential enterprises.
13 Governance	Community organisation incorporated under appropriate legislation. AND Community organisation meeting regulatory requirements and has sufficient administrative support.	Community organisation has recent or current management and/or governance difficulties. OR Community organisation is under administration and/or other external management intervention.	Community organisation does not meet regulatory requirements. OR Community organisation has inadequate administrative support. OR Government agencies and service providers are unable to engage effectively with the community organisation to plan and implement service delivery.
14 Aboriginal heritage	A heritage survey(s) has been completed for the full extent of the settlement area and incorporated into the Layout Plan.	A heritage survey(s) has been completed for the full extent of the settlement area.	A heritage survey has not been completed for the full extent of the settlement area.
15 Planning	A Layout Plan has been prepared and endorsed under SPP3.2	A Layout Plan has been prepared under SPP3.2, but has not been endorsed.	A Layout Plan has not been prepared under SPP3.2
Totals	100	50	0

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Table 2: Housing and Infrastructure Assessment Ratings Matrix

Rating	Characterisation		Prioritisation and Coordination
100 to 75.1	Developed	Housing and infrastructure development has a high probability of: <ul style="list-style-type: none"> contributing to the provision of a high standard of living for residents. Maximising returns on government investment. 	High priority target for government funded housing and infrastructure development. Coordinate housing and infrastructure investment to maximise efficiencies.
75 to 50.1		Housing and infrastructure development has a high to medium probability of: <ul style="list-style-type: none"> contributing to the provision of a high standard of living for residents. Maximising returns on government investment. 	High to medium priority target for government funded housing and infrastructure development. Coordinate housing and infrastructure investment to maximise efficiencies. Prioritise resolving low rated indicators prior to or as part of any significant housing investment.
50 to 25.1	Developing	Housing and infrastructure development has a medium to low probability of: <ul style="list-style-type: none"> contributing to the provision of a high standard of living for residents. Maximising returns on government investment. 	Medium to low priority target for government funded housing and infrastructure development. Limit investment to essential services infrastructure investment that is critical to maintenance of existing provision. Housing and infrastructure investment should not proceed until government and community organisation have an agreed approach* to increase the probability of that investment: <ul style="list-style-type: none"> contributing to the provision of a high standard of living for residents. Maximising returns on government investment.
25 to 0		Under-developed	Housing and infrastructure development has a low probability of: <ul style="list-style-type: none"> contributing to the provision of a high standard of living for residents. Maximising returns on government investment.

* Agreed approach options include development prioritisation, alternative accommodation options and innovative service arrangements.

NOTE: Low ratings may also be a result of unknown or unreliable data. If this is the case, data collection and analysis should be prioritised.

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Attachment 1 – Matrix Explanatory Notes

1 Purpose

The Aboriginal settlement assessment matrix includes numerous references that require clarification to ensure that assessment is undertaken in a fair, equitable and consistent manner. The following notes are intended to provide clarity and precision to the interpretation of the meanings referred to in the matrix.

2 Definitions

For the purposes of the matrix the following terms have the meanings shown.

Term	Definition
Alternative food sources	Bush tucker (game, vegetables etc) and locally produced fresh foods (garden vegetables, station beef etc).
Community organisation	The incorporated body responsible for the daily management and care of the Aboriginal settlement. Commonly the community council is incorporated under the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> or the <i>Corporations Act 2001</i> .
Alternative food sources	A code 3 or 4 airstrip as defined in part 139 'Application of Standards to Aerodromes' of the Civil Aviation Safety Authority (CASA) manual of standards. Table 2.2-1 of the CASA manual of standards provides that code numbers 1 to 4 characterise the aeroplane reference field length. The Royal Flying Doctor Service (RFDS) is generally restricted to the use of code 3 or 4 airstrips. Code 3 is 1200m up to but not including 1800m. Code 4 is 1800m and over.
Emergency services	Western Australian Police district police station or multi-function police facility and Fire and Emergency Services (FESA) regional office.
Established job market	An existing place, market or enterprise that offers a potential to derive economic benefit through application of skills, knowledge or labour.
Flood	Temporary inundation of land that is not normally under water, including by means of tide, storm surge and river flow, but not including inundation that is caused by an inadequate settlement area drainage system.
Full-time clinic	A primary health service with at least one healthcare professional (such as a doctor or a trained nurse) available for at least 5 days every week.
Mitigation measures	Strategies, including infrastructure, physical works and management plans, intended to prevent or lower the impact of flooding.
Outreach service	An organisation which provides a primary health service to people who can not easily access a hospital or general practice, generally due to prohibitive distances, by the transport of a healthcare professional (such as a doctor or a trained nurse) for regular clinical visits to remote areas. Examples include Yura Yungi Aboriginal Medical Service and Ord Valley Aboriginal Health Service.
Part-time clinic	A primary health service with at least one healthcare professional (such as a doctor or a trained nurse) available for at least 2 days every week.
Projected future growth	The 'design population' specified in the Layout plan, or alternatively an agreed estimate of the likely total population of the Aboriginal settlement within the next 5 to 15 years.

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Term	Definition
Regional centre	A town or Aboriginal community that has a range of relatively higher order services and facilities, including banking, local government offices, service industries and general shopping. Such places include, but are not limited to: Halls Creek, Fitzroy Crossing, Broome, Derby, Kununurra, Port Hedland, Newman, Meekatharra, Carnarvon, Karratha, Wyndham, Warburton and Kalgoorlie.
Regular and reliable rubbish service.	A solid waste kerbside collection service that operates no less than 1 pick-up per week, 52 weeks per year.
Regulated rubbish tip	A solid waste disposal site that has all relevant approval(s) and licence(s) to be used for that purpose.
Reliable barge service	A commercial barge company has the capacity to service the Aboriginal settlement regularly during the wet season and there is a suitable barge landing facility.
Reliable road access	A sealed or graded unsealed road that can be driven on all year and in most weather conditions.
School	Early childhood and primary school facility(s)
Secure and appropriate land tenure	Fee simple or Crown land title(s) that is held by an individual, organisation or government agency/authority with responsibility for the development and maintenance of the use(s) existing or proposed for that land. This may include forms of subsidiary tenure such as sub-leases from the owner to other parties. If the land title specifies a use type the use type is to be compatible with existing or proposed use(s) for that land. The land title(s) is to be consistent with the built form.
Settlement area	The extent of land that the Aboriginal settlement currently occupies, including all supporting infrastructure (sewage ponds, rubbish tip, water source area etc) and discrete vacant residential lots that are adjacent to or abutting existing residential lots.
Settlement development area	Land adjacent to or abutting the existing <i>settlement area</i> that can accommodate future infrastructure, essential services and housing to meet projected future growth of the Aboriginal settlement.
Shop	A community store, service station, supermarket or other trading entity that is judged to be well managed and trading effectively, and has fresh food and vegetables available regularly.
Telecommunications	Any form of electronic real-time communications system, including telephone, fax, internet and so on.
Total travel time	The complete time a given journey takes, including all modes and waiting times.
Water quality	The standard of drinking water purity as defined under relevant legislation and policy.
Water quantity	The estimated total amount of drinking water that can be sustainably drawn from the identified and/or defined drinking water source(s).

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3 Guidance and interpretation

3.1 Secure land holding(s)

Determining the land holding(s) that an Aboriginal settlement is held in requires accurate mapping. Land titles can be obtained from Landgate (www.landgate.com.au).

Determining the projected future growth needs and area for an Aboriginal settlement requires consideration of a range of variables.

If a Layout Plan has been prepared for an Aboriginal settlement the location of the settlement area and relevant land titles will be accurately mapped. If future growth is projected a settlement development area will be identified a Layout plan.

3.2 Transport

Consideration of the seasonal impassability of access roads element in the *Transport* indicator will require discussion with the community organisation, Main Roads WA and the local government to determine duration and frequency.

3.3 Food

Consideration of alternative food sources in the *Food* indicator will require discussion with the community organisation to determine extent and accessibility.

Where reference is made to season alternative food sources this means that the availability of the sum total of all bush tucker is not year round.

3.4 Ratings

The development essentials indicators represent the basic elements that must be present to enable government housing and infrastructure to be developed on Aboriginal settlements. Without these necessary preconditions being in place government cannot develop land on an Aboriginal settlement, even in the case that a place is characterised as being sound in all other respects.

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Attachment 2 – Model Assessment Sheet Infrastructure and Housing Assessment Data Record

Name:

Date:

Fast facts					
Indicator	Characteristics	Data Source	Risk level	Score	
1	Water services				
2	Electricity				
3	Flood				
4	Land tenure				
5	Wastewater services				
6	Emergency assistance				
7	Education				
8	Health				
9	Food				
10	Transport				
11	Waste services				
12	Employment/enterprise				
13	Governance				
14	Aboriginal heritage				
15	Planning				
Total					

Assessment summary

Infrastructure and housing prioritisation and coordination