Living on the edge | Northern Territory Town Camps Review2018

Quotes from” Living on the edge | Northern Territory Town Camps Review - KULALUK”

P. 888: The water network does not comply with relevant standards as the diameter of the water main is too small. Furthermore, the capacity of the existing water main is insufficient. It is recommended that the network is upgraded to a DN150 PVC water main, to comply with relevant standards. Water usage is proposed to be measured with a bulk water meter located at the community boundary.

Additionally, residential lot water meters should be installed on the connection to each dwelling which will assist with bill distribution to residents and identifying any leaks in the internal network.

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

The community structures in Kulaluk consisted of a playground and basketball court, both of which were in good condition and only require minor maintenance and tidying up.

P. 889: Hygiene and cleanliness of the residences were identified as a significant issue in the inspected houses. The conditions are unsanitary and are likely to manifest in any number of health problems.

Smoke alarms

Of the houses surveyed internally in Kulaluk, 4 were identified as having nonserviceable smoke alarms.

P. 892: Yilli Rreung Housing Aboriginal Corporation acts as the property manager and enters into

tenancy agreements with Town Camp residents. Yilli Rreung has no authority or legal basis to

evict residents for breaches of the tenancy agreements.

Yilli Rreung Housing Aboriginal Corporation issues rental statements to residents on a per house basis every 6 months, on request or when tenant is in arrears.

Payments of rent are made primarily through Centrelink deductions (approximately 80% of

tenants pay via this method). In other cases rent can be collected via cash payments, EFT payments, basic card payments and direct deposit.

Yilli Rreung Housing Aboriginal Corporation struggles to get contributions from the Kulaluk Town Camp. Rental arrears are substantially higher for Kulaluk than other Town Camps where Yilli Rreung acts as the service provider.

The Kulaluk Special Purpose Lease that was granted to Gwalwa Daraniki Association , stretches along the coastline from Nightcliff to Fannie Bay, bordered by Fitzer Drive, Bagot and Totem Roads, dissected by Dick Ward Drive. Much of the lease was considered to offer little value due to tidal inundation, cyclone and storm surge zones and the restriction of certain forms of development due to the Darwin airport flight path restrictions though it allows the current residents to hunt and fish along the intertidal zone. The Minmarama Park Community was a signatory to the Kulaluk and Minmarama Park Shared Responsibility Agreement, as at January 2005, for the purpose of ‘Developing a Mud-Crab Business’. Some of the workers on this project lived at Minmarama

and worked on the project as CDEP (working for the dole) participants for 2 years. Other areas of the lease, have potential for either residential or commercial development. While Minmarama residents will have the opportunity to participate in any commercial development on the site they are not decision makers. They do not speak for Kulaluk.

P.872: There are two groups at Kulaluk: those who live within the original camp site

and those who live at Minmarama located within the major portion of the

Kulaluk Lease closer to Bagot Community. The residents at Kulaluk are mostly

members of the [FAMILY NAME REDACTED] some from the Tiwi Islands where

the family has strong family ties. The residents at Minmarama are more diverse.

The [FAMILY NAME REDACTED] women central to the early fight for land, has lived on the Kulaluk lease since its [p.873] creation. [NAME REDACTED] is a strong vocal woman who has worked for the

residents through the [NAME REDACTED] for more than [REDACTED]. She has been a strong advocate for economic development on the lease and has come under some criticism for her independent views. There is a strong desire among the members of Gwalwa Daraniki Association to hold their rights against all those people who, over the years, have tried to gain hold of the Kulaluk

lease. When the lease was originally granted it had a cultural value, and a historical value, but in the past 40 years it has developed a significant financial value and an opportunity for Gwalwa Daraniki Association to become an independent Aboriginal organisation. Some of those who were involved in the original fight for Kulaluk do not support any development on the land.

The community has a basketball court that was constructed over 20 years ago and no money has been spent on it since. The fence needs fixing, it needs a shade cloth over it so that people can use it during the day, even for community meetings, and it needs proper lights so that it can be used at night. The community generally needs better lighting. The roads are broken up and it is dangerous walking around at night.

One of the observations from long-term residents is how much the beach has changed over the years. There is almost no sand at all now and the mangroves have taken over making access difficult. People remember walking along the beach “in the old days” but say you can’t do that now.

Space

Given that Kulaluk community, located close to the original fresh water spring, has for a long time been associated with the [FAMILY NAME REDACTED] it is not surprising to currently find that the housing allocation continues to be overseen by them. Priority is given to family members but also to those who have cared for community elders who have resided there over the years. Minmarama Park, also controlled through Gwalwa Daraniki Association, exists to offer the opportunity to eligible Aboriginal people who aren’t otherwise close family relations, the opportunity to access public housing in an alternative living space. This component of the Kulaluk residential portfolio appears to follow the more traditional governance structure of property management, which is undertaken by Yilli Rreung Housing Aboriginal Corporation (Yilli Housing).

The stock of housing at Kulaluk, much of which was constructed in the early 1980’s and added to in the 1990’s, is generally in poor condition throughout. Reflective of an under-resourced repair and maintenance regime; coastal location with years of salt spray driven by wet season storms; and past

questionable decision making by Darwin City Council around storm water drainage in which the stormwater flow from higher surrounding suburbs were allowed to discharge across the Kulaluk lease without adequate drainage, has resulted in housing that shows severe signs of subsiding foundations and water inundation during heavy rains resulting in potentially irreparable damage. The major problems were poor water pressure, faulty wiring and ceiling fans not working, leaking roofs, broken fences and out of control weeds. One resident reported a strong chlorine smell in the water with white flakes floating in it. She says she was sick after drinking water from the tap. Some of the houses are in such poor condition that renovation may not be viable. They may need demolition and a rebuild on the lot. Most of the houses though probably structurally sound were internally almost impossible to clean and maintain, and according to residents, made life hard.

P.874: Accordingly, the current housing management organisation, Yilli Housing, are faced with increasingly expensive maintenance costs. Often Yilli Housing are accused of being too slow to respond to requests for maintenance citing lack of funds. A common refrain is “we call Yilli but they say they don’t have the money to fix things”. Our conversations with community members regarding this matter anecdotally indicates rental arrears strongly correlates with the time period taken to address maintenance matters. We do note, however, that dangerous or sanitary matters are dealt with in a timely manner. Current overcrowding appears to be a matter of a lack of appropriate housing options, rather than an issue of unchecked family visitors, and is currently not considered an issue as in recent times family or visitors have regularly been moved on.

Overcrowding due to particular seasonal activities or cultural factors are the exception. [NAME REDACTED] through the force of her personality, seems able to prevent overcrowding issues spiralling out of control. Though she has strong views about what should happen at Kulaluk these views are driven by a very strong emotional and cultural attachment to place and space.

Interface

The opportuni ties of Kulaluk’s urban location appear to be being squandered from a mainstream perspective. Proximity to amenities and services means that residents can access alcohol and drugs easily, and some do. With a high percentage of residents not employed full-time, and relying on some form of welfare assistance, those who are employed indicate they work for businesses within the immediate locale, and a further limited number are completing short study courses to assist with potential employment opportunities. During community consultations, it has been observed that many of the residents, however, are adept to walking in two worlds.

Over the years,[NAME REDACTED] developed an extensive network of business people that are keen to work with Gwalwa Daraniki Association, and over decades has sought guidance and counsel from politicians of the day and their advisors, with mixed results. She assures us that such representations will continue as she is keenly aware of the dynamics of the major stakeholders which effect positive change, or otherwise, for her community.

Past endeavours, by Gwalwa Daraniki Association, to enhance Indigenous employment opportunities for community members includes commercial ventures with a local Indigenous man to part lease the Kulaluk SPL to develop a prawn farm, and an agreement with Fisheries to trial growing of mud crabs within the inter tidal zone of the lease in partnership with Tropical Aquaculture Australia. Neither venture was successful. The first was a matter of inadequate pond size and poor management. The second also suffered from a lack of room to expand as well as poor funding delivery, the declaration of a Mangrove Conservation Zone over the inter tidal area of the part lease soon after commencement of the businesses, and the requirement by Government funding bodies that local residents from Minmarama and Kulaluk were to be employed on CDEP (working for the dole).

Most residents indicate a variety of shopping is undertaken within the Nightcliff locale, particularly from the Woolworths shopping complex, with some residents indicating Casuarina Shopping Centre and Bunnings as additional destinations.

None of the residents have taken the opportunity the weekly Nightcliff Markets might offer for a small business opportunity and none of the respondents new anyone from Kulaluk that had a legitimate business. One resident new an Aboriginal person who had his own business. Shifting patterns of benefit [P.875] payments whether it be ‘work for the dole’ programmes or other welfare arrangements have served to confuse recipients, often leaving them discouraged. This coupled with poor housing options, and the ever-present issue of substance misuse, has resulted in a high degree of collective apathy and mistrust within the community about interaction with the wider mainstream culture. The combined efforts of both vocal and visible leadership efforts over an extended period of time, by the community matriarch, is reflected in the acknowledgement by the community of her leadership.

Vision

Given their perception of the historically unsatisfactory relationships with various NTG and Commonwealth service agencies it is not surprising that there is a strong desire to disconnect from the control of “government” and to go it alone. The current community management does not see Yilli Housing as the solution to their housing problems. The current leadership of the Kulaluk community, sees their future lies in achieving their goals of financial and social sustainability by leveraging the strength of their lease holdings to underpin an income stream for the community and thus reduce its dependency on welfare. This long term strategic business plan appears to be soundly based provided applications for lease variations are granted.

Gwalwa Daraniki Association has Commercial In Confidence plans that they are happy to communicate with the team but not to release for this project. [SECTION REDACTED] Given the recent period of its futures’ uncertainty is passing, a myriad of challenges now face the Gwalwa Daraniki Association as it puts in place administrative and governance frameworks in order to secure external stakeholder financial interest. Furthermore, balancing the short-term goal of major investment to increase housing stock, improving housing quality and community amenity with creating sustainable long term employment, cultural and lifestyle opportunities both within the community and beyond its boundaries is going to require the community to understand the vision of the current leadership and support changes by being active contributors.

The primary vision at Kulaluk is for new houses to reduce the overcrowding, but more importantly to relocate people who are currently living in houses that appear to detrimental to their health and well-being. The available space is limited and will need to consider the tidal surges that may occur in a major storm event. Many of the residents asked for elevated homes so this might help deal with issues of temporary inundation. In the current community living space there is room for about 10 houses/dwellings but most of the available space is not serviced. The area under consideration by the community used to be a salt water swamp filled at high tide or during previous flood events.

A rise in sea level may see this area become water logged and unsuitable for housing development.

P.876: 1.

Crown Lease in Perpetuity 671

Search certificate lists the following dealings:

Notice of commencement of proceedings by the Caveator (871757) (Date Registered: 5 October 2016, Dealing No.: 876452)

Lapsing Caveat ECPH Pty Ltd

-Part expiring 06 October 2016 (Date Registered: 6 July 2016, Dealing No.: 871757)

Overriding Statutory Charge City of Darwin pursuant to Section 170 of the Local Government Act (Date Registered: 13 November 2015, Dealing No.: 859560)

Caveat Citiland Corporation Pty Ltd (Date Registered: 1 September 2015, Dealing No.: 855536)

Caveat Gwelo Investments Pty Ltd (Date Registered: 9 March 2009, Dealing No.: 694568)

Right of Way Easement granted to the proprietor(s) of lot(s) 4940 (Date Registered: 11 July 2008, Dealing No.: 677102)

Right of Way Easement granted to the proprietor(s) of lot(s) 4940 (Date Registered: 11 July 2008, Dealing No.: 677100)

Sewerage Easement granted to the proprietor(s) of lot(s) 4940 (Date Registered: 11 July 2008, Dealing No.: 677101)

Electricity supply Easement to Power and Water Corporation (Date Registered: 10 December 2008, Dealing No.: 661730)

Statutory Notice Prescribed Property (Date Registered: 16 September 1996, Dealing No.: 360053)

Under lease to McDonalds Properties (Australia) P/l –part expiring 6 July 2094 (345691) (Date Registered: 17 January 1996, Dealing No.: 345692)

Sub lease to Vysrose Pty. Ltd. Part expiring 7 July 2094 (Date Registered: 17 January 1996, Dealing No.: 345691)

Electricity supply easement to Power and Water Authority (Date Registered: 23 March 1990, Dealing No.: 229354.

9.

Memorandum for Purposes of Statutory Restrictions Notice (Date Lodged: 16

September 1996, Date Registered: 16

September 1996, Dealing No. 360053)

Provides notice of statutory authority restriction per s 26A (Prescribed Property)

Associations Incorporation Act

for Lot 5182 Town of Darwin from plan(s) S 77/093B and

Lot 8630 Town of Nightcliff from plan(s) S 77/093A

(Volume 454, Folio 100).

10.

Memorandum of Grant of Electricity Easement (Seal Date: 19 March 1990,

Date Lodged: 20 March 1990, Dealing No. 229354)

Documents the grant of an electricity easement on Lots 5182 Town of Darwin and Lot 8630

Town of Nightcliff (Book of Leases Register Book, Volume 200, Folio 13) from the Gwalwa

Daraniki Association Inc. to the Power and Water Authority under Section 36D Crown Lands

Act. The electricity easement grants a full free and unrestricted right and liberty for the

Power and Water Authority and its agents, contractors, servants and workmen to break the surface of dig open up and use the portion of the land specified in the annexed plan (easement coloured in blue) for the purpose of laying down, erecting, fixing, taking up, removing, repairing, relaying, examining electrical works and/or using and maintaining electrical works for the electrical energy distribution.

11. Creation of Easement in Gross (Lodgement Date: 7 December 2007; Registered on 10 December 2007, Dealing No. 661730) (Attachment to Item 10 above) Grants an electricity easement for Lots 5182 Town of Darwin and Lot 8630 Town of Nightcliff (Volume 454, Folio 100) from Gwalwa Daraniki Association Inc. (Owner) to the Power and Water Corporation for the electricity supply easement as marked on Drawing No. 07143/01. Includes a notification letter of consent for the registration of the electricity supply easement from the Northern Territory Government Department of Planning and

Infrastructure, dated 17 October 2007.

P. 896: The [NAME CENSORED] who has lived on the Kulaluk lease since its creation, is the primary decision maker and nothing can happen at Minmarama without approval by Gwalwa Daraniki Association which will be influenced opinion. She has been a strong advocate for economic development on the lease and has come under some criticism for her independent views. In the past there have been attempts by Minmarama residents to gain control of Gwalwa Daraniki Association through becoming members and voting as a block to change the current leadership. There is a strong desire among the members of Gwalwa Daraniki Association to hold their

P. 897: rights against all those people who, over the years, have tried to gain hold of the Kulaluk lease. When the lease was originally granted it had a cultural value, and a historical value, but in the past 40 years it has developed a significant financial value and an opportunity for Gwalwa Daraniki Association to become an independent Aboriginal organisation. Some of those who were involved in the original fight for Kulaluk actively agitate against any development on the land. Minmarama residents need to be careful how they express their views while they are tenants of the Gwalwa Dariniki Association.

Over the years, [NAME CENSORED] has advocated with local businesses particularly the Ludmilla McDonalds franchisee to improve the job opportunities. It was part of the original lease that local Aboriginal people, members of the Gwalwa Dariniki Association, would be offered training and employment at the franchise. The franchisee only paid lip service to this condition until the lease was due for renegotiation when he made more of an effort. During this period some members of Minmarama gained employment at the store but at the moment no one from Minmarama works in the business.

[NAME CENSORED] determined that any future development on the Kulaluk lease will have enforceable training and employment clauses.

Past endeavours, by Gwalwa Daraniki Association, to enhance Indigenous employment opportunities for community members including commercial ventures with a local Indigenous man to sub lease the Kulaluk SPL to develop a prawn farm, and an agreement with Fisheries to trial growing of mud crabs within the inter tidal zone of the lease. Neither venture was successful…