



National Housing and Homelessness Agreement Review

Submission to the Australian Productivity Commission

February 2022

ABOUT NACCHO

NACCHO is the national peak body representing 144 Aboriginal Community Controlled Health Organisations (ACCHOs). We also assist a number of other community-controlled organisations.

The first Aboriginal medical service was established at Redfern in 1971 as a response to the urgent need to provide decent, accessible health services for the largely medically uninsured Aboriginal population of Redfern. The mainstream was not working. So it was, that over fifty years ago, Aboriginal people took control and designed and delivered their own model of health care. Similar Aboriginal medical services quickly sprung up around the country. In 1974, a national representative body was formed to represent these Aboriginal medical services at the national level. This has grown into what NACCHO is today. All this predated Medibank in 1975.

NACCHO liaises with its membership, and the eight state/territory affiliates, governments, and other organisations on Aboriginal and Torres Strait Islander health and wellbeing policy and planning issues and advocacy relating to health service delivery, health information, research, public health, health financing and health programs.

ACCHOs range from large multi-functional services employing several medical practitioners and providing a wide range of services, to small services which rely on Aboriginal health practitioners and/or nurses to provide the bulk of primary health care services. Our 144 members provide services from about 550 clinics. Our sector provides over 3.1 million episodes of care per year for over 410,000 people across Australia, which includes about one million episodes of care in very remote regions.

ACCHOs contribute to improving Aboriginal and Torres Strait Islander health and wellbeing through the provision of comprehensive primary health care, and by integrating and coordinating care and services. Many provide home and site visits; medical, public health and health promotion services; allied health; nursing services; assistance with making appointments and transport; help accessing childcare or dealing with the justice system; drug and alcohol services; and help with income support. Our services build ongoing relationships to give continuity of care so that chronic conditions are managed, and preventative health care is targeted. Through local engagement and a proven service delivery model, our clients 'stick'. Clearly, the cultural safety in which we provide our services is a key factor of our success.

ACCHOs are cost-effective. In 2016, a cost-benefit analysis of the services provided by Danila Dilba to Aboriginal and Torres Strait Islander people in the Greater Darwin region was undertaken by Deloitte Access Economics. The findings demonstrated that each dollar invested in the health service provides \$4.18 of benefits to society. ACCHOs are also closing the employment gap. Collectively, we employ about 7,000 staff – 54 per cent of whom are Aboriginal or Torres Strait Islanders – which makes us the third largest employer of Aboriginal or Torres Strait people in the country.

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Recommendations

The next National Housing and Homelessness Agreement (NHHA) should:

- 1. align with the 4 Priority Reform Areas of the *National Agreement on Closing the Gap* (National Agreement), namely:
 - Priority Reform Area 1 formal partnerships and shared decision-making;
 - Priority Reform Area 2 building the community-controlled sector;
 - Priority Reform Area 3 transforming government organisations; and
 - Priority Reform Area 4 shared access to location specific data and information at a regional level.
- 2. prioritise and adequately fund the Aboriginal Community Housing Provider (ACHP) sector:
 - adequately resource the Aboriginal and Torres Strait Islander Housing Authority (NATSIHA);
 - adequately fund implementation of the Housing Sector Strengthening Plan (HSSP) currently under development by the Coalition of Aboriginal and Torres Strait Islander Peaks (Coalition of Peaks) and NATSIHA;
 - establish a plan to transfer ownership and management of a designated quantum of public housing to the ACHP sector in every jurisdiction by an agreed date;
- 3. monitor national Aboriginal and Torres Strait Islander housing policy against a set of comprehensive health and wellbeing parameters;
- 4. incorporate a national independent review of the number of houses required by Aboriginal and Torres Strait Islander people;
- 5. establish national targets and timeframes for construction and maintenance of housing for Aboriginal and Torres Strait Islander people;
- 6. address the growing aged- and disability-care housing-and-infrastructure needs of Aboriginal and Torres Strait Islander people;
- 7. incorporate a national program modelled on the successful *Fixing Houses for Better Health* program, and ensure it builds strong partnerships with ACHPs;
- 8. apply flexible, sustainable-design principles to housing for Aboriginal and Torres Strait Islander people that respond to local cultural needs, environments and climate change;
- positively discriminate in favour of remote-housing construction companies that train and employ designated quotas of local Aboriginal and Torres Strait Islander people apprentices and workers;
- 10. incorporate a new National Housing Strategy that includes a multilateral funding agreement, allows funding from the North Australia Infrastructure Facility (NAIF), and establishes a new *National Partnership Agreement on Remote Indigenous Housing*.

Introduction

NACCHO welcomes the opportunity to contribute to the Productivity Commission's review of the NHHA.

NACCHO supports the submissions made to this consultation by the Queensland Aboriginal and Islander Health Council (QAIHC), the Aboriginal and Torres Strait Islander Housing Authority (NATSIHA), the Australian Medical Association, and Mr Michael Dillon.

In responding to the questions posed by the Productivity Commission's *Issues Paper*, we focus on the following areas:

- implementation of the 4 Priority Reforms outlined in the National Agreement;
- establishment of strong, community partnerships and shared decision-making in the provision of housing to Aboriginal and Torres Strait Islander people;
- provision of culturally safe housing to Aboriginal and Torres Strait Islander people;
- introduction of a national research program that rigorously identifies the current and future housing needs of Aboriginal and Torres Strait Islander people; and
- impacts on health and wellbeing of the current provision of housing to Aboriginal and Torres Strait Islander people.

Health impacts of inadequate housing

Safe and decent housing for Aboriginal and Torres Strait Islander people is urgently required. Housing is one of the most critical social determinants of health and cannot be overlooked when working to close the gap in Aboriginal and Torres Strait Islander people's life expectancy. NACCHO strongly advocates for a major investment in housing to address Aboriginal and Torres Strait Islander health objectives. There is comprehensive, evidence-based literature that demonstrates the powerful links between housing and outcomes for health.^{1, 2} This issue cannot continue to be ignored.

Impact on prevalence of disease

Living in overcrowded housing with poor sanitary conditions increases the likelihood of several chronic health conditions. For example, eye infections among Aboriginal and Torres Strait Islander people. Australia is the only developed nation in the world not to have eliminated trachoma, an entirely preventable disease that leads to blindness. Overcrowding makes Aboriginal and Torres Strait Islander children more susceptible to acute or chronic ear infections. Often the result of a virus, it is particularly difficult to prevent the progression of middle-ear infections without proper washing facilities. Children with ear infections can sustain hearing loss that has a negative impact on their ability to learn at school. Similarly, skin infections such as scabies can quickly spread through crowded households, particularly when washing facilities are limited or non-existent. Scabies may be complicated by bacterial infection, leading to the development of skin sores that, in turn, lead to the development of septicaemia, heart, liver or chronic kidney disease. Eye, ear and skin infections effect a child's long-term behaviour, development, education, employment and income prospects.

Overcrowding and poor sanitary conditions are also the primary reason for significantly higher rates of acute rheumatic fever and rheumatic heart disease among Aboriginal and Torres Strait Islander

people. The burden of these diseases often lasts a lifetime and complications include atrial fibrillation, endocarditis, heart failure and stroke.³

Overcrowding also makes it extremely difficult to isolate or quarantine during COVID-19 outbreaks. In 2020 there have been reports of Aboriginal and Torres Strait Islander people isolating in tents to overcome these issues.⁴ (Please see the accompanying Case Study – COVID-19 and over-crowded housing in Wilcannia.)

Case Study – COVID-19 and over-crowded housing in Wilcannia

In 2021, inadequate, overcrowded housing conditions experienced by the Barkindji people of Wilcannia, NSW, led to an extreme COVID crisis in the NSW town. In August 2021, over 8 per cent of Wilcannia's population became infected with COVID-19, and fewer than 20 per cent were vaccinated. The Far West Local Health District (LHD) ordered Wilcannia residents who had tested positive for COVID-19 to isolate in their homes — where often more than 10 people were living under the same roof.

Michael Kennedy, Chair of Wilcannia Local Aboriginal Land Council, said the town's COVID-19 outbreak had accentuated the desperate need for viable housing in the town, with state and federal authorities merely gesturing towards making improvements. Wilcannia representatives lobbied for more targeted protection for the vulnerable Aboriginal and Torres Strait Islander community for more than 18 months prior to the outbreak, but say they were ignored. The town had been demanding answers from the NSW government for years about what is being done to improve the living conditions of residents.

In 2020, Aboriginal and Torres Strait Islander health services had predicted that if COVID-19 entered Aboriginal communities, it would be disastrous. Instead of governments taking responsibility for their housing failures, in one instance blame was levelled at the people suffering the consequences of that failure. Criticisms were levelled at family and community who attended a funeral, despite the funeral occurring before restrictions and lockdowns. Those who made negative statements about the funeral attendance later apologised.⁵

Impact on mental health

Mental health issues have been linked to homelessness and overcrowded living conditions. Some 55% of Aboriginal and Torres Strait Islander people aged 15 years and over with a mental-health condition had experienced homelessness sometime in their lives. Conflict over resources, roles and responsibilities among family members is common in crowded houses and contributes to stress. There is often no way for people to physically remove themselves or their children from the conflict generated by overcrowding. There is a significant association between stable, uncrowded housing and a lower prevalence of domestic and family violence. Overcrowding may also undermine cultural protocols such as avoidance practices between family members and can lead to Aboriginal and Torres Strait Islander people unwillingly leaving their traditional Country. Post-traumatic stress disorder is common among Aboriginal and Torres Strait people who are homeless, as many have experienced numerous traumatic events. Adequate housing can lessen the high rates of suicide among Aboriginal and Torres Strait Islander people.

Impact of rental stress

Securing leases that incur unaffordable rent creates rental stress and associated impacts on health and wellbeing. Aboriginal and Torres Strait Islander people are more likely to be receiving lower remuneration than other Australians. In 2016, 39% of Aboriginal and Torres Strait Islander households spent more than 30% of their gross income on renting from private landlords. Approximately 21% of Aboriginal and Torres Strait Islander households with a mortgage spent more than 30% of their gross income on housing. For single parents, as much as 50% of income may be spent on accommodation. There is some evidence that housing-affordability stresses may contribute to suicide risk among already vulnerable groups such as Aboriginal and Torres Strait Islander people.

Linking health outcomes with housing outcomes

The above discussion underlines the need for the NHHA to clearly link housing conditions with often life-threatening Aboriginal and Torres Strait Islander health outcomes. **NACCHO recommends** that a revised iteration of the NHHA should make provisions for a new, dedicated data-collection program that monitors national housing policy against a set of comprehensive health and wellbeing parameters.

Impact on aged and disability care

The aged- and disability-care needs of Aboriginal and Torres Strait Islander people face shortfalls in dedicated infrastructure and housing. In the next decade, the population of Aboriginal and Torres Strait Islander people aged 50 and over is projected to double to almost 250,000 people, increasing the need for suitable housing for an ageing population. This has implications for housing stock and infrastructure requirements as well as the delivery of aged care services by the community-controlled sector. For example, ACCHOs/ACCOs wishing to deliver residential aged-care services will need to secure, renovate or build facilities and/or provide housing to meet staffing needs.

Aboriginal and Torres Strait Islander people are over twice as likely to experience a disability than other Australians (9% with a severe condition compared to 4% for non-Indigenous). Currently, 7.1% of NDIS participants are Aboriginal and Torres Strait Islander people (35,773 active participants as at 31 December 2021) which is considerably less than the percentage believed to have a significant disability. Existing housing and community infrastructure overall is not accessible and provides barriers for Aboriginal and Torres Strait Islander people with a disability to living in community. Research highlights the need for specialist housing facilities for Aboriginal and Torres Strait Islander people with disability. These must be designed and built in consultation with the local community and stakeholders; and the NDIA must understand and account for the housing challenges facing Aboriginal and Torres Strait Islander people with disability.

NACCHO recommends the next NHHA address the growing housing and infrastructure needs within the Aboriginal and Torres Strait Islander aged- and disability-care sectors.

National Agreement on Closing the Gap

NACCHO commends the *Issues Paper* for citing the National Agreement.¹³ This historic agreement was signed by Australian governments at all tiers – local, state and territory, and federal. *Outcome Area 9* of the National Agreement specifies that Aboriginal and Torres Strait Islander people should be able to:

'Secure appropriate, affordable housing that is aligned with their priorities and need', and that,

'By 2031, [parties to the National Agreement will] increase the proportion of Aboriginal and Torres Strait Islander people living in appropriately sized (not overcrowded) housing to 88 per cent'.¹³

However, fulfillment of the National Agreement also requires deep structural and systemic changes that are outlined in the National Agreement's 4 Priority Reform Areas.

Priority Reform Area 1 – Formal partnerships and shared decision-making

Parties to the National Agreement committed to building and strengthening structures that empower Aboriginal and Torres Strait Islander people to share decision-making authority. They committed to establishing more partnerships with Aboriginal and Torres Strait Islander people, both policy partnerships and place-based partnerships.

The National Aboriginal and Torres Strait Islander Housing Authority (NATSIHA) has been established by Aboriginal and Torres Strait Islander people, communities and organisations to represent their interests in housing, and to be the leading partner with governments in the provision of Aboriginal and Torres Strait Islander community-controlled housing. NATSIHA and the Coalition of Peaks are currently developing a Housing Sector Strengthening Plan (HSSP), which is due to be finalised in April 2022.

NACCHO recommends the HSSP be provided with sustained government investment.

NACCHO recommends that as the peak body representing Aboriginal Community Housing Providers (ACHPs), NATSIHA is adequately resourced to successfully implement the recommendations of the HSSP.

Priority Reform Area 2 – Building the community-controlled sector

Parties to the National Agreement committed to building formal Aboriginal and Torres Strait Islander community-controlled sectors to deliver services to support Closing the Gap. The Parties acknowledged that Aboriginal and Torres Strait Islander community-controlled services are better for Aboriginal and Torres Strait Islander people, improve outcomes, employ more Aboriginal and Torres Strait Islander people and are often preferred over mainstream services.

The community-controlled housing sector has an established track record in developing and managing affordable housing. Within this sector there are currently, across Australia, approximately 330 ACHPs, two-thirds of which receive government funding. These ensure management of rental housing can better provide for cultural needs, be culturally safe and free from racism. Increasing the availability of ACHP housing stock will lessen overcrowding, improve maintenance and allow for those reliant on the unaffordable private-rental market to bypass rental stress.

Many ACHPs, however, are small and have less well-developed organisational governance, workforce capability and business systems than other community-housing organisations. Organisational scale and operating subsidies are inadequate to address tenant need, especially in the north of Australia where operating costs are high.

NACCHO recommends the prioritisation and adequate funding of the ACHP sector.

NACCHO recommends adoption of NATSIHA's call for the establishment of a plan to transfer ownership and management of a specified quantum of Aboriginal public housing to ACHPs in every jurisdiction by an agreed date.

An expanded and adequately funded national ACHP sector will better address the poor design and maintenance programs of government owned public housing, which almost invariably ignore the unique cultural needs and priorities of Aboriginal and Torres Strait Islander people. A nationally aligned ACHP sector will better address the current significant inconsistencies between property maintenance approaches within and across state and territory jurisdictions. Maintenance programs are predominantly responsive, rather than planned. There is an urgent need for an update of current design and construction guidelines, such as those outlined by the *National Indigenous Housing Guide*, to improve the performance of Aboriginal and Torres Strait Islander housing, while tailoring the design strategies around the needs of Aboriginal and Torres Strait Islander people.

Expanding the ACHP sector can help ensure procurement of construction and maintenance that trains and employs Aboriginal and Torres Strait Islander workers. Building and housing maintenance work can provide meaningful and sustainable training and employment opportunities through apprenticeships for local Aboriginal and Torres Strait Islander people, providing genuine options to stay on Country. A strong ACHP sector should also be backed by greater investment in VET training, traineeships and undergraduate degrees in environmental health for Aboriginal and Torres Strait Islander people.

Finally, Aboriginal and Torres Strait Islander community-controlled housing will better understand and respond to climate change impacts on Aboriginal and Torres Strait Islander people, which increasingly require houses to be designed to withstand extreme weather events and temperatures. To avoid heat stress, northern houses in particular, must be positioned to ensure adequate air flow, include effective air-conditioning and physical structures that provide shade. The absence of these elements should be considered akin to a work safety issue, which government housing authorities and private landlords should be obliged to address. Heat stress of housing due to climate change is also impacting on decisions to leave communities and seek refuge in urban centres away from traditional homelands. For example, this is particularly evident in Alice Springs and Darwin, and contributes to fluctuating homelessness rates. Higher standards for design should be set in tenders and new homes should be subject to periodic inspection of their thermal performance to ensure householder health.¹⁵

Expansion of the ACHP sector aside, **NACCHO recommends** the national application of flexible, sustainable-design principles to housing for Aboriginal and Torres Strait Islander people that respond to local cultural needs, environments, and climate change.¹⁶

NACCHO recommends programs under the next NHHA positively discriminate in favour of remote-housing construction companies that train and employ designated quotas of local Aboriginal and Torres Strait Islander apprentices and workers.

Priority Reform Area 3 – Transformation of mainstream institutions

Parties to the National Agreement committed to systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people. The Parties committed to identifying and eliminating racism, and to embedding and practicing cultural safety.

Private rental, the most common form of tenancy used by Aboriginal and Torres Strait Islander people in metropolitan areas, is commonly discriminatory.¹⁷ A WA inquiry found there was *'substantial evidence of racial discrimination in the private-housing rental market'* against Aboriginal and Torres Strait Islander people, who are often told over the phone a property is available, but on arrival find it is no longer available.¹⁸ In 2021, approximately 50% of Aboriginal people in WA reported discrimination in relation to housing or homelessness services.¹⁹ Similarly, research conducted into Aboriginal and Torres Strait Islander housing access in western Sydney found that those who 'looked black' or were most readily identifiable as Aboriginal, were repeatedly told there were no properties available, submitted high numbers of applications without success, and found it hard to obtain secure leases despite good incomes and work history.

Neither is the government-owned public-housing sector guaranteed to be free from discrimination. An inquiry into Aboriginal and Torres Strait Islander public housing in Western Australia, found public-housing allocations are 'not necessarily made free from discrimination and are influenced by assumptions about a person's race [...]'; and that Aboriginal people are more likely than non-Aboriginal people to be allocated poor standard housing that is being, 'recycled from generation to generation creating intergenerational poverty and hardship'. Discrimination impacts Aboriginal and Torres Strait Islander people's 'physical and mental health', increasing the 'potential for sexual abuse, domestic violence and poor education outcomes.²⁰

Prioritising, supporting and resourcing ACHPs will better ensure management of rental housing can provide for cultural needs, be culturally safe and free from racism. Increasing the availability of ACHP housing stock will help address the structural racism within housing provision for Aboriginal and Torres Strait Islander people, which significantly impacts Aboriginal and Torres Strait Islander health and wellbeing outcomes.

Past programs to address inadequate housing from a health perspective have proven successful. Funded by the Australian Government, *Fixing Houses for Better Health* (FHBH) projects ran from 1999 to 2011 in remote and rural Aboriginal and Torres Strait Islander communities nationally. Using a method known as 'housing for health', FHBH assessed and made repairs to houses, giving priority to improving water supplies, sanitation equipment and food preparation areas. In implementing FHBH, the Australian Government entered into a number of successful funding agreements with ACHPs for service delivery.

NACCHO recommends that the Australian Government, through the NHHA, fully fund a program that supports healthy living environments in urban, rural, and remote Aboriginal and Torres Strait Islander communities similar to the FHBN program, and ensure implementation builds strong partnerships with Aboriginal and Torres Strait Islander community-housing providers.

Priority Reform Area 4 – Sharing data and information to support decision making

Parties to the National Agreement committed to sharing access to location-specific data and information to support the achievement of the first three Priority Reforms.

It is no secret that the impact of a dire national shortfall in quality, affordable housing is borne inequitably by Aboriginal and Torres Strait Islander people. It is also widely acknowledged that these shortfalls compound the other structural inequities faced by Aboriginal and Torres Strait Islander people.²¹

NACCHO commends the Productivity Commission's *Issues Paper* for its informed summary of the acute housing-and-homelessness disparities faced by Aboriginal and Torres Strait Islander people.

The *Issues Paper* rightly highlights that Aboriginal and Torres Strait Islander households, compared with other households, are:

- ten times more likely to be classified as homeless;
- nine times as likely to access specialist homelessness services;
- half as likely to own their own home (with or without a mortgage);
- six times more likely to live in social housing; and
- 16 times more likely to live in severely overcrowded dwellings.

However, these figures don't readily translate into a measurement of the current and future shortfall in Aboriginal and Torres Strait Islander housing supply and maintenance needs. Existing estimates are few, dated or piecemeal. For example, in 2009, the Australian Institute for Health and Wellbeing estimated that by 2018 a further 5,074 *remote and urban* homes would be needed to reduce overcrowding and unaffordability. In 2017, the Australian Government estimated that by 2028 a further 5,500 *remote homes alone* would be required to 'address current needs' and population growth. In 2020, the Victorian Aboriginal Child Care Agency estimated that by 2036 a further 27,000 Aboriginal households will require housing *in Victoria*.

While estimates of Aboriginal and Torres Strait Islander housing needs are alarming, they are also nationally incomplete, based on a range of parameters, and therefore inadequate to inform a new national iteration of the NHHA.

NACCHO recommends that the next NHHA incorporate an independent review and a dedicated data-collection program that identifies the number of current and future houses required for Aboriginal and Torres Strait Islander people nationally as well as current national maintenance needs. The data should be disaggregated. As the Productivity Commission itself noted in 2021:

'... additional disaggregation is required for future reporting in relation to remoteness areas and other small geographic areas (where available); socioeconomic status of the locality; disability status; gender; age group; overcrowding status (1, 2, 3, 4 or more additional bedrooms required); and tenure type.'

Data should be based on agreed definitions of 'adequate housing', such as the one recently adjudicated on by the Northern Territory Civil and Appeals Tribunal.²⁵ Data should also be collected for maintenance needs. As the Centre for Aboriginal Economic Policy Research rightly points out:

'Overcrowding is not a static objective but is a dynamic process that requires both regular repairs and maintenance to be undertaken, and from time-to-time major upgrades and renovations.²⁶

Housing asset lifespan in remote Australia is much shorter than for mainstream housing, and regular repairs and maintenance will extend asset lifespans considerably.

NACCHO recommends that the next NHHA establish national targets and timeframes for construction and maintenance of housing for Aboriginal and Torres Strait Islander people that are based on the work of a national independent review and disaggregated data.

A National Housing Strategy

The next iteration of the NHHA should address the complexity and diversity of the housing needs of all Aboriginal and Torres Strait Islander people and align with the National Agreement on Closing the Gap.

NACCHO recommends, in line with calls by numerous Aboriginal and Torres Strait Islander housing advocates, the development of a National Housing Strategy that guides implementation of the NHHA, particularly in its provision of community-controlled housing for Aboriginal and Torres Strait Islander people. The Strategy should provide a coordinated framework for governments at all levels, as well as key delivery partners, to make effective, long-term planning and investment decisions. The Strategy should also articulate roles and responsibilities; specify the quantum of investment by the Australian Government, particularly in regard to community-controlled housing stimulus; and nominate key policy levers available at the federal level to bolster state and territory initiatives, including ending discriminatory housing-allocation practices.

The levels of housing under-provision and overcrowding in remote Australia are such that additional funding is necessary if the existing and worsening levels of housing disadvantage are to be halted and reversed. The Strategy must ensure that all jurisdictions are resourced to deliver enough social and affordable housing to meet evidence-based projections of current and future Aboriginal and Torres Strait Islander needs. The *National Partnership Agreement on Remote Indigenous Housing*, which allocated \$5.5 billion over 10 years, was unilaterally discontinued in 2018 against the wishes of the affected jurisdictions, without any formal public announcement, and without consultation with impacted communities. There were no offsetting policy changes to the NHHA to counteract the consequences of the Commonwealth's unilateral decision, and there has been a reduction in the overall levels of effective transparency in housing outcomes for remote Aboriginal and Torres Strait Islander people.²⁶

NACCHO recommends a National Housing Strategy comprise a new national, multilateral-funding agreement that addresses the funding shortfall between the goals of the NHHA and the investment needed to support them.

NACCHO recommends the Strategy establish a new *National Partnership Agreement on Remote Indigenous Housing*.

NACCHO recommends the Strategy include amendment of the mandate of the North Australia Infrastructure Facility (NAIF) to encourage and enable NAIF to invest in the expansion and upgrading of community housing and associated infrastructure across northern Australia. ²⁶

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