

## **THE TI TREE CREEK CAMP STUDY: A CONTRIBUTION TO GOOD GOVERNANCE<sup>1</sup>**

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### **I Introduction**

Ti Tree is a small roadside town in Australia's Northern Territory (NT) on the main north-south road — the Stuart Highway — about half way between the larger urban centres of Alice Springs and Tennant Creek. It has an old-style roadhouse which sells fuel, food and beverages, including alcohol, and a somewhat newer art gallery/café, which also contains some general provisions in the style of a small supermarket. Ti Tree has a school, a health clinic and a police station, all staffed by the NT Government, and it is also the operational centre of the Anmatjere Community Government Council (ACGC), established in 1993. ACGC's offices used to be in one end of the school. However, in 2002 a new office and Council chambers was opened, in which ACGC now also runs a Centrelink agency, a library or knowledge centre, and a rural transaction centre. Elsewhere around town ACGC runs an aged care centre, a power station and water infrastructure, as well as being responsible for a park, an oval and an airstrip. ACGC also has a works and machinery yard from which outdoor staff undertake activities such as rubbish collection and town and infrastructure maintenance. Another works yard and residence belongs to the non-Indigenous manager of the Indigenous-owned Puraiya Cattle Company, which runs pastoral operations on the surrounding Ahakeye Land Trust, once formally known and still often referred to as Ti Tree Station.

To accommodate the employees of these and other organisations, Ti Tree has about 35 formally constructed residences. These are mainly in a compact subdivision on the east side of the Stuart Highway, along with the school, health clinic, police station and aged care centre. Some, however, are

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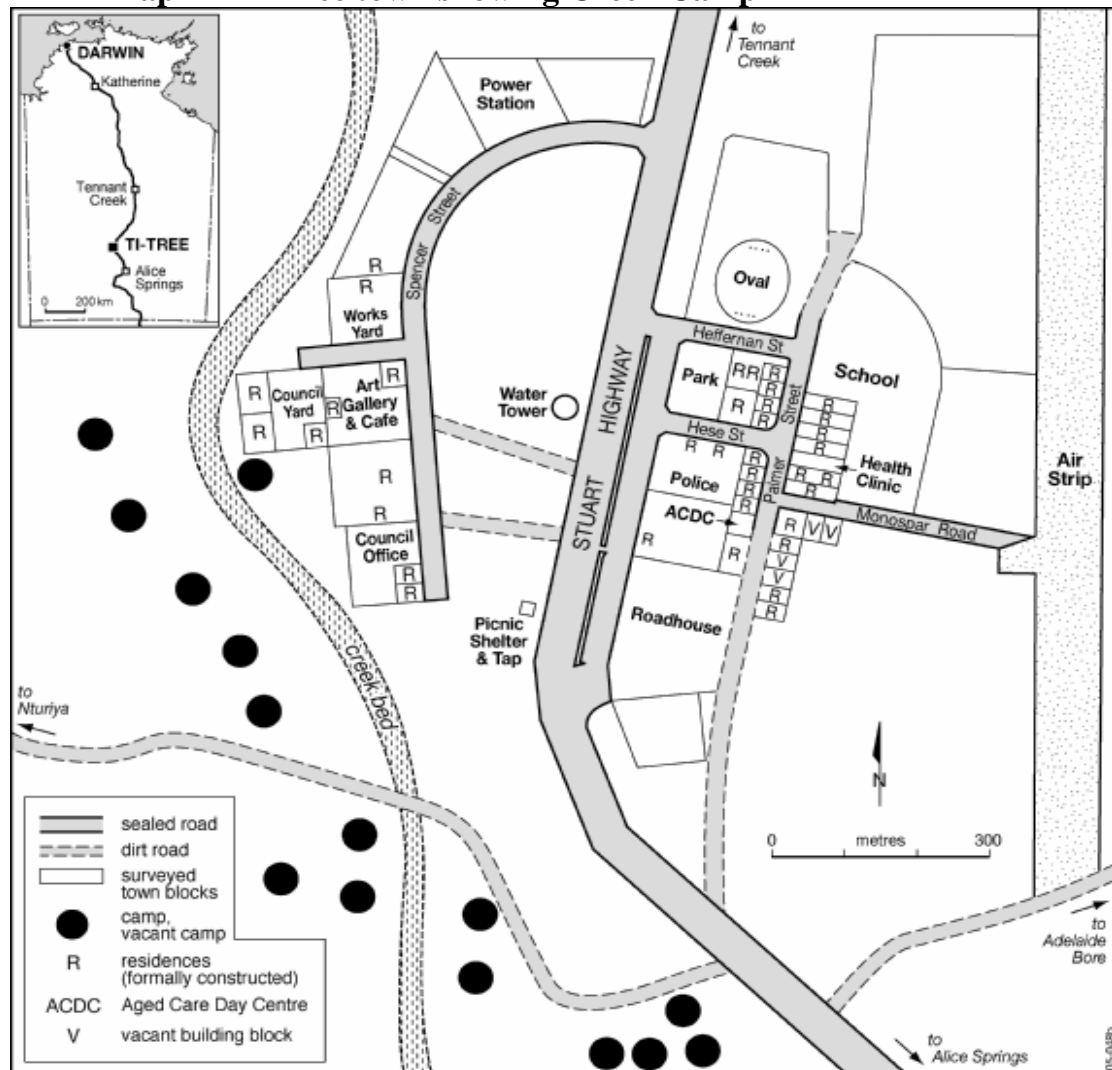
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west of the Stuart Highway in a more spread out subdivision which is more industrial in nature and includes the ACGC's offices, power house, and works yard. As well as these formally constructed residences in clearly delineated subdivisions, Ti Tree also has an area of self-made dwellings occupied by Aboriginal people running along its western and southwestern sides. This area, known as Creek Camp, has no reticulated water or electricity services (see Map 1 for a pictorial representation of many of these details).

**Map 1 – Ti Tree town showing Creek Camp**



Our study of Creek Camp came about as part of an involvement with ACGC in a research project on Indigenous community governance. In 2004 we asked ACGC if they would be part of the project and explained that our approach would be to work with Council on issues of importance or concern to them. The first issue that Council directed us to was Creek Camp. This followed a letter to Council in October 2004 from the then local member of the NT Legislative Assembly and Minister in the Martin Labor Government, Peter Toyne, expressing some concern about the conditions and lack of services in

Creek Camp. ACGC's response to this letter, after some negotiation with various parts of the NT Government, was to agree to provide a boxed water service to the residents of Creek Camp over the summer of 2004–05, funded by the NT Office of Local Government. ACGC could also, of course, point to our study as another response.

In March 2005, with the assistance of Council, we developed a questionnaire intended for current or recent Creek Camp residents which covered the following matters:

- How long people had been living at Creek Camp;
- Who they lived with there;
- What other places they lived, either currently or in the past;
- What attracted them to Creek Camp;
- How they provided for water, food and ablutions;
- What things were problems or they didn't like about living in Creek Camp;
- Whether Creek Camp was overall a good or bad place for them to live, and whether it was better or worse than other places;
- How long they thought they would be living in Creek Camp in the future;
- Whether they thought Creek Camp should be developed with water, electricity and possibly also buildings;
- Whether they would still want to live in Creek Camp if it was so developed: and
- Whether they would be interested in living in public or community housing in the more formal, planned area of Ti Tree.

In April 2005, with the aid of two Councillors as research assistants, we interviewed 32 current and recent Creek Camp residents using this questionnaire. In June we delivered a report to Council on these interviews.<sup>2</sup> We also took copies back to our interviewees and in the process did another count of Creek Camp residents. Similar return visits and counts of Creek Camp residents were also undertaken in September 2005 and February 2006, giving us a view of residential stability and change in Creek Camp over ten months.

The findings of all these interviews and visits will be reported in the next section of this paper. However, before doing so it should be noted that we also carried out two other sets of interviews in December 2005 and February 2006. The first set was with nine senior NT Government officials based in Alice Springs about their understandings of, and approaches to, Creek Camp. The second was with 16 residents of the more formally constructed dwellings

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<sup>2</sup> Will Sanders and Sarah Holcombe, 'The Ti Tree Creek Camp Study: Reports to Anmatjere Community Government Council' (ICGP Case Study Report No 1, Centre for Aboriginal Economic Policy Research, The Australian National University, 2006) First Report, <[http://www.anu.edu.au/caepr/Projects/Reports\\_toACGCCreekCamp\\_2006.pdf](http://www.anu.edu.au/caepr/Projects/Reports_toACGCCreekCamp_2006.pdf)> at 30 October 2006.

of Ti Tree about their understandings and attitudes towards Creek Camp. The findings of all these interviews with the three sets of stakeholders were reported back to ACGC in May 2006.<sup>3</sup> About 100 copies of that report were then also distributed to residents of Creek Camp, residents of the more formally constructed dwellings of Ti Tree and to NT Government officials. This last led to two further developments. The first was clarification and amendment of an argument we had made in our second report, which necessitated a brief third report to Council in mid July 2006. The second was an invitation to the Chairman of ACGC and one of us to make a presentation on the work to a late July meeting of the NT Government's southern Regional Executive Coordination Committee.<sup>4</sup>

All this may seem rather detailed information for an introduction. However, as indicated by our sub-title, in a later section of this paper we want to suggest how and why the Creek Camp Study is a contribution to good governance. Our argument, in part, is that the study has mutually informed diverse stakeholders. So who we interviewed, and when and how our findings were reported and distributed among these stakeholders, is itself important. We will also argue that the study has contributed to good governance by both identifying ideas for change and clarifying obstacles of change. This, however, takes us somewhat ahead of ourselves. Before making these arguments, we need to report the findings of our three sets of interviews and our return visits to Creek Camp over the ten month period, and the ACGC and NT Government responses to our reports.

## **II Current and Recent Creek Camp Residents**

Our 32 interviews in April 2005 led us to identify approximately 100 recent Creek Camp residents grouped, somewhat roughly, into 13 camps (see Map 1).<sup>5</sup> Only about 60 of these people were resident full-time in Creek Camp for the week of our interviews, but some others were resident for a night or two. We also identified about 20 visitors who were staying at Creek Camp during that week, but who clearly identified themselves as living somewhere else.

Six of the 13 camps of current and recent residents had connections to Creek Camp going back many years. Some in these camps reported being continuous residents for so long that they could not identify a previous place of residence. Others reported previous residences many years ago, as a result of moving around the region for work and other reasons. But clearly they all saw Creek Camp and Ti Tree as their home.

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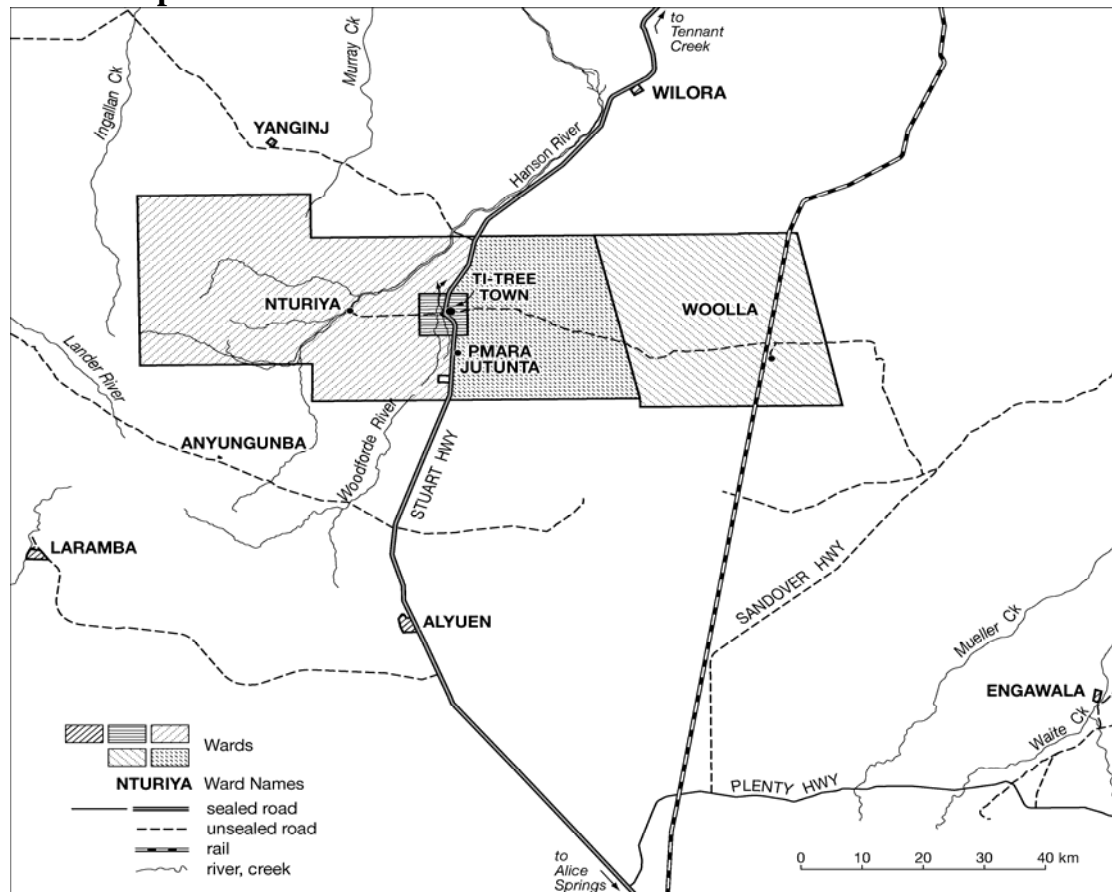
<sup>3</sup> *Ibid*, Second Report.

<sup>4</sup> Electronic versions of these reports were also placed on the web pages of the ICGP (CAEPR, ANU), and on the website of the Desert Knowledge Cooperative Research Centre (DKCRC).

<sup>5</sup> Of the 15 camps shown on map 1, the south-eastern most camp did not yet exist. Also the north-western most camp was vacant at this time due to a recent death and its occupants were camping on the eastern side of the creek near the Council yard.

Four of the camps had lived in Creek Camp for two or three years and could still clearly identify a previous place of residence. One of these previous residences was Yanginj, a discrete Aboriginal settlement about 50 km northwest of Ti Tree which is an outlying ward of ACGC (see Map 2).

**Map 2: Ti-Tree Land Tenure**



Another was Willowra, a discrete Aboriginal settlement further to the northwest, which is outside the ACGC's jurisdiction. For these camps, Creek Camp had effectively become home, though they also retained some considerable attachment to their former places of residence.

Two other camps had been living in Creek Camp for less than a year. They were both from the Willowra area and were avoiding trouble there, but intended in the future to return out that way. The thirteenth camp we identified was only occupied part-time in April 2004, as its residents had recently moved into ACGC housing in Nturiya, another outlying discrete Aboriginal settlement and ward of ACGC.

Here, it needs to be noted that ACGC, as well as being the local governing body for the roadside town of Ti Tree also has nine outlying wards which cover discrete Aboriginal living areas.<sup>6</sup> The closest of these is Pmara

<sup>6</sup> Three of these wards cover large land areas corresponding to the western, central and eastern portions of the Ahakeye Land Trust. Together with Ti Tree town, these three wards constitute the large hatched area in the middle of map 2. The other six wards cover very small land areas which are Aboriginal living area excisions from surrounding pastoral leases (see

Jutunta, or Six Mile, which is adjacent to the Stuart Highway about 9 km, or six miles south of Ti Tree. The next closest is Nturiya, 17 km to the west of Ti Tree on a dirt road (see Map 2).<sup>7</sup> Both Pmara Jutunta and Nturiya are joined to the electricity and water supply system operated by ACGC from Ti Tree. Each has about 25 to 30 houses which are owned and managed by ACGC as 'community housing'. Their populations during the time of our study were claimed to be of the order of 150 to 260 people, though whether these were resident or service populations was somewhat unclear.<sup>8</sup> Our interviews in April 2005 identified three of the camps in Creek Camp as also having houses at Nturiya, and another one as having some limited access to such a house through close family members. Interestingly, our interviews did not identify any Creek Camp residents who had houses at Pmara Jutunta, though both then and later we did come across short-term overnight visitors to Creek Camp who were avoiding trouble at Pmara Jutunta.

When we returned to Creek Camp in June 2005 the number of people present was down to about 45 in eight camps. There were no visitors present and those with access to houses at Nturiya were living back there, rather than in Creek Camp. We thought this might be due to the cold winter weather, but another relevant factor was possibly that ACGC had just finished a program of substantial housing repairs in Nturiya. In September 2005, the numbers in Creek Camp were back up to 80 or possibly even 100, due to a recent death at Nturiya and people moving away from there for a while as part of 'sorry business'. However, by February 2006 these people had returned again to their houses at Nturiya and the numbers present in Creek Camp were down to about 25 people in six camps. In February 2006, the count of Creek Camp residents was lower than the 45 of the previous June largely because one large camp from Willowra had now returned out that way.

By the end of our ten month study, a number of themes had emerged in relation to Creek Camp residence patterns. One was the way in which the camps in the middle of Creek Camp provided a useful, ongoing, if sporadically occupied 'in-town' location for people with houses at Nturiya. Apart from reticulated water and electricity, a road to Ti Tree, a school bus service and a weekly visit from health clinic staff, Nturiya has few services. A store run there by the Puraiya pastoral company closed in early 2002, so Nturiya residents have in recent years been obliged to shop in Ti Tree or further afield. The camps in the middle of Creek Camp seem to act as a convenient place for Nturiya residents to sit down either for day or overnight trips to Ti Tree for shopping and other business. These camps are also at the end of a parallel informal road system between Nturiya and Ti Tree along which unregistered vehicles can travel without the threat of police surveillance.

A second theme was that the camps at the north and south ends of Creek Camp were more permanently occupied on a full-time basis. The 25 people

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map 2).

<sup>7</sup> The settlement at Nturiya is also sometimes referred to as Ti Tree Station or the old Station.

<sup>8</sup> Sam Miles & Associates, *Review of Existing Anmatjere Housing Stock at Ti Tree and Alyuen, Pmara Jutunta, Nturiya and Yanginj Communities* (2005) 7.

who we counted in Creek Camp in February 2006 were all in these camps and had all been there throughout the ten month period of the study.<sup>9</sup> They included the people who could not identify any previous residence and for whom Ti Tree and Creek Camp were simply home. They also, interestingly included about 10 elderly or disabled people and their carers, as well as five employees of either ACGC or the NT Government, plus their children. Also among these full-time residents over the ten month period was the camp which identified its previous residence as Yanginj. Due to health issues and aging among its members, plus younger members of the family living in Nturiya and working in Ti Tree, this camp did not see itself as likely to return to Yanginj as full-time residents in the foreseeable future. The lack of other people living at Yanginj, and a related decline in water and electricity services there, also meant that this was not an attractive option.<sup>10</sup>

These six camps of 25 constant residents led us to further consider two issues: the links between employment and housing in Ti Tree and the importance of ACGC's aged care service to Creek Camp. The aged care service delivered midday meals to Creek Camp residents who were among its clientele and it also assisted them with filling jerry cans for their water supply. The aged care centre in town also provided these Creek Camp residents with a place to visit some days, and to attend to ablutions and money matters. The ACGC's aged care service was clearly an important element of *how* these elderly people lived in Creek Camp.

The presence of ACGC and NT Government employees among this core Creek Camp population also raised some interesting questions about housing and employment. Generally, if people are recruited from elsewhere into public sector jobs in Ti Tree, they will be provided with housing as part of their employment package. If people are recruited locally into these jobs, housing is usually not part of the employment package, except in a limited number of more senior jobs. This sets up tensions over who obtains access to housing in Ti Tree through employment, both among locals and between locals and outsiders. Of the twelve residences owned by ACGC in Ti Tree, most are used to house managerial employees who come from elsewhere. Just two, west of the Council yard close to the northern end of Creek Camp, are routinely used to house local Aboriginal workers and their families (see Map 1). These latter two houses were acquired in the late 1990s through the community housing program of the former Aboriginal and Torres Strait Islander Commission and

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<sup>9</sup> The southeastern most camp in Map 1 was established between June and September due to a death in the two camps slightly further west but still east of the creek. The northwestern most camp was by this time re-occupied by its owners and their temporary camp to the east of the Creek was no longer in use.

<sup>10</sup> Yanginj has a stand-alone water and electricity system that has fallen into disrepair during the recent period of vacancy. The generator at Yanginj has disappeared and there are some unresolved, long-running issues about both the quality and quantity of the water supply. Some discussion of the possibility of restoring previous service levels at Yanginj occurred at ACGC meetings in early 2005. However, in the absence of a commitment from anyone to return to Yanginj as residents, plans for the restoration of basic water and electricity services there were not pursued.

the Indigenous Housing Authority of NT and are referred to by ACGC as 'community housing'. Two houses in Ti Tree for local Aboriginal ACGC employees is nowhere near enough and so many such employees either live at Nturiya or Pmara Jutunta in community housing there, or in Creek Camp.

The housing issue and its relationship to Creek Camp is even more complex when one realizes that three of the ACGC and NT Government employees who were living in Creek Camp during the study had previously lived in houses in Ti Tree's more formal sub-divisions. All had stories to tell of how living in houses in Ti Tree led to considerable pressure from relatives with either no access to housing or access only to community housing in outlying settlements. Some talked of their lounge rooms becoming other people's bedrooms and of deciding to vacate their house in favour of Creek Camp.

This experience of living in a house in Ti Tree also related to a theme that emerged in response to our asking Creek Camp residents what attracted them to living there. One of the most common unprompted responses to this question was that Creek Camp was a quiet, spread out place to live close to services and family, but not 'boxed-up' like the houses on the east side of Ti Tree, where non-Indigenous residents sometimes complained about Aboriginal residents' dogs and visiting relatives. Creek Camp was also seen as less noisy and crowded than Aboriginal community housing at Nturiya and Pmara Jutunta, particularly when there was drinking going on in those places. Creek Camp was thus seen by many of its residents as a workable living arrangement among a rather limited range of somewhat fraught housing options.

Reflecting this comparative attraction, many Creek Camp residents thought they would be living there for some time to come and were not all that interested in the idea of living in a house in Ti Tree town. Residents tended to be more interested in the idea of gaining services in Creek Camp itself and perhaps even some buildings. However, there was also considerable caution in relation to the potential development of Creek Camp, due to a concern that it might become too attractive to people now living at Nturiya and Pmara Jutunta and thereby lose its current character as a quiet, spread out place to live. People were generally optimistic that if Creek Camp was developed these problems could be avoided by measures such as fences and keeping buildings and services fairly basic and spread out. But there was an underlying caution and conservatism about development ideas for Creek Camp, both among Creek Camp residents and among Councillors, lest the current attractions of what already existed might be threatened.

If this caution and conservatism sounds like romanticising Creek Camp, we should also report that there were some residents who clearly wanted to move out of Creek Camp as soon as they could. One adolescent girl expressed strong dissatisfaction with residence there, even though her co-resident grandmother was more settled and accepting. Also one camp *was* interested in the idea of living in a house in Ti Tree town and asked us to find out about possibilities. We will return to this matter soon, when we describe our interviews with NT Government officials.

Overall then, Creek Camp was seen in quite positive terms by its



residents. It was a quiet, convenient, spread out place to live with dogs and family, close to services, while also being less noisy and crowded than community housing at Nturiya or Pmara Jutunta. Most residents saw themselves as continuing to live in Creek Camp in the future and liked the idea of possible reticulated services, or perhaps even buildings. Creek Camp was also clearly a place where people could camp intermittently to get away from other places where they were experiencing trouble, like Nturiya, Pmara Jutunta, or further afield, Willowra. Creek Camp was, in these instances, a resource for people who, while primarily living elsewhere, could also make use of its quiet, convenient location.

### **III Northern Territory Government Officials**

Earlier we noted that it was following a letter to ACGC in October 2004 from the then local member of the NT Legislative Assembly and Minister in the Martin Labor government, Peter Toyne, that we were directed to Creek Camp as an issue of importance or concern on which to work with Council. A month later in November 2004, the Regional Director of the NT Department of Community Development, Sport and Cultural Affairs wrote a background paper on Creek Camp for the NT Government's southern, Alice Springs-based, Regional Executive Co-ordination Committee. In that background paper, she argued that the 'conditions of people living in Creek Camp' was a 'complex issue' to which the NT Government needed 'to develop a measured and coordinated long-term response' in 'partnership with the families at Creek Camp' and with ACGC.<sup>11</sup> It was in an attempt to find out, one year on, how this response was developing that one of us interviewed nine senior NT Government officials based in Alice Springs. These officials covered the areas of responsibility of health, housing, education, lands, liquor and gaming licensing, power and water, police and local government. They also included an officer of the Department of Chief Minister concerned with central coordination.

The most important insight to emerge from these interviews with senior NT Government officials was that the tenure of Creek Camp as 'unallocated crown land' was a major impediment to the provision of reticulated water and electricity services there, let alone any building development. Indeed, on the basis of these interviews we reported to Council in May 2006 that for such reticulated services to become a possibility at Creek Camp, some organisation, such as ACGC, would probably have to apply for and acquire an 'appropriate title' over the land, such as a perpetual or term 'crown lease'.

Because Creek Camp is located on 'unallocated crown land' and the prospects for providing buildings or even reticulated services there seem slight, most NT Government officials we interviewed were more focussed on what could be done to encourage residents to move on from Creek Camp. The most

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<sup>11</sup> Andre Burgess, 'Background Paper – Creek Camp at Ti Tree' (NT Department of Community Development, Sport and Cultural Affairs, November 2004).

commonly identified initiative here was the planned provision of a number of aged care accommodation units in Ti Tree, funded partly by the Commonwealth and partly by the NT. However as we noted in our May 2006 report, planning for this was still uncertain and hence any addressing of Creek Camp issues through it was some way off. We also noted in that report that consultation with elderly Creek Camp residents may reveal varying and not always positive levels of interest in the option of aged care accommodation units in Ti Tree. As it has turned out in 2006, the inter-governmental aspects of these plans have proven intractable and the identified Commonwealth aged care money is now being used for the provision of a couple of respite care accommodation units adjacent to ACGC's aged care day centre. While these respite aged care units may be of occasional assistance to Creek Camp's elderly residents, they will not provide them with alternative, longer term accommodation options.

On the housing front more generally, we ascertained from these interviews with NT Government officials that at the end of 2005 Territory Housing owned and managed 11 residences in Ti Tree, nine of which were in the government employees housing pool and two of which were in the public housing pool. We also ascertained that there could be movement of residences between these pools, and that to the extent that there had been such movement in recent years, it had probably been from public housing into government employee housing. This was due to NT Government departments attempting to build up their numbers of employees in Ti Tree and to local Aboriginal residents sometimes vacating dwellings due to difficulties managing their tenancies with Territory Housing. Perhaps more importantly, we ascertained that there had been no applications for public housing in Ti Tree in recent years and that consequently there had been no recent building of public housing in the town. As a result of our study, however, one application for public housing in Ti Tree was lodged, with our assistance, by the one group of Creek Camp residents who had explicitly expressed interest in living in a house in town in our April 2005 survey.

It may seem perverse that there would be no recent applications for public housing in Ti Tree when Creek Camp appears to have had a significant number of residents over recent years. This could be explained in part by Territory Housing's rather passive approach to applications, waiting for applicants to come to it rather than actively seeking them out. Our experience of helping that one group of Creek Camp residents with such an application suggested that it was, for them, a somewhat daunting administrative process which they would have been unlikely to attempt on their own. However, the lack of recent applications for public housing in Ti Tree could also in part be explained by Indigenous people knowing, from both past and present experience, that public housing tenancies in Ti Tree can put people under pressure and be quite hard to manage.

It is clearly very difficult to be one of the few Aboriginal people housed in Ti Tree, while countrymen and family members either lack housing altogether or only have access to community housing located further away from

services in outlying Aboriginal living areas. This difficulty applies not only to public housing but also to government employee housing, when local Aboriginal people do occasionally access this. To a lesser extent it also even applies to the two community houses owned by ACGC west of the Council works yard, as evidenced by the fact that two of the ACGC employees living in Creek Camp had previously lived in one of these houses.

As residential land tenure does not so directly affect their service provision functions, interviewed NT Government officials in areas of responsibility such as health, education and policing seemed to have a somewhat easier task relating to Creek Camp. Residents from Creek Camp can come to the school or the health clinic, just like anyone else. Indeed one of the advantages of living in Creek Camp is that these services are within daily walking distance. Staff from the school, health clinic and police station can also easily visit and contact people living in Creek Camp if they need to. Also, as we pointed out in one of our reports, being a public place in a town within two kilometres of a licensed alcohol outlet actually gives Creek Camp a convenient, built-in alcohol management mechanism. Under the NT's so-called 'two kilometre' law, drinking alcohol in such a place is forbidden. With the police station less than a kilometre from Creek Camp and police surveillance of the area fairly easily achieved, drinking of alcohol in Creek Camp does not seem to be a major problem. We noted in our reports that there was a general understanding among NT Government officials that Creek Camp was not a drinkers camp and that, in fact, there seemed to be times when people used it as a refuge from trouble caused by drinking in other places.

Clearly, NT Government officials had a variety of understandings of Creek Camp and approaches to it, depending on their particular service responsibilities. Most accepted the long-term reality of Aboriginal people camping there, both in the past and into the future. Most regarded Creek Camp residents as among their general clientele, though in some instances like housing adopted a rather passive approach. However in the areas of land and reticulated services, there was clear resistance to the idea of formally recognising and servicing Creek Camp and its residents, which we will return to later.

#### **IV Residents of the More Formally Constructed Dwellings in Ti Tree**

Our third set of interviews, in February 2006, was with residents of the 35 or so more formally constructed dwellings in Ti Tree. We interviewed 16 such residents, three of whom were local Aboriginal people. Another two were from nearby areas of the NT and had family connections in Ti Tree, which had seen them come and go from the area over the years in conjunction with employment opportunities. Our other 11 interviewees were essentially non-locals who had come to Ti Tree because of employment opportunities. Some of these interviewees had been in Ti Tree for as long as five, or even 10 years, but the majority had been there for briefer periods of a year or three, or even in a

couple of instances just down to a couple of weeks. Some of these 11 saw themselves as staying in Ti Tree for a substantial number of years to come, but most thought they would move on within the next few years through the termination or further development of their employment opportunities.

Three of these interviewees from Ti Tree's more formally constructed residences thought that Creek Camp should *not* be serviced either with reticulated water, or electricity, and definitely not with buildings. These interviewees were aware of vacant houses in ACGC's three outlying wards of Yanginj, Woolla and Anyungunba, all about 50 km out from Ti Tree, which they thought Creek Camp residents should use if they wanted housing (see Map 2).<sup>12</sup> However, the vast majority of our interviewees from the more formally constructed residences of Ti Tree were supportive of the idea that at least reticulated water should be supplied to Creek Camp. Some noted that people had lived in Creek Camp for many years and did not look like moving on, so it seemed only sensible and prudent to provide water there. Most also thought that buildings and electricity in Creek Camp would be okay, but many emphasised that it should be up to the residents of Creek Camp themselves to decide what they wanted.

Our interviews with these residents of Ti Tree's more formally constructed dwellings also asked about the possibility of building houses in Ti Tree's more formal subdivisions to accommodate Creek Camp residents. This too elicited a range of responses. One interviewee noted the restricted number of available serviced blocks of land in Ti Tree. Another noted the rather slowly developing plans to build aged care accommodation units close to the aged care day centre, but wondered whether people from Creek Camp would find this attractive. Most interviewees returned to the point that it was up to the residents of Creek Camp themselves to articulate what they wanted. But there was clear majority support among our interviewees for built accommodation for Creek Camp residents either in Creek Camp or in Ti Tree town, if that was what Creek Camp residents sought.

## **V Ideas for Further Action and ACGC Responses**

At the end of our second report to Council in May 2006 we identified some ideas for further action by ACGC. We noted that ACGC was already providing mobile aged care services to Creek Camp residents and suggested that there was no reason in principle why they could not also provide other mobile services, such as rubbish collection. We suggested that ACGC could use its newly acquired workforce under the Community Development

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<sup>12</sup> As well as Yanginj, Woolla and Anyungunba, which have all been unoccupied during the period we have been working with ACGC, there are also two other ACGC wards about 50 km out from Ti Tree. These are Alyuen to the south and Wilora to the north. Both seem more successful at retaining a resident population and this may be related to their proximity to the Stuart Highway and to nearby roadhouses for basic store services. ACGC also has two wards about 150 km from Ti Tree, which operate more like autonomous communities. These are Engawala to the southeast and Laramba to the southwest (see Map 2).

Employment Projects (CDEP) scheme to run a transport service between Nturiya and Ti Tree, and possibly also Pmara Jutunta, in order to give residents of these outlying settlements both access to services in Ti Tree and a way of returning to their residences soon thereafter. We suggested that ACGC could also attempt to increase the housing supply in Ti Tree, Nturiya and Pmara Jutunta, both through obtaining grant funding for Indigenous community housing and through supporting people to apply for public housing in Ti Tree. In both these latter instances, however, we also noted that while these measures may lessen the use of Creek Camp they would not totally address the wide variety of reasons why people camped there. Hence, we also argued that it was important for Council to think about what could be done in Creek Camp itself. We argued that if Council was interested in providing reticulated services or dwellings in Creek Camp it would need to apply for some appropriate form of tenure over the land on which Creek Camp is situated. We noted that this would be a major initiative for ACGC which would be complex to execute, gaining considerable support from both Creek Camp and other Ti Tree residents but also meeting with some concerns and opposition. We also noted that there would be complex native title issues to deal with, as well as town planning and funding concerns.

Council's immediate response to these ideas for further action at its May 2006 meeting was to place a standing item on its agenda paper inviting an officer of the NT Department of Planning and Infrastructure to come and talk to them about land tenure and reticulated services. That invitation has not at the time of writing yet been taken up, but in the meantime a number of further responses have also emerged. First, ACGC began to run a daily transport service between Ti Tree, Nturiya and Pmara Jutunta, using some of its newly acquired CDEP workforce. This was partly in response to the Creek Camp Study but also due to the fact that the store at Pmara Jutunta has recently closed and so residents there are now also obliged to shop in Ti Tree or further afield, similarly to Nturiya.<sup>13</sup> Second, Council has accepted grant funding for two new community houses to be built at Pmara Jutunta and its Social Services Manager has continued to explore ideas for developing aged care accommodation in Ti Tree, including through the possibility of public housing applications. Hence, over a period of three or four months after our second report, ACGC could be seen as responding positively to three out of four of our ideas for further action. The only one that was not taken up is the idea of providing mobile services beyond aged care to Creek Camp, like garbage collection.

## **VI Northern Territory Government Responses and the Third Report**

When one of us and the Chairman of ACGC delivered copies of our first two Creek Camp reports back to interviewed NT Government officials in late May 2006, we were met with some diverse responses. One, from the

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<sup>13</sup> We understand that this bus service has since ceased to operate due to a lack of patronage and other demands on ACGC vehicles.

Department of Chief Minister, was an invitation to make a presentation on the work to the monthly meeting of the southern Regional Executive Coordination Committee in late July. This Committee comprises the senior NT Government officials in Central Australia from about a dozen departments and statutory agencies and included four or five of our interviewees from the previous December. Another response, from the Department of Planning and Infrastructure, was to suggest that our argument that there would need to be land tenure change in order to provide reticulated services at Creek Camp was not quite correct. An option was now identified, which involved the provision of basic reticulated services on crown land under 'licence' or 'permissive occupancy' without land tenure change. The identification of this option led to our third brief report to ACGC in July 2006, clarifying and amending the concluding argument of our second report.<sup>14</sup> We commended this new option to Council for its consideration, as possibly both avoiding complex native title issues and balancing the desires and concerns of Creek Camp residents about development. Reticulated services under licence, we argued, might initially at least be a better option for balancing diverse stakeholder interests in Creek Camp than either the current situation or land tenure change.

At the late July meeting of the NT Government's southern Regional Executive Coordination Committee, we encountered a somewhat different response again from the Department of Planning and Infrastructure. In response to our presentation, their representative now noted that they were not entirely comfortable with the idea of linking reticulated services for Creek Camp to land tenure; as a choice between land tenure change as a forerunner to services or more basic services under licence without land tenure change. It was now suggested that the issue was more a matter of government policy relating to the establishment of new Aboriginal 'community living areas', particularly in towns. The suggestion was that existing policy was against the further establishment of such community living areas and that if this policy was to be altered or overridden in Ti Tree, a direction to that effect would have to come 'right from the top'. In line with this understanding of existing NT Government policy, the Department of Planning and Infrastructure outlined, as a way of dealing with Creek Camp, a proposal for the extension of the compact residential subdivision on the eastern side of Ti Tree by up to another thirty serviced blocks. The major issues which the Department foresaw with these plans were cost and native title extinguishment. Whereas land development and servicing would cost in excess of \$100 000 per block, the market value of serviced blocks in Ti Tree was estimated at less than \$10 000. This shortfall, it was argued, would test the Martin Government's resolve to do something about Creek Camp.

In response to this proposal, we noted that even uneconomic development of the compact eastern residential sub-division would not address many of the usage patterns of Creek Camp that our study had revealed and that therefore the NT Government also needed to be thinking about what could be

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<sup>14</sup> Sander and Holcombe, above n 2, Third Report.

done in Creek Camp itself. However this only elicited a repetition that existing government policy was not to recognize new Aboriginal community living areas in towns. It also elicited a fairly firm clarification that reticulated services provided under licence to Creek Camp would only be reluctantly accepted rather than actively supported and would have to be very basic; perhaps no more than a single tap.<sup>15</sup> One final firm clarification was that the land administration within the Department of Planning and Infrastructure could, of course, respond to pressure for services at Creek Camp by initiating processes to remove unauthorised residents from unallocated Crown land.

This late July meeting of the NT Government's southern Regional Executive Coordination Committee was, in many ways, a fairly robust conclusion to the Ti Tree Creek Camp Study which also brought the Study full circle. It clarified that, at least in the view of the Department of Planning and Infrastructure, problems surrounding reticulated services at Creek Camp were not so much legal land tenure issues as policy issues relating to Aboriginal community living areas in towns or, as they are more commonly known, town camps. This clarification focuses attention back at the top of NT Government, on relationships between Cabinet Ministers and departmental views of existing government policy. Ministers and Cabinets can, of course, change government policies, or choose not to follow them in particular circumstances. However in the absence of such explicit directions from the top, departmental officials will generally simply continue to act on their own established understandings of existing government policy. This is what the Department of Planning and Infrastructure is doing in relation to Ti Tree Creek Camp.

## **VII A Contribution to Good Governance**

Why and how might this study be seen as a contribution to good governance? Good governance for Indigenous communities is often discussed in terms of structures which have legitimacy and support in those communities.<sup>16</sup> Against this tendency, one of us has previously argued that good governance for Indigenous communities can be as much about processes as structures.<sup>17</sup> Our approach to governance in the Ti Tree Creek Camp Study, and in our work more generally with ACGC, has been primarily about process. We have taken the structure of ACGC largely as a given, though not uncritically, and have attempted to work within it. We have sought to identify

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<sup>15</sup> Earlier discussion with The Department of Planning and Infrastructure around this option had suggested that more substantial ablution facilities could be provided under licence or permissive occupancy and it was on this basis that we commended this option to Council for its consideration in our third report. The spread out nature of Creek Camp suggests that a single tap there would be of limited value.

<sup>16</sup> See, Garth Nettheim, Gary Meyers, and Donna Craig, *Indigenous People and Governance Structures: A Comparative Analysis of Land and Resource Management Rights* (2002).

<sup>17</sup> Will Sanders, 'Thinking About Indigenous Community Governance' (CAEPR Discussion Paper No 262, Centre for Aboriginal Economic Policy Research, The Australian National University, 2004) ch 3.

issues of importance or concern to Council and to work with them on possibly progressing those issues.

Progressing the Creek Camp issue has thus far involved a number of different processes. The first has been to identify and mutually inform a number of diverse stakeholder interests ranged around the issue. The most important and directly affected stakeholders in this issue are, of course, the Creek Camp residents themselves. Beyond them, there are the other residents of Ti Tree and the Councillors, representing not only these two sets of Ti Tree residents but also the residents of ACGC's outlying wards. Cutting across these groups, there is also a sense that potential native title holders of Ti Tree's unallocated crown land may constitute a distinct, or distinctive interest. Further afield, there are the various NT Government departments which, as we have seen above, have a variety of approaches to Creek Camp. There are also various members of the NT Legislative Assembly and the Martin Labor Government who might be designated as more distant stakeholders. Even further in the background, there are various Commonwealth government office holders and agencies that have a variety of interests and responsibilities in relation to a place like Creek Camp.<sup>18</sup>

That what we were doing in this study was mutually informing some of these diverse stakeholder interests became apparent to us when we gave our first report to Council in June 2005. That report was largely about who lived in Creek Camp, and how and why they did so. There was something rather silly about telling Council about this. All Councillors at the time of the study were local Aboriginal people and a few were Creek Camp residents. The other Councillors also knew only too well who among their countrymen and families were living there. In retrospect, the importance of our first report was that it presented information about Creek Camp residents to NT Government officials in ways which they could relate to. It quantified numbers of people in Creek Camp through a formal survey, it clarified that some people had lived there a long time and had nowhere else they regarded as home and it also clarified that other people who did have houses elsewhere sometimes saw Creek Camp as a useful place for accessing services or avoiding trouble in those other home places. So there were population numbers, residential histories, service access and community order issues to which NT Government officials in a variety of different departments could relate.

Our second report in May 2006 continued this process of informing NT Government officials. By then the study gave population numbers over time, better descriptions of diversity among the camps, and better elucidation of issues around permanent residence, access to services, mobility and the avoidance of trouble. But this second report was also more genuinely informative for Council. It told Councillors some things which they were less likely to know from everyday life in Ti Tree and the outlying Anmatjere wards.

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<sup>18</sup> One reviewer of an earlier version of this paper noted that our list of stakeholders, while ostensibly descriptive, also entails normative judgments about who possesses a relevant interest. Identifying stakeholders is, therefore, contestable and itself part of the political process.



It told them about the attitudes of other Ti Tree residents in the more formally constructed dwellings, with whom they might not share quite such intimate daily interactions.<sup>19</sup> Our second report also told Councillors about the attitudes and approaches of various NT Government officials and, hence, who would need to be worked with, or persuaded, in what way in order to progress Creek Camp issues.

A second aspect of good governance in the Ti Tree Creek Camp Study was the identification of ideas for change, in the form of ideas for further action by ACGC. These included some quite simple ideas which ACGC could and in some cases subsequently did implement on its own. However, they also included some much more ambitious ideas which would involve ACGC working through some quite complex processes of negotiation with other stakeholders. Changing the land tenure at Creek Camp, as a prelude to the development of services and buildings, was clearly a very major idea for change which would take an enormous amount of work for ACGC and others to progress. The subsequent idea of ACGC providing basic reticulated services to Creek Camp under licence or permissive occupancy without land tenure change was somewhat more modest, but still a major idea for change which would involve considerable further work for both ACGC and other stakeholders.

Beyond mutually informing diverse interests and identifying ideas for change, a third aspect of good governance in the Ti Tree Creek Camp Study was clarifying more precisely the obstacles of change. This process became particularly evident between the second and third reports to Council and also subsequently when the Chairman of ACGC and one of us made the presentation to the late July meeting of the NT Government's southern Regional Executive Coordination Committee. In effect, a series of discussions was necessary in order to draw out more clearly the precise positioning of the NT Department of Planning and Infrastructure in relation to land tenure, reticulated servicing and town camp policy issues. This process of clarifying obstacles to change should also continue into the future when the NT Department of Planning and Infrastructure responds to ACGC's standing invitation to come and talk to them about Creek Camp and land tenure issues. It could also continue by Ministers within the Martin government becoming more precisely aware of the policy positioning of the Department of Planning and Infrastructure in relation to the establishment of new Aboriginal community living areas in towns. Ministers in the Martin government were all directly exposed to the Creek Camp situation through a Cabinet meeting held in Ti Tree in November 2005. So if this issue does ever reach the Cabinet table, that visit to Ti Tree and our study should at least provide some basis for informed discussion.<sup>20</sup>

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<sup>19</sup> Here it could be noted that only one of the current 16 Councillors lives in a formally constructed dwelling in Ti Tree.

<sup>20</sup> In late August 2006, Peter Toyne resigned for health reasons as both the local member of the NT Legislative Assembly and as a Minister in the Martin Labor government. The new local member is Karl Hampton, an Aboriginal football identity and former ministerial adviser

It may, of course, be that in any future Cabinet discussion of the Ti Tree situation, the Ministers of the Martin government will endorse the current policy positioning of the Department of Planning and Infrastructure that there are to be no new Aboriginal community living areas in urban areas. But it is also possible that Ministers will choose through their deliberations to vary that understanding of policy, or in the particular circumstances of Ti Tree not to follow it. Either way the process of clarifying the policy positioning of these senior NT bureaucratic and political actors could itself be seen as a significant contribution to good governance. Clarifying such positioning is just a normal part of holding power to account in a modern democratic system.<sup>21</sup>

In ending by focussing on the policy positioning of senior NT bureaucratic and political actors, we do not mean to imply that this is by any means the only obstacle to change at Creek Camp. Even if this policy positioning was clarified in a way which permitted Creek Camp's formal recognition and development, there would still be very significant obstacles to change to be negotiated within the Anmatjere region. We noted previously, for example, that there was in fact considerable caution and conservatism among both Creek Camp residents and ACGC members around the idea of formalising and developing Creek Camp, due to worries that it could prove too attractive to current residents of places like Nturiya and Pmara Jutunta and that the positive aspects of what already exists informally might possibly be lost. We have also mentioned in passing the issue of native title extinguishment which may accompany formalisation. In this regard, it needs to be noted that not all Creek Camp residents claim to be native title holders and there are others living elsewhere who are often mentioned as possible native title holders of the area. So even if formalisation was to proceed, there would be complex issues to deal with about the different interests of Creek Camp residents, native title holders and current residents of outlying Aboriginal communities. The idea of recognising and formalising Creek Camp, as a way of servicing it better, is therefore no simple solution. Rather, it is a recipe for further local and regional governance challenges in an existing situation which, although in many ways inadequate, already has many positive aspects and strengths.

## VIII Social Science and Good Governance

A reviewer of an earlier version of this paper encouraged us to explore a little more explicitly the relationship between our own social science research efforts and good governance. Were we, they asked, simply acting as 'an honest broker between interests that have difficulty making sense to each other' or was our work more a 'substitute' for 'self-representation' by both ACGC and Creek Camp residents and hence 'a patch job on imperfect governance'? If the latter,

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of Toyne's. The Ministers who might participate in any future discussion of Creek Camp will not therefore be quite the same group as visited Ti Tree for that community Cabinet meeting in November 2005.

<sup>21</sup> Richard Mulgan, *Holding Power to Account: Accountability in Modern Democracies* (2003).

the reviewer asked, was social science playing this role ‘essential to improved governance’, or was such improvement possible in the absence of social science research?

What we have done in the Creek Camp Study is referred to by Lindblom as ‘probing’; a form of interactive inquiry through which participants in any society attempt to identify and ameliorate inadequate social situations, or unending social problems.<sup>22</sup> Probing, Lindblom argues, is open to and engaged in by all. However, he also notes that social scientists and other functionaries can develop more honed probing skills. In the Creek Camp Study we have shown ACGC, and the NT Government, how we probe as social scientists in search of more refined understandings of existing social situations. The immediate hope of such probing is that these more refined understandings may open up new ways of viewing these social situations which may in turn help to change their inadequate aspects while also recognising their existing strengths. A more distant hope is also that some of the other players with whom we are engaged may also, through their involvement, develop and improve their own probing skills. This more distant hope is sometimes referred to as capacity building.

Hence, while it is true that what we have done in the Creek Camp Study is to some extent a ‘substitute’ for ‘self-representation’ by both ACGC and Creek Camp residents, and hence a ‘patch job on imperfect governance’, it is also true that ACGC, Creek Camp residents and the NT Government were all open to our involvement and were thus also agents themselves in that improved governance. While our role was somewhat more than just ‘honest broker’ between interests who were having ‘difficulty making sense to each other’, the role of social science in such processes should not be over-stated. The stakeholder interests we were dealing with did, in many ways, already understand each other quite well. They also understood quite well the nature of the unending social problem with which they were collectively grappling. What was perhaps missing among these stakeholders was a capacity for further inquiry which might just change ways of viewing the situation and open up new ways of proceeding. Further inquiry and changed positioning is, as Lindblom argues, the predominant way in which inadequate social situations are grappled with and progressed.<sup>23</sup>

## **IX Transcending and Repeating history: Some Concluding Comments**

Finally we would note that, were Creek Camp in the future to become formally recognised and serviced, this would in a sense be both transcending Ti Tree’s history of the last hundred or more years and also repeating the more recent history of the nearby larger urban centres of Alice Springs and Tennant Creek. We will conclude by briefly explaining each of these suggestions.

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<sup>22</sup> Charles E. Lindblom, *Inquiry and Change: The Troubled Attempt to Understand and Shape Society* (1990) 29–31.

<sup>23</sup> *Ibid* 6–7.

Since its establishment as a telegraph station in the 1870s, Ti Tree has been a predominantly non-Indigenous residential settlement which has consistently attempted to hold Indigenous people at a distance, or only admitted them on a limited informal basis as in Creek Camp. Apart from needed Indigenous workers, the residential position preferred by non-Indigenous Ti Tree residents for local Aboriginal people during most, if not all of the twentieth century, has been out of town on surrounding pastoral stations. Before the establishment of the ACGC in 1993, the previous organisational guardian of Ti Tree town, the Ti Tree Progress Association, worked constantly and quite effectively to maintain this residential pattern. Since then, despite ACGC being a predominantly Indigenous Council, this established residential pattern has still largely persisted. Many non-Indigenous people in the region and beyond still regard Anmatjere's outlying wards on pastoral stations as the preferred residential position for Aboriginal people of this region. Aboriginal ownership of the former Ti Tree Station since the 1970s has not greatly changed this pattern, and indeed may even have served to reinforce it. Non-Indigenous opponents of Creek Camp development, or indeed of Indigenous residence in Ti Tree town more generally, can conveniently point to Aboriginal land only four kilometres away from the town centre in any direction.<sup>24</sup>

There is thus a very long history of formally segregated Indigenous and non-Indigenous residence patterns in the Anmatjere region which would have to be transcended if Creek Camp was to be formally recognised and serviced. However, formalising Creek Camp could in some sense be seen as a middle ground alternative to breaking down this segregation, if compared with the idea of expanding Ti Tree's compact eastern residential subdivision. Whereas the latter would give Ti Tree's predominantly non-Indigenous residents lots of close, additional Aboriginal neighbours, the former would give Ti Tree a distinct Aboriginal neighbourhood. This distinct Aboriginal neighbourhood may be more in accord with both Indigenous and non-Indigenous residential preferences than the Department of Planning and Infrastructure's proposal for a single, expanded, compact eastern residential subdivision.

Another way of viewing the Creek Camp issue would be to say that the history of town camp establishment in Alice Springs to the south and Tennant Creek to the north, in the 1970s and 1980s, would need to be repeated in order for Creek Camp in Ti Tree to become formally recognised and serviced. Accounts of the development of those town camps in Alice Springs and Tennant Creek make very clear that their formal recognition involved highly contested political processes in which land rights claims were used by Aboriginal interests as effective bargaining tools.<sup>25</sup> One of these accounts also

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<sup>24</sup> Ti Tree essentially sits at the centre of a five mile or eight kilometres square which was formally gazetted as a town only in 1981, but was previously reserved for telegraph and other purposes. This reservation and its location astride the Stuart Highway effectively made Ti Tree an open roadside town for many years before 1981.

<sup>25</sup> See, Michael Heppell and Julian J. Wigley, *Black Out in Alice: A History of the Establishment and Development of Town Camps in Alice Springs* (1981); Jeff Collmann, *Fringe-Dwellers and Welfare: The Aboriginal Response to Bureaucracy* (1988); Mary

notes that the formal establishment and recognition of town camps in the early to mid 1980s occurred against a background NT Government policy which embargoed the granting of land tenure change for town camps.<sup>26</sup> Hence, if Ti Tree Creek Camp were to be formally recognised, serviced and developed in the next few years, it would indeed be a very close repetition of town camp history in nearby parts of the NT from the 1980s.

Those accounts of the 1970s and 1980s in both Alice Springs and Tennant Creek also suggest that very single-minded organisations and individuals were almost entirely focused on these town camp recognition and development battles. By contrast, ACGC is a more general local governing body, whose involvement in the Creek Camp issue over the last two years has not been of this character. Rather, as we saw at the outset, ACGC's attention to the Creek Camp issue resulted from a letter of concern from its then local member of the NT Legislative Assembly, albeit a ministerial local member, and our chance presence as a team of governance researchers. Whether this rather more slight level of commitment and focus is enough to drive formal recognition of a new town camp only time will tell. It is also notable here that, after a rush in the 1980s, we are not aware of any new town camps being recognised in the NT in the last decade and a half. Ti Tree Creek Camp will over the next few years be an interesting test case of the formal recognition of new Aboriginal urban living areas in the early twenty first century. Was the recognition of town camps in the NT's urban areas just a phenomenon of the 1970s and 1980s or is it also a possibility in the twenty first century?

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Edmunds, *Frontiers: Discourses of Development in Tennant Creek* (1995).

<sup>26</sup> Edmunds, *Ibid* 32–9.