

**Submission
No 724**

**INQUIRY INTO THE REDEVELOPMENT OF MELBOURNE'S PUBLIC
HOUSING TOWERS**

Organisation: Southside Justice

Date Received: 31 March 2025

31 March 2025

Submission to the Inquiry into the Redevelopment of Melbourne's Public Housing Towers

We welcome the opportunity to contribute to this inquiry.

Southside Justice is a member of the Federation of Community Legal Centres. **We are signatories to the Shared Principles submitted by community and legal organisations.**

This submission provides an **additional perspective** of residents in Melbourne's inner southeast who are directly impacted by the redevelopment of Melbourne's public housing towers (**'the plan'**).

Executive Summary

Southside Justice is an independent, not-for-profit community legal centre offering free legal support to people on low incomes living in the LGAs of Port Phillip, Stonnington and Bayside, and statewide for specialised programs.

Southside Justice exists to enhance access to justice to people and communities disproportionately affected by systemic and structural inequity. We collaborate with partners to deliver early, integrated, and holistic legal services to people facing the greatest need.

Our catchment area is home **to 22.7% of Victoria's high rise public housing affected by the plan**, equivalent to 1,879 households. Since the announcement in September 2024 of the demolition scheduled at 259 Malvern Road, South Yarra, we have hosted two public resident meetings and provided individual legal advice sessions in partnership with the South Yarra Public Tenants Association. This submission reflects the insights gathered through these activities.

Our clients in public housing are among the most vulnerable in our community. Service data indicates that 64% are living with a disability, 49% were born outside Australia, 7% identify as First Nations, and 29% are victims of family violence. These statistics underscore the need for accessible, supportive, and culturally sensitive housing environments.

The plan significantly impacts residents, disrupting established communities and essential services. These disruptions affect residents' well-being and community cohesion, necessitating strategies to address these issues and prioritise keeping communities together. Residents subjected to the relocation process have reported significant issues around the way Homes Victoria is engaging with them, including feeling rushed into signing paperwork and not having special accommodation requirements reflected in their relocation applications.

Transparency in decision-making is essential for building trust and accountability. The Victorian Government must publicly release all documents that have informed the decision to relocate residents and demolish their homes. The lack of adequate consultation with residents has also led to significant distress and uncertainty. Effective communication is crucial, and the government must provide clear timelines and ensure that relocation officers are accessible to support residents throughout the transition.

Southside Justice urges the Victorian Government to consider these recommendations to ensure a fair and just redevelopment process that respects the rights and needs of all public housing residents.

Summary of Recommendations

Decision-making should be open and transparent

1. The Victorian Government should ensure transparency by publicly releasing all documents that have informed the decision to relocate residents and demolish their homes.

Impact of relocations and displacements

Challenges to community stability

2. The Victorian Government should pause the relocation process for 259 Malvern Road until the community housing construction on Simmons Street is completed in 2026. This will allow residents who wish to remain on the estate to be transferred into the new properties first, minimising disruption and maintaining community cohesion.
3. The Victorian Government should assess relocation impacts and develop strategies to address service disruptions, while prioritising community cohesion, especially for vulnerable communities.
4. The Victorian Government should guarantee that essential services, such as the kindergarten at 259 Malvern Road, are preserved and relocated within close proximity to the Horace Petty Estate.
5. The Victorian Government should create a temporary office or ensure that there is a Prahran Housing Office that is accessible to South Yarra/Prahran residents to maintain effective engagement and support.
6. The Victorian Government should implement measures to mitigate the impact of ongoing construction on residents' well-being.

Insufficient communication with residents

7. The Victorian Government should update the Public Housing Renewal Program website more frequently with accurate and comprehensive information. This should include clear explanations of the indicative plans, detailed timelines, specific project milestones, and any changes as they occur for all towers.
8. The Victorian Government should ensure that the Relocation team is permanently located at the Prahran Housing Office or another accessible location to allow residents to have face-to-face interactions with relocation officers and receive immediate assistance.

Challenges in relocation and offers

9. The Victorian Government should ensure that residents are given sufficient time to read and seek independent advice about the relocation documents before signing.
10. The Victorian Government should implement a system to accurately record meetings and conversations between residents and relocation officers to ensure that the relocation paperwork reflects the verbal discussion.

11. The Victorian Government should ensure that special accommodation requirement forms submitted by residents are respected and considered in the bedroom allocation decisions.
12. The Victorian Government should make the relocation guidelines publicly available. This will provide transparency and clarity on how decisions are being made.

One relocation only

13. The Victorian Government adopt the principle of "One Relocation Only" to ensure residents are not burdened by repeated relocations.

Financial burden of relocation

14. The Victorian Government should provide comprehensive financial assistance to cover all relocation costs and necessary purchases. This includes replacing personal belongings that cannot be moved, such as furniture and items affected by mould or pest infestations, to alleviate the financial strain on residents.
15. The Victorian Government should address the additional costs faced by residents due to the lack of choice in their new properties. This includes covering expenses for replacing furniture and whitegoods that do not fit or purchasing appliances like washing machines if moving from a property with communal laundry facilities to one without.
16. The Victorian Government should ensure that Community Housing Providers do not charge additional property costs which exceed the charges being paid in the public housing property. If there is a difference in the charges, the Victorian Government should cover the costs.

Government should centre impacted communities in consultations.

17. The Victorian Government should adopt best practice guidelines for consultation with public housing tower residents, their representatives, and local stakeholders to ensure diverse perspectives and needs are considered in planning and redevelopment process.

Residents rights should be safeguarded in compelled relocations.

18. The Victorian Government should ensure residents relocated from public housing to community housing receive equivalent legal rights and protections.
19. The Victorian Government should implement stronger oversight and regulation of community housing providers. This will address disparities in legal protections, reduce eviction rates, and ensure proper maintenance of properties, thereby protecting residents' rights.
20. The Victorian Government should address the issue of 'additional property costs' faced by residents in community housing. Ensuring that these costs do not exceed those charged in public housing will help maintain housing rights for relocated residents.
21. The Victorian Government should amend the Charter of Human Rights and Responsibilities Act to explicitly include community housing providers as public authorities. This amendment will ensure that community housing providers are held to the same standards as public housing, guaranteeing residents the same protections and rights.
22. The Victorian Government should expand the *Freedom of Information Act 1982* (Vic) to include community housing providers.

Public housing should be retained and protected.

23. The Victorian Government should commit to retaining and protecting public housing within inner-city Melbourne.
24. The Victorian Government should address the severe shortage of social housing in Victoria by increasing the proportion of public housing to at least match the national average of 4 per cent.
25. The Victorian Government should ensure that residents displaced by the plan, such as those at 259 Malvern Road, have the right to return to public housing on their original estates.

Contents

Executive Summary	1
Summary of Recommendations	2
Decision-making should be open and transparent	6
Impact of relocations and displacements	6
Challenges to community stability	6
Insufficient communication with residents	8
Challenges in relocation and offers	9
One relocation only	10
Government should centre impacted communities in consultations	12
Residents' rights should be safeguarded in compelled relocations	14
Ensuring legal protections for residents	14
Public housing should be retained and protected	15
Conclusion	16
Further information	17

Decision-making should be open and transparent

Terms of Reference (a)

the rationale and cost modelling for the decision to demolish and redevelop the 44 high-rise public housing buildings and associated sites ('the plan'), including alternatives to demolition, such as refurbishment and renovation

Residents at 259 Malvern Rd, South Yarra (**'259 Malvern Road'**) have expressed confusion and frustration regarding the decision to relocate residents and demolish their homes. A significant number of residents do not understand why the properties cannot be renovated to meet modern living standards instead of being demolished. While some may acknowledge the potential necessity of the redevelopment of Melbourne's public housing towers (**'the plan'**), residents who have contacted our service overwhelmingly feel that the decision-making process by the Victorian Government has not been open or transparent.

"The flats are still liveable... I think the towers should be renovated"

259 Malvern Road
Resident

Specifically, residents have raised concerns about the lack of publicly available reasons and documents outlining the decision-making process.

Transparent and detailed explanations to residents about why less disruptive alternatives were not considered viable are essential for building trust and ensuring residents feel respected and valued in the decision-making process.

Recommendation

1. The Victorian Government should ensure transparency by publicly releasing all documents that have informed the decision to relocate residents and demolish their homes.

Impact of relocations and displacements

Term of Reference (b)

the impact of the plan, including the compulsory relocation and displacement of public housing residents on the future net availability of public community housing and the existing decanting plans and the department estimates on the number of people who will permanently leave the area being developed

Challenges to community stability

Public housing is not just about individual properties but also about the built environment, services, and community that surround it. In our observation, these impacts have been insufficiently recognised and planned for by the Victorian Government.

Local services, businesses, amenities, and connections to the broader community

contribute to residents' feelings of safety and home. The demolition of public housing towers will uproot residents, disrupt established communities, and cause displacement. For example, residents have not been informed about the future of the kindergarten at 259 Malvern Road and the disruption to early childhood education. The relocation of families will also break up established school communities at local public schools like Prahran High and Toorak Primary, affecting children's educational and social stability.

Community support services play a vital role in residents' well-being. Local community services such as the Hub run by Stonnington Youth Services and Prahan Place Neighbourhood Centre have made significant investments in supporting residents at the Horace Petty Estate. Relocating residents away from these vital services will disrupt engagement, having a detrimental effect on the well-being and community cohesion of displaced residents. Additionally, moving the community away from local amenities, including the Alfred Hospital, public transport, local pool, and community spaces, will disrupt daily routines and access to essential services, making it harder for residents to maintain their quality of life.

The decision to relocate only 259 Malvern Road means that community groups and friends from across the Horace Petty Estate will be separated. This fragmentation is particularly concerning for the aging Russian-speaking community,¹ which relies on close-knit social networks for support. The Horace Petty Estate census data shows higher than state averages for people over 60, and 17.6% speak Russian at home, highlighting the vulnerability of this demographic to relocation disruptions.²

¹ Australian Bureau of Statistics (2021), *Statistical Areas Level 1 Area Code: 20606151604*
<https://www.abs.gov.au/census/find-census-data/quickstats/2021/20606151604>.

This community has expressed a clear desire to remain on the estate to maintain community.

Many residents of 259 Malvern Road wanting to remain on the estate and stay connected to community have expressed a desire to move into the redeveloped properties on Simmons Street South Yarra.³ Given that this construction is due to be completed in 2026, the relocation of 259 Malvern Road could be paused until the Community Housing Limited properties are available, allowing those who wish to remain on the estate to be transferred into the new properties first. This approach would minimise the disruption to their lives and help maintain the community's cohesion.

“I have anxiety moving... I am close with neighbours... I love neighbours, worried about who my new neighbours will be.”

258 Malvern Road Resident

“Just the thought of not having my community around is distressing”

259 Malvern Road Resident

Residents of the Horace Petty Estate have expressed concerns about the required relocation of the Prahran Housing Office from 259 Malvern Road. Residents already experience issues with accessing assistance at the current Prahran Housing Office and

² Ibid

³ Homes Victoria (2025), *Simmons Street, South Yarra*
<https://www.bighousingbuild.vic.gov.au/simmons-street-south-yarra>.

there is significant anxiety that moving the housing office to South Melbourne will exacerbate these problems. Residents fear that engagement with Homes Victoria will become even more challenging, further diminishing their ability to receive timely and effective support.

Residents are also deeply concerned about the ongoing Community Housing Limited redevelopment of Simmons Street, South Yarra. They have already endured years of living next to a construction site and the residents of 2 Simmons Street, South Yarra are now facing the prospect of another eight years of disruption as 259 Malvern Road is also redeveloped. This prolonged exposure to construction noise, dust, and general upheaval is taking a toll on their well-being. Such prolonged exposure to construction-related disruptions will continue to severely impact the surrounding residents' quality of life and overall well-being.

“Where I live, I have my doctor, shops, transport and hospital within walking distance and the uncertainty of all these amenities once I move”

259 Malvern Road Resident

“I am worried about the cost of transportation to get back to my local services if I am moved out of the area”

259 Malvern Road Resident

Recommendation

2. The Victorian Government should pause the relocation process for 259 Malvern Road until the community housing construction on Simmons Street is completed in 2026. This will allow residents who wish to remain on the estate to be transferred into the new properties first, minimising disruption and maintaining community cohesion.
3. The Victorian Government should assess relocation impacts and develop strategies to address service disruptions, while prioritising community cohesion, especially for vulnerable communities.
4. The Victorian Government should guarantee that essential services, such as the kindergarten at 259 Malvern Road, are preserved and relocated within close proximity to the Horace Petty Estate.
5. The Victorian Government should create a temporary office or ensure that there is a Prahran Housing Office that is accessible to South Yarra/Prahran residents to maintain effective engagement and support.
6. The Victorian Government should implement measures to mitigate the impact of ongoing construction on residents' well-being.

Insufficient communication with residents

The Victorian Government's implementation of the plan has failed to keep residents adequately informed, leading to significant distress and uncertainty.

The lack of a clear timeline for each individual tower means that residents across the towers are living in constant state of anxiety around which site could be redeveloped next. This ongoing ambiguity underscores the need to provide transparent and detailed

timelines to alleviate the residents' fears and restore a sense of stability in their lives.

Even when plans are announced, communication with those affected has been insufficient. To date, residents at 259 Malvern Rd tell us they have only received one initial letter about their impending relocation, with no further specific information provided, leaving them in a state of uncertainty. There are residents of 259 Malvern Road that have still not been contacted by Homes Victoria at all in relation to the relocation process.

“We have not been fully advised about the relocation plans and specifics”

259 Malvern Road Resident

The Public Housing Renewal Program website must be updated more frequently and accurately, providing clear explanations of the indicative plans, detailed timelines, specific project milestones, and any changes as they occur. Currently, the 259 Malvern Road website only shows Bangs Street, Prahran as a transfer option, however, residents know that it is fully allocated and that they will not be moving there. There needs to be clear communication as to what properties are going to be made available to residents to relocate to.

Residents of 259 Malvern Road are reporting communication issues when dealing with Homes Victoria. Residents are experiencing significant issues in communicating with relocation officers because the Relocation team in charge of managing the relocation process is not permanently located at the Prahran Housing Office. When residents do attend the Prahran Housing Office, they are being told that messages will be passed onto the Relocation team, but in the residents'

experiences, this is not occurring.

“There are concerns about the Relocation team and how they interact with me and the other residents”

259 Malvern Road Resident

Recommendation

7. The Victorian Government should update the Public Housing Renewal Program website more frequently with accurate and comprehensive information. This should include clear explanations of the indicative plans, detailed timelines, specific project milestones, and any changes as they occur for all towers.
8. The Victorian Government should ensure that the Relocation team is permanently located at the Prahran Housing Office or another accessible location to allow residents to have face-to-face interactions with relocation officers and receive immediate assistance.

Challenges in relocation and offers

Our engagement with the residents of 259 Malvern Road reveals that there are significant issues with the relocation process and the way Homes Victoria is engaging with residents. For example, residents report feeling rushed into sign relocation paperwork on the spot, without having the opportunity to read or understand the documents fully, or to have them reviewed by a lawyer. This has led to a sense of being pushed into making decisions without adequate information or support.

As part of the relocation process, every 259 Malvern Road resident's social housing allocation is being reassessed. In this reassessment process, some residents have expressed that their special accommodation requirements forms, completed by their treating general practitioner, have not been taken into account by Homes Victoria. Given the ageing population living on the Horace Petty Estate,⁴ many elderly residents believe that this relocation will be the last property they move to and accordingly wish to be provided with adequate space for mobility aids and future carers needs.

“I am worried about not having suitable space – storage for walker and scooters...my daughter cares for me, I am worried how this can continue in one bedroom”

259 Malvern Road Resident

The current relocation guidelines are not available, and it is unclear why residents' special accommodation requirements are not being reflected in the bedroom allocation decisions made by Homes Victoria. The reassessment of residents housing requirements must respect their medical and practical space requirements into the future to maintain dignity and stability of residents during their transition.

Additionally, residents have reported that the meetings they have with relocation officers are not being accurately recorded in the relocation forms. As a result, they are being made offers that do not align with the conversations they had, leading to

inappropriate housing options being presented. This discrepancy between verbal agreements and written records has caused frustration and mistrust among the residents. Furthermore, residents who turn down unreasonable offers are made to feel difficult or annoying. This treatment has exacerbated their stress and anxiety during an already challenging time.

Recommendation

9. The Victorian Government should ensure that residents are given sufficient time to read and seek independent advice about the relocation documents before signing.
10. The Victorian Government should implement a system to accurately record meetings and conversations between residents and relocation officers to ensure that the relocation paperwork reflects the verbal discussion.
11. The Victorian Government should ensure that special accommodation requirement forms submitted by residents are respected and considered in the bedroom allocation decisions.
12. The Victorian Government should make the relocation guidelines publicly available. This will provide transparency and clarity on how decisions are being made.

One relocation only

Residents at 259 Malvern Road are being offered relocation to other high-rise towers also slated for demolition, extending their uncertainty and disruption. When announcing the plan, the Victorian Government stated that high-rise public housing towers are 'no longer fit for modern

⁴ Australian Bureau of Statistics (2021), *Statistical Areas Level 1 Area Code: 20606151604*

<https://www.abs.gov.au/census/find-census-data/quickstats/2021/20606151604>

living’.⁵ Despite the intention to improve housing conditions for residents, this current approach to move people from their homes into another tower that ‘no longer meet the minimum standards Victorians expect’⁶ is extremely disrespectful. These offers have left many residents feeling that the stress and anxiety that the plan has had over their lives since it was announced will continue indefinitely.

To alleviate emotional strain, the principle of "One Relocation Only" should be adopted, ensuring residents are not burdened by repeated relocations.

“They can’t give me clear answers because they don’t know the answers. They said they would come back to me, but never replied”

259 Malvern Road Resident

Recommendation

13. The Victorian Government adopt the principle of "One Relocation Only" to ensure residents are not burdened by repeated relocations.

Financial burden of relocation

No public housing resident should be in a worse financial position because of the relocation process. While Homes Victoria has guaranteed to cover standard moving expenses, residents of 259 Malvern Road have been left to shoulder the burden of

replacing personal belongings that Homes Victoria refuses to move into the new properties. Residents have had Homes Victoria refuse to move their personal furniture and belongings which have been affected by mould or pest infestations. Placing this unfair financial strain on residents is particularly frustrating as the damage is often due to Homes Victoria's failure to maintain their properties.

Additionally, residents have faced unavoidable costs due to the lack of choice in their new properties. They have needed to replace furniture and whitegoods that do not fit, or purchase appliances like washing machines if moving from a property with communal laundry facilities to one without. These additional expenses quickly add up, further straining the financial resources of public housing residents.

Residents of 259 Malvern Road who have relocated into community housing are also reporting that they are paying more in rent and do not understand the reasons for this increase. This has raised concerns among residents yet to be relocated, who fear they will face similar financial burdens. It is crucial that the rent charged at relocated properties is consistent with what residents were paying previously in their public housing property. This will help alleviate financial anxiety and ensure that residents are not disadvantaged by the relocation process.

Providing financial assistance for these costs is essential to ensure that public housing residents are not unduly burdened by the relocation process. This support will help maintain their dignity and stability during a challenging transition, allowing them to settle into their new homes without the added stress of financial hardship.

⁵ Victorian Government (2023), *Australia's Biggest Ever Urban Renewal Project*
<https://www.premier.vic.gov.au/australias-biggest-ever-urban-renewal-project>.

⁶ Victorian Government (2023), *Australia's Biggest Ever Urban Renewal Project*
<https://www.premier.vic.gov.au/australias-biggest-ever-urban-renewal-project>.

Recommendation

14. The Victorian Government should provide comprehensive financial assistance to cover all relocation costs and necessary purchases. This includes replacing personal belongings that cannot be moved, such as furniture and items affected by mould or pest infestations, to alleviate the financial strain on residents.
15. The Victorian Government should address the additional costs faced by residents due to the lack of choice in their new properties. This includes covering expenses for replacing furniture and whitegoods that do not fit or purchasing appliances like washing machines if moving from a property with communal laundry facilities to one without.
16. The Victorian Government should ensure that Community Housing Providers do not charge additional property costs which exceed the charges being paid in the public housing property. If there is a difference in the charges, the Victorian Government should cover the costs.

Government should center impacted communities in consultations

Terms of Reference (c)

the findings and adequacy of consultations with:

- public housing tower residents and their representatives;
- relevant local stakeholders, such as health, community and education service providers, residents and councils;
- state and federal government departments and agencies

Inadequate consultation with public housing residents

Our engagement with public housing residents, particularly those at the Horace Petty Estate, has demonstrated that residents are hesitant to make any formal complaints against the Government. When discussing the current Parliamentary Inquiry, residents have told us that they fear their housing will be at risk if they complain or make a submission of their own. This is a cohort that needs considered engagement to ensure that their voices are heard and considered, leading to more informed and equitable outcomes.

The Victorian Government's approach to the plan has been marked by a lack of adequate consultation with the residents. In September 2023, the Victorian Government confirmed that consultations with public housing tower residents commenced only seven days prior to the announcement of the plan.⁷ Many of the public housing tower residents were not consulted prior to the announcement that their homes would be demolished, and even now, consultation remains limited. The initial announcements were made without engaging the residents, and subsequent sessions have only taken place after the decisions were already made. This has left residents feeling excluded from the decision-making process and uncertain about their future. Homes Victoria's inadequate consultation with residents affected by relocation decisions has caused significant distress and uncertainty. In September 2024, the residents of 259 Malvern Road were shocked when advised that they would be immediately commencing a relocation process.

Residents continue to express that no one from Homes Victoria spoke to them about this decision prior to the announcement. The residents have not been able to have any input into the relocation process, leaving them feeling excluded and powerless in

⁷ Victorian Government (2023), *Australia's Biggest Ever Urban Renewal Project*

<https://www.premier.vic.gov.au/australias-biggest-ever-urban-renewal-project>.

decisions that profoundly impact their lives. This lack of inclusion has only heightened their anxiety and mistrust towards the authorities managing the plan.

“No one from government spoke to me... I found out about redevelopment through news bulletins and newspaper”

259 Malvern Road Resident

Collaborative community engagement

Conducting community-centric consultations is essential in actively engaging with public housing tower residents, their representatives, and local stakeholders. This inclusive approach ensures diverse perspectives and needs are addressed. Future consultations need to adopt best practices including providing clear information, setting realistic timelines, ensuring consultations are inclusive and representative, and offering meaningful participation opportunities. This fosters a more transparent, inclusive, and effective consultation process, leading to better outcomes for public housing residents and

the broader community. Many 259 Malvern Road residents have expressed concerns about the size of any the new properties, particularly the dimensions of bedrooms and overall square footage, that would be built of the redeveloped site.

The recent Bangs Street, Prahran redevelopment⁸ has shown local public housing residents that new properties are substantially smaller, which are inadequate for households of two or more, let alone large families needing sufficient space to avoid cramped living conditions. While small private apartments in the inner city are often designed as temporary or short-term accommodation for single individuals, public housing properties serve as permanent homes. The redeveloped properties need to provide adequate bedrooms, space, and facilities to accommodate families throughout their life cycle and as their families grow. Involving public housing residents in the planning and design stages of the plan is crucial.

“Please consider our health and wellbeing when planning the housing commission relocations”

259 Malvern Road Resident

Residents provide essential insights and firsthand knowledge about their living conditions and community needs, which can help to design housing that better meets their specific requirements. Surveying current residents on public housing sites scheduled for demolition and rebuilding homes that meet their needs is essential.

A positive example of listening to residents' needs is the inclusion of larger apartments in

⁸ Homes Victoria (2025), *Bangs Street, Prahran*
<https://www.homes.vic.gov.au/projects/bangs-street-prahran>

the plans for the Elgin Towers redevelopment in Carlton, following advocacy from residents.⁹ However, many residents still worry that new bedrooms will not be large enough to accommodate growing teenagers or university students, with sufficient space for a bed and a study desk.

Recommendation

17. The Victorian Government should adopt best practice guidelines for consultation with public housing tower residents, their representatives, and local stakeholders to ensure diverse perspectives and needs are considered in planning and redevelopment process.

Residents' rights should be safeguarded in compelled relocations

Terms of Reference (g)

the likely impacts of the plan on:

- the number of bedrooms currently at each location versus the proposed number of new bedrooms per site;
- the number of public and community housing homes at each location and how remaining public land will be used;
- the Victorian Housing Register and homelessness while the plan is being delivered;
- the future of public housing in Victoria;

Ensuring legal protections for residents

The transfer of public housing residents into community housing properties raises significant concerns about the differences in

legal protections between the two types of housing. In our engagement, it is apparent that public housing residents often do not understand the differences between these two housing types and were unlikely to have known the difference when they completed the relocation forms. This lack of awareness further complicates the relocation process and highlights the need for clear communication and education about the implications of moving to community housing.

Community housing residents encounter higher eviction rates, greater barriers to repairs, poorly maintained properties and higher rates of VCAT proceedings compared to public housing.¹⁰ Meanwhile, public housing residents are entitled to lower rent caps and life-long leases. These disparities underscore the need for stronger oversight and regulation of community housing providers to ensure residents rights are protected. Residents of 259 Malvern Road have also expressed concerns about only being offered three-year leases in the relocation process, especially when they will not be able to return to the redeveloped estate within that timeframe.

There are significant barriers to maintaining a resident's legal protections when transitioning from public housing to a community housing lease. The *Charter of Human Rights and Responsibilities Act* ('the Charter') mandates that 'public authorities' act compatibly with human rights, but there is ambiguity about whether community housing providers are considered 'public authorities' under the Charter. This ambiguity means community housing residents may not enjoy the same rights as public housing residents. The Victorian Ombudsman's

⁹ Rachael Dexter (2024), New renders reveal details in planned public housing towers. *The Age* <https://www.theage.com.au/national/victoria/new-renders-reveal-details-in-planned-public-housing-towers-20241212-p5kxwm.html>

¹⁰ West Heidelberg Community Legal (2021), *Social housing regulation review – submission to consultation papers 2 & 3*. Submission 52 at <https://engage.vic.gov.au/social-housing-regulation-review>

report¹¹ highlights that if community housing providers are not subject to the Charter, renters will lack the protections afforded to public housing residents. This disparity has been recognised in multiple reviews, including the 2015 Review of the Charter, which recommended amending the definition of ‘public authority’ to include registered housing providers.¹²

“DFFH has not been properly checking the properties and maintaining the towers. If this was done, it would be fine to stay in the towers”

259 Malvern Road Resident

Additionally, the *Freedom of Information Act 1982* (Vic) (‘FOI Act’) allows the public to request information from Victorian Government departments, but community housing providers are not subject to this Act. This limits residents and advocates’ access to important information about tenancies or complaints. Expanding the FOI Act to include community housing providers would ensure transparency, accountability and align the rights of community housing residents with those of public housing residents.

Recommendation

18. The Victorian Government should ensure residents relocated from public housing to community housing receive equivalent legal rights and protections.

¹¹ Victorian Ombudsman (2022), *Investigation into complaint handling in the Victorian social housing sector*.
https://assets.ombudsman.vic.gov.au/assets/VO-PARLIAMENTARY-REPORT_Social-Housing_July-2022_Digital.pdf

19. The Victorian Government should implement stronger oversight and regulation of community housing providers. This will address disparities in legal protections, reduce eviction rates, and ensure proper maintenance of properties, thereby protecting residents’ rights.

20. The Victorian Government should address the issue of ‘additional property costs’ faced by residents in community housing. Ensuring that these costs do not exceed those charged in public housing will help maintain housing rights for relocated residents.

21. The Victorian Government should amend the *Charter of Human Rights and Responsibilities Act* to explicitly include community housing providers as public authorities. This amendment will ensure that community housing providers are held to the same standards as public housing, guaranteeing residents the same protections and rights.

22. The Victorian Government should expand the *Freedom of Information Act 1982* (Vic) to include community housing providers.

Public housing should be retained and protected

Terms of Reference (h)

any other related matters.

It is crucial to retain and protect public housing within inner city Melbourne. If public housing is demolished, Homes Victoria should adhere to the principle of ‘public land, public housing,’ ensuring that only public

¹² Victorian Equal Opportunity & Human Rights Commission (2015), *2015 Report on the operation of the Charter of Human Rights and Responsibilities*.
https://www.humanrights.vic.gov.au/static/829fd96367d7966006861f7cf4ccacf6/Resource-Charter_Report-2015.pdf

housing is built on these lands. Victoria has the lowest proportion of social housing in Australia, with only 3% of households in 2023 compared to the 4% national average.¹³ This severe shortage has led to high levels of housing stress and homelessness, with over one-third of Australians seeking homelessness support living in Victoria.¹⁴

The recent announcement to redevelop public housing towers in North Melbourne and Flemington without including any public housing is a significant misstep.¹⁵ The decision to provide only community housing, managed by independent community housing organisations, effectively eliminates public housing from these estates. This approach raises significant issues for residents of 259 Malvern Road, as the new units will be government-owned community housing, not public housing, meaning relocated residents have no guarantee of returning to public housing on the Horace Petty Estate.

Maintaining and expanding public housing is crucial to ensure vulnerable residents retain their rights, such as rent caps and life-long leases, which are not guaranteed in community housing. This stability and security are vital for low-income families who rely on affordable, government-managed housing. By prioritising the needs of these residents and committing to building more units, the Victorian Government can address both immediate and long-term housing challenges. Public housing supports the most vulnerable members of our community, ensuring affordable, stable, and sustainable housing while safeguarding resident rights

and fostering community resilience.

Recommendation

23. The Victorian Government should commit to retaining and protecting public housing within inner-city Melbourne.
24. The Victorian Government should address the severe shortage of social housing in Victoria by increasing the proportion of public housing to at least match the national average of 4 per cent.
25. The Victorian Government should ensure that residents displaced by the plan, such as those at 259 Malvern Road, have the right to return to public housing on their original estates.

Conclusion

The redevelopment of Melbourne's public housing towers presents significant challenges and opportunities. It is imperative that the Victorian Government prioritises transparency, community cohesion, and the protection of residents' rights throughout this process. By retaining and expanding public housing, ensuring comprehensive support for displaced residents, and maintaining open communication, the government can foster a more equitable and stable housing environment. Southside Justice remains committed to advocating for the needs of public housing residents and urges the

¹³ Australian Institute of Health and Welfare (2024), *Housing assistance in Australia 2024*.

<https://www.aihw.gov.au/reports/housing-assistance/housing-assistance-in-australia/contents/households-and-waiting-lists>

¹⁴ Homelessness Australia (2024), *Call unanswered unmet demand for specialist homelessness services*.

<https://homelessnessaustralia.org.au/wp-content/uploads/2024/11/Impact-Economics-Call-Unanswered.pdf>

¹⁵ Victorian Government (2025), *Landmark Renewal Project Delivering Hundreds of Homes*

<https://www.premier.vic.gov.au/sites/default/files/2025-03/250311-Landmark-Renewal-Project-Delivering-Hundreds-Of-Homes.pdf> & Clay Lucas (2025), Flemington and North Melbourne Towers to Be Redeveloped with No Public Housing, *The Age* <https://www.theage.com.au/national/victoria/flemington-and-north-melbourne-towers-to-be-redeveloped-with-no-public-housing-20250311-p5liow.html>.

government to consider these recommendations to safeguard the well-being and dignity of all affected individuals.

“I want there to be public housing on the estate, not using this new leasing process”

259 Malvern Road Resident

Further information

Submission authorised by: Mel Dye, Chief Executive Officer, Southside Justice

Supervising Director: Jess Richter, Principal Lawyer, Southside Justice

Submission written by: Lloyd Murphy, Housing Justice Lead

