

**TENANTS VICTORIA**

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The Secretary  
Legal and Social Issues Committee  
Parliament House, Spring Street  
EAST MELBOURNE VIC 3002

By email to: [phrp@parliament.vic.gov.au](mailto:phrp@parliament.vic.gov.au)**SUBMISSION TO THE PARLIAMENTARY LEGAL AND SOCIAL ISSUES COMMITTEE  
INQUIRY INTO THE PUBLIC HOUSING RENEWAL PROGRAM**

Tenants Victoria is pleased to make a submission to the Parliamentary Inquiry into the Public Housing Renewal Program.

Tenants Victoria (formerly known as the Tenants Union of Victoria) was established in 1975 as an advocacy organisation and specialist community legal centre, providing information, advice and advocacy to residential tenants, rooming house and caravan park residents across the state. Our aim is to promote and protect the rights and interests of private and social residential tenants in Victoria.

We have kept our submission brief and followed the broad outline of the Terms of Reference, however, we would also welcome the opportunity to present to the Committee at the public hearings stage.

There is no doubt that the unmet demand for social housing (being both public and community housing) is significant and has been inadequately met by the all levels of Government over a considerable period of time. The net effect of this is a waiting list in excess of 35,000 households which represents a conservative estimate of the actual level of unmet demand for social housing in Victoria. Numerous sources, including the previous *Parliamentary Inquiry into the Adequacy and Future Directions of Public Housing* (September 2010) have identified a far greater need for social housing than the current waiting list would indicate. On that basis there is a need for a larger increase in the supply of social housing than a 10 percent increase across the public housing renewal sites will deliver.

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Having said that, the issue of what it is possible and prudent to deliver on each renewal site is far more complex. The number of units on each site must balance a number of objectives that do not necessarily align.

In relation to each renewal site, the general principle should be to deliver the maximum number of social housing units consistent with a good living environment for the prospective tenants and, to a lesser extent, the surrounding neighbourhood.

On some sites, this principle could be best achieved through a wholly public redevelopment whereas other sites may warrant a more mixed approach. These assessments should be based strictly on what can be achieved on each site rather than any ideological or fiscal prejudices. On that point, we are not opposed to a mixed public and private development on any site provided that the basic principle outlined above is adhered to. The government should be clear about what social outcomes it is seeking to achieve through the renewal and then be flexible about the means by which those outcomes can be realised.

Part of the difficulty with the scarcity that has been created through under-investment in social housing is the tendency to then prioritise all elements of the service chain towards dealing with the MOST vulnerable and needy creating unintended and deleterious consequences at points of supply, allocation and use. On the renewal sites, this dynamic may play out as a redesign which prioritises single bedroom units simply reflecting the bias of the waiting list. At the allocations stage, this is likely to be coupled with allocations solely from households with multiple or complex needs. Whilst the international evidence about the positive benefits of social mix approaches is equivocal, it appears self-evident that increased densification on the renewal sites coupled with highly targeted allocations will be problematic. The common response to this foreseeable tension is for the developers to constantly argue for the greater separation of the social and private housing which can subvert the intention to integrate.

A redevelopment process where the starting point is that current residents WILL move back to the estate would look very different to the current process. The redesign process would commence with a profile of the current residents and a design brief that reflected the needs of those residents with the more discretionary element of the redesign related to any uplift in units on the site. The current process is more likely to result in a mismatch between the units that are constructed and the needs of current residents with the practical consequence that whilst residents have the right to return to the estate there is limited capacity for this to actually occur. The ability for residents to return to the estate will be further eroded if additional procedural constraints, such as retesting for eligibility, are put in place. Put simply, this is the difference between current residents understanding that a new unit is being built that will be suitable for their needs as opposed to some units being built that may or may not suit their needs and their return to the estate will be constrained accordingly.

This situation could be further complicated if the right to return to the estate also involves a management transfer from public to community housing. We are completely agonistic about whether public or community housing provision is superior, however, it should be recognised that there are some critical differences between public and community housing practice that residents should be properly informed about if they are moving between the respective systems. In particular, there are differences in rent setting, terms of tenure, tenancy management and independent dispute resolution between the two systems that may make a material difference for some residents.

A more resident-focused approach will also influence how the decanting and relocation of current residents from the estate occurs. Experience has shown that residents have often moved some distance from their existing social and service networks. The current residents will be able to make better informed decisions about their relocation options if the right of return and associated

processes are clear. Obviously, residents will respond differently to a permanent (or probably permanent) relocation than they will to a temporary relocation.

Whilst departmental staff can provide information and some limited assistance to current residents in the relocation process, the quality and capability of departmental staff is inconsistent. It was previously commonplace during a redevelopment to fund a community development worker who could provide independent advice and support to residents during the relocation and redevelopment process. This helps to keep the department accountable for good practice when dealing with the residents during this difficult stage.

In a good living environment, the social housing should be properly integrated with any neighbouring privately owned housing. The design of the redevelopment should enable all residents to move freely within the estate and the surrounding community. Estates or complexes within the estate with the equivalent of “poor doors” or second class entry are unacceptable and completely undermine any of the limited benefits of a mixed approach on the redevelopment site. Unfortunately with a reliance on the proceeds of private sales to subsidise the redevelopment comes the inevitable tension between the developers need to maximise commercial returns and the redevelopment objectives for proper integration. This tension has been evident in some of the larger mixed public and private redevelopments such as the former Kensington and Carlton public housing estates.

The current Government should be commended for launching an ambitious program to renew these sites in the face of long-term under-investment in the social housing sector. In our view, the sites that have been identified for renewal will benefit from redevelopment as the housing available on the sites is no longer of a decent or contemporary standard or viable to maintain or the site as a whole could be better utilised with a balanced redesign including an uplift in social housing. However, whilst we strongly support the renewal of these sites we believe that the redevelopment approach and process could be improved.

Consistent with our principle of providing a good living environment for the renewal sites we do not support over-exploitation of any particular site even in the interests of creating more social housing. You can't fix the social housing supply problems by building the wrong kind of living environments - this will just substitute one set of problems for another. We do not support over densification simply to minimise the cost to Government. Decisions about getting the development balance right should be made on a site by site basis taking into account all of the features of the site and its surrounding area.

We believe that site-specific consultation processes that engage residents and are robust enough to span the redevelopment process from conception to completion are one means to achieve this. This consultation can take place within clear parameters set by the Government to ensure site-specific outcomes that can be supported and are sustainable. Local redevelopment advisory committees, which have been a feature of some previous redevelopments, can be well structured to include residents and relevant experts at different stages of the process. This helps to manage the risk that the Department may be captured by the developer in a prolonged process that lacks proper transparency. We do not support consultation processes (or for that matter, the retention of third-party appeal rights) that are intended only to promote grievances or that can be high jacked by those who have other interests, particularly those who want to delay or undermine a constructive solution.

In that regard, we are somewhat ambivalent about the role of local Councils. We think it is important that Councils are engaged in the redevelopment process as neighbourhood experts and important service delivery bodies but are concerned that the statutory planning role that Councils play may be overly influenced by “nimby” considerations. We do support these important redevelopment opportunities being delayed in protracted planning processes or disputes.

We do think it is important to learn from previous redevelopments. It is distressing that the corporate memory within the Department is so shallow that what were previously well-defined practices for redevelopment have been forgotten or ignored and that recent good practices have not been shared across the Department's portfolio. In the absence of experience and expertise at a local level, there needs to be clearer guidelines about important parts of the redevelopment process.

A major lesson from the Kensington and Carlton public housing redevelopments is that mixed developments need to be constantly monitored to ensure that they deliver on intended outcomes and that decisions are not made during the process that may undermine any benefits of the mixed approach. In that regard, it is important to access all of the relevant information about the Kensington redevelopment including the academic research that has been withheld by the Department. The lesson from the Huttonham estate is that sites cannot be left vacant for protracted periods of time or subject to arbitrary and inconsistent use of the site.

While we support the intention of the Committee to also learn from overseas experience and best practice in other jurisdictions, approaches to the redevelopment of social housing stock vary widely across the world and cannot always be simply translated from their original social and economic context. We would encourage the Committee to be cautious with simplistic examples from other jurisdictions.

As noted above we would welcome the opportunity to present to the Committee at the relevant time. If you have any questions about the preceding submission please do not hesitate to contact us.

Yours faithfully,



Mark O'Brien  
**Chief Executive Officer**  
Tenants Victoria