

09 November 2017

Parliament of Victoria  
Legal and Social Issues Committee  
Melbourne, Victoria

Dear Sir/ Madam,

**Re: Parliamentary Inquiry into the Victorian Government's Public Housing Renewal Program**

Thank you for this opportunity to make a submission regarding the Public Housing Renewal Program (PHRP).

The Victorian Parliament's inquiry into the Public Housing Renewal Program is a welcome initiative. I am pleased to make the attached submission.

Further, I trust that Parliament will seek to ensure that the program delivers real benefit to the people of Victoria.

Please contact me if you have any questions regarding this submission.

Yours sincerely,

Anthony Feigl

## Background

I am a resident of North Brighton, a close neighbour of the Brighton public housing estate, and have lived in the inner Bayside area (St Kilda, Elwood and North Brighton) on and off for forty-five years. I have lived close to social housing for most of my life, and believe that it is for everyone's benefit that **good quality housing should be available across Melbourne for those in need.**

**The Brighton public housing estate is an integral part of the wider local community;** the many families in the estate connecting with the wider community through schools, and passive recreation within the estate's open areas and adjoining streets. There is also a high proportion of elderly tenants within the Brighton public housing estate, who are often supported by family and friends in the area.

Unfortunately, **successive Victorian governments have failed to invest** in the necessary maintenance, improvement and expansion of public housing in Melbourne<sup>1</sup>, resulting in dilapidated housing estates (including the Brighton estate), and a shocking shortfall in supply which has manifested as a **housing and homelessness crisis.** I understands that there are currently over 35,000 Victorians waitlisted for public housing, and a further 20,000 waitlisted for community housing. Indeed, Victoria's 30-Year Infrastructure Strategy (December 2016) estimated that between 75,000 and 100,000 vulnerable, low-income households do not have access to affordable housing.

## Issues

It is for the reasons above that when I first heard of the Department of Health and Human Services' (DHHS's) plan to **renew and expand the Brighton public housing estate** as part of the Public Housing Renewal Program (PHRP) I was delighted. However, this soon turned to disappointment when I discovered that the plan for the site will result in a **32 percent reduction in total public housing capacity** (Table 1 ) and a **91 percent reduction in three-bed public housing capacity** (i.e. those suitable for families). Furthermore that more than half of the new development will be sold off by developers at market rates, and as such any future opportunities to augment public housing on the site will be lost forever.

**Table 1 - Existing and Proposed Public Housing Profile for Brighton estate<sup>2</sup>**

	Existing Public Housing No. dwellings	Existing Public Housing Total No. bedrooms	Proposed Public Housing No.	Proposed Public Housing Total No. bedrooms	Proposed Public Housing % change from baseline
1-	39	39	90	90	131%
2-	12	24	43	86	258%
3-	76	228	7	21	-91%
<b>Total</b>	<b>127</b>	<b>291</b>	<b>140</b>	<b>197</b>	<b>-32%</b>

<sup>1</sup> See for example Sustaining Our Assets Policy 2000, Sustaining our Housing Assets, 2004, Asset Management Accountability Framework, (Dept of Treasury & Finance, 2016) and Victorian Auditor Generals reports in 2012 & 2017.

<sup>2</sup> Source: ASR Research Community Planning, 26 October 2017, *New Street (Brighton) Public Housing Site Preliminary Social Infrastructure Assessment*, prepared on behalf of Victorian Department of Health & Human Services, <[https://www.planning.vic.gov.au/\\_\\_data/assets/pdf\\_file/0029/88076/3.-Social-Infrastructure-Assessment-Report-ASR-Research.pdf](https://www.planning.vic.gov.au/__data/assets/pdf_file/0029/88076/3.-Social-Infrastructure-Assessment-Report-ASR-Research.pdf)>

It is also **concerning that DHHS plans to sell or transfer the small amount of remaining public housing stock to the community housing sector**, as it is unclear whether the eligibility requirements and rental rates for community housing units will match those set for public housing tenants.

Brighton public housing estate **tenants face an uncertain future** with respect to how, where, and for how long they will be housed following eviction from PHRP development sites<sup>3</sup>. The Minister for Housing's pledge that existing tenants will have the right of return will be undermined if appropriate dwelling types and sizes, particularly for families, have not been replaced. Such uncertainty and likely distress is not reflected in DHHS's community consultation report for the proposed Brighton estate redevelopment. It is reasonable to assume that tenants may be reluctant to communicate their concerns with the organisation which they are also negotiating their future housing tenure.

The concept plans for the Brighton estate involve a **scale of development completely at odds with the existing planning scheme** and neighbourhood context; i.e. a nine-storey boundary to boundary development in a low rise residential area with a mandatory three-storey height limit, with **resultant significant impacts on the community** (e.g. over-shadowing, over-looking, traffic, parking, reduction in safety, loss of open space and mature vegetation, site permeability and flooding, major visual impact, to name but a few). To achieve this, **Government proposes to make itself the responsible authority for the planning process** and also remove third-party rights of appeal, thereby denying the local council and local community of an opportunity to have its say.

Based on the business model, **the redevelopment will provide DHHS and the developer alike with significant income** from the sale of public land. Herein lies a **conflict of interest in State Government approving its own plans**. Many in the North Brighton community are outraged that DHHS plans to draw an income by selling the housing of those most vulnerable in our society, and without any firm commitment to reinvest the proceeds into public housing elsewhere.

The **process by DHHS to date has shown disregard for our community**, including a lack of meaningful consultation with affected stakeholders (tenants, surrounding residents, local council, and community groups), lack of response to requests for information (or extreme delays in responses), and lack of any form of regular updates on the project planning process. The community consultation report prepared by DHHS for the site redevelopment lacks any quantitative assessment, solely presenting qualitative and anecdotal arguments.

Without transparency in the PHRP business case, **it is not possible to determine if DHHS have explored alternatives to the currently proposed sell-off of public housing land**. For example, has a base case been documented (e.g. what can be done to refurbish existing dwellings, and what can be done within existing planning schemes), and have alternative funding models been explored which could avoid the sale of public land?

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<sup>3</sup> E.g. see interviews with public housing tenants by ABC News <<https://northbrightonresidentsaction.org/media/>> and *The Age* [http://www.peoplebeforeprofits.org.au/20171030TheAge\\_InLimbo.pdf](http://www.peoplebeforeprofits.org.au/20171030TheAge_InLimbo.pdf)

## Summary of my concerns

My key concerns with the PHRP are that it will:

- Do little to address Victoria's public housing crisis, with the proposed 10% increase in public housing (as little as 110 new units) falling woefully short of the estimated 55,000 units required to meet current demand for public and community housing.
- Likely *reduce* public housing capacity, as the total number of bedrooms in PHRP sites seems likely to be reduced by around 32 percent.
- Involve a one-off sale of public housing land by developers, with private sector dwellings constructed at the expense of public housing by a factor of up to two to one, and this land never being available again for further expansion of public housing.
- Not provide any transparency in the business case, including a base case (e.g. what can be done to refurbish existing dwellings, and what can be done within existing planning schemes), nor is there any transparency of alternative funding models having models having been explored which could avoid the sale of public land;
- See building heights and densities increased two to three fold in many cases, with no regard for current demographics, community character or the local environs, and the significant impacts on these aspects .
- Involve a Ministerial amendment to Local Government Planning Schemes for the purpose of applying development controls, with a high prospect of the Minister assuming responsibility for development applications on the sites. Consequently, the impact of greater housing density, population and building heights on the sites is, at this stage, likely to exclude third party community planning rights.
- Potentially result in remaining public housing stock being sold or transferred to the community housing sector (it is unclear whether the eligibility requirements and rental rates for prospective community housing units will match those set for public housing tenants).

Whilst new investment in public housing is desirable, welcome and overdue, the PHRP in its current form will cause significant, long-lasting negative social, economic and environmental impacts, and will do nothing to address the state's housing and homelessness crisis. The PHRP seems designed to yield a substantial income for DHHS and developers through sale of public housing land, but at the expense of future government capacity to provide much-needed public housing stock.

## Recommendations

Having carefully reviewed the information available on the Public Housing Renewal Program, I make the following recommendations to the Legal and Social Issues Committee:

- Retention of public land and buildings in public hands to facilitate future investment in public and community housing;
- A significantly greater increase in public housing capacity in any PHRP than DHHS's currently proposed 10% (as a general rule a 50% increase would seem achievable without compromising local planning schemes or local neighbourhood character);
- Refurbishment and demolition should be gradual, as it has been in the recent past, wherever possible, to minimize disruption to public housing tenants;
- That Government explore alternative funding models, including practices and case studies from other jurisdictions, to provide capital for public housing renewal;
- The concept design process for any PHRP sites to incorporate genuine co-design practices which are inclusive of existing public housing tenants, neighbours and the local community;

- Appropriate development, so that the scale and number of total dwellings in any PHRP project remains in keeping with existing neighbourhood demographics, context and character, height limitations and environment;
- Open and transparent approaches in the development of planning controls and development application assessments, including third party notice and appeal rights for local communities, with provision for Municipal Councils to act as the Responsible Authority for planning scheme changes and development applications.