



Submission to Standing Committee on Legal and Social Issues:

Inquiry into the Public Housing Renewal Program

10 November 2017

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About Moonee Valley Legal Service

This submission has been prepared by Moonee Valley Legal Service (MVLS), a community legal centre committed to the delivery of high quality legal services, community legal education and advocacy based on the needs of our local community.

Situated on the Ascot Vale Public Housing Estate, and co-located at the Wingate Avenue Community Centre, MVLS exists to achieve equality and justice within the legal system for disadvantaged members of the community. We have been assisting people who live, work or study in the municipality of Moonee Valley since commencing operations in 1985 as Essendon Community Legal Centre. We offer free legal advice, information, referrals and ongoing casework assistance to members of the community in the City of Moonee Valley.

MVLS provides a holistic service, linking clients with supports to address the causes behind their legal issues, which has the overall effect of reducing their future exposure to the legal system. We provide generalist legal services, with a focus on infringements, criminal law, family law and family violence. MVLS also provides community legal education and has run a variety of education sessions at local schools, libraries, Adult Migrant English Program classes, community groups and organisations. Our service benefits and empowers the community, and assists disadvantaged or disenfranchised people to be more knowledgeable about the law. This approach gives our clients confidence to be proactive in their dealings with the legal system.

Introduction

MVLS welcomes the opportunity to submit to the Standing Committee on Legal and Social Issues in regard to the 2017 Inquiry into the Public Housing Renewal Program (the Inquiry).

Reflecting upon local contextual issues, this submission supplements a separate and more detailed submission lead by St Kilda Legal Service, to which MVLS is also a signatory with a coalition of community legal centres (CLCs) operating in areas affected by the Public Housing Renewal Program (PHRP).

This present submission is informed by our experience working with, and advocating for, people experiencing housing difficulties and homelessness, for residents of the Ascot Vale Public Housing Estate (upon which our service is situated), and the Flemington Public Housing Estate (where we provide outreach services). These estates are vibrant places, home to residents from a range of diverse backgrounds, including large populations of residents born in Ethiopia, Somalia, Vietnam, Sudan and Eritrea. Languages spoken on the estates include Oromo, Turkish, Cantonese, Vietnamese, Somali, Tigrinya, Arabic, Mandarin and English. The estates are also currently characterised by a raft of amenity, community safety and social issues compounded by design and maintenance issues associated with the built environment and ageing housing stock. With the estates in their current form inadequate to meet local housing needs, we strongly support the prospect of improved and increased public housing stock. We believe that appropriately planned and designed housing and public space will have great capacity to improve community safety and pride, and will positively impact wellbeing and other outcomes for residents of the communities we serve.

This submission responds predominantly to the Inquiry terms of reference (TOR) 1, 2, 3, 6, 7 & 9.

Response to TOR 1:

MVLS considers the proposed 10 per cent increase in public housing to be inadequate for the current and future needs of the local community. When weighed against the proposed increase in *private* dwellings on the redeveloped sites, a 10 per cent increase will in fact result in a significant dilution of public housing as a proportion of all housing in the local area. This will mirror trends across the state - whilst overall there has been a net 12 per cent increase in social housing since 2006, social housing has, as a proportion of all occupied dwellings, declined from 3.8 per cent to 3.47 per cent.ⁱ

The City of Moonee Valley is impacted by a significant lack of affordable housing, with many vulnerable persons being forced to move out of the area or into housing that is unsafe, insecure or inappropriate.ⁱⁱ In this municipality, and at a state-wide level, demand and need for public housing continues to balloon. The Victorian Auditor General's 2017 report *Managing Victoria's Public Housing*, shows that in the 2015-16 period, the total number of allocations of public housing was 4928, whilst for the same period, there were 36,695 applications.ⁱⁱⁱ Wait times ranged from 4.6 months to 23.6 months across all priority types, with an average wait time of 10.4 months.^{iv}

Escalating demand for public housing was also spelled out in a recent report of the Family Violence Housing Assistance Implementation Taskforce, which was tasked with quantifying the need for social housing. The taskforce recommended considerable increases to social housing stock (n 30,000),

arguing that the mere maintenance of 3.5 per cent share of social housing over the next 20 years would not meet future demand for affordable housing.^v

With current trends in the waiting list for public housing indicating that demand is continuing to increase, failure to address the declining public/private housing ratio is problematic and portends a worsening affordable housing crisis.

Response to TOR 2 & 3

Demographics

MVLS believes that any changes to the proportion of single, double and family sized units on the estate must take into account not only waiting list demand, but also the current needs of the existing residents.

The City of Moonee Valley is home to 123,000 persons, with 113,604 of those housed in occupied private dwellings.^{vi} The average household size is 2.47 persons. Notably the area has a higher proportion of single and two person dwellings compared to the greater Melbourne average. Since 2011, there have been slight increases in three and four person households and slight declines in all other household profiles.

The Ascot Vale housing estate currently comprises a mix of many single (n 102) and two bedroom (n 740) homes, and very few three bedroom properties. This portfolio does not adequately marry with the household composition of the diverse community housed on the estate. Our practitioners are aware of many instances of overcrowded housing with large families housed in inadequately sized two or three bedroom homes. We are also cognisant of multiple single person households or couples residing in homes that exceed their size needs. MVLS understands that the redevelopment will prioritise increasing one and two bedroom public housing stock on the estate. We suggest, however, that the development plan assess and take into account the household structures both of current tenancies and of applicants to ensure that newly constructed properties are size-appropriate for both of these cohorts. We believe such an assessment will indicate need for a greater number of dwellings for larger families (three or more bedrooms) than may be currently being contemplated.

Right to return

MVLS is pleased that a 'right to return' policy attaches to the PHRP, but is concerned at its conditional nature. The policy is uncertain and provides a clause that 'residents will be able to return to the renewed estate if they choose to do so, *and if there is housing suited to their needs,*' (emphasis added). We note that should the developed social housing stock be of a size or configuration that does not match the household structure of current estate tenancies, these families may be denied the opportunity to return.

Community or public housing

Social housing refers to public housing and community housing, the former owned and/or run by government, and the latter being owned and/or managed by not-for-profit organisations regulated by government. Both types of housing are used to provide accommodation options to reduce homelessness and improve housing accessibility for vulnerable Victorians.

As expressed in the joint submission to the Inquiry by the coalition of Community Legal Centres led by St Kilda Legal Service, documentation pertaining to the PHRP has predominantly used the term “social housing”, resulting in uncertainty amongst residents regarding the model of stock and tenancy management that will be adopted. We seek clarity as to whether the newly built social housing will be publicly owned and operated as public housing, or leased/sold to a third party as community housing. We believe it is highly preferable that social housing stock developed at the sites be designated public housing, this model possessing greater capacity to respond to higher risk and more difficult tenancies. We are keen to ensure that social housing constructed and made available through the redevelopment process is allocated to those most in need. Should the housing be designated community housing, we seek firm assurances that there will be no detrimental impact upon the rights, responsibilities, rent, security of tenure and other tenancy terms enjoyed by public housing residents currently living on the estates. Any community housing tenancies should experience no reduction or loss of rights in comparison to their public housing counterparts. Additionally, we suggest that any private development be rent affordable to address the severe undersupply of affordable rental in the area, and to minimise potential disparity between social and private housing on the estates or marginalisation of social tenants.

Response to TOR 9:

Consultation

MVLS is of the view that the redevelopments and the associated relocation of residents must be managed in a manner that ensures transparency and ease of access to information and support. It is of great importance that information is tailored to the local community and, where appropriate, points to relevant and local referral and support options. Feedback we have received to date from the community indicates that many do not understand the details attaching to the PHRP. Sketch plans circulated by the PHRP teams do not provide sufficient detail to enable informed input by residents and other stakeholders.

We believe that the connection we, and other services co-located on the estates have to the local community, should be considered by PHRP workers seeking to engage with residents. Regular contact and information sharing between the PHRP project team and estate based services will enable these services to better support and respond to the community. Residents with concerns should be referred to local services such as our own for independent advice and advocacy support. Moreover, effective communication between all stakeholders will ensure consistent understandings and thereby minimise any misapprehensions or anxiety amongst community members.

We are aware that a number of residents are hesitant to make submissions out of fear of negative consequences or persecution. On this basis we also advocate for the creation of opportunities for affected residents to make submissions to the process in a manner that protects their confidentiality, for example by MVLS (or another representative) lodging submissions on their behalf.

Estate amenity

MVLS believes that the redevelopment should protect and enhance amenities enjoyed by residents of the estate. The Ascot Vale estate is currently characterised by expanses of open and community space, and features a range of onsite council and non-government services. These services and

spaces offer opportunities for social connection, recreation, education, child care, and legal and welfare support. We believe these features should be preserved under the PHRP to ensure community connectedness, health and wellbeing, and community safety. The design of associated facilities and spaces should be informed by close community consultation. The redevelopment presents the opportunity to improve access to services for many of the most vulnerable members of the community. Facilitating the inclusion of accessible community and service delivery spaces, in addition to suitably designed and landscaped recreational and outdoor spaces (using crime prevention through environmental design principles), will improve outcomes and enable the needs of disadvantaged community members to be better and more holistically met. Contractual arrangements with developers should ensure that sufficient resourcing and space is allocated to estate amenity and that the community is directly involved in planning and design.

Development Plan Overlays

As expressed in the joint submission to the Inquiry by the coalition of CLCs led by St Kilda Legal Service, we are concerned with the exercise of a Development Plan Overlay (DPO) process. By design, the DPO process presents vague concepts to the community, which can later be altered without further community consultation. We feel this process lacks transparency, excludes genuine community consultation and inhibits the rights of affected persons to object, appeal or otherwise participate meaningfully in the planning process. The submission by the coalition of CLCs more fully examines our concerns on this matter.

Contact for further enquiries

We thank the Committee for taking the time to consider this submission. Should there be any queries, please contact [REDACTED] on [REDACTED] or by email to [REDACTED]

Endnotes

ⁱ Victorian Auditor-General, *Managing Victoria's Public Housing: Victorian Auditor-General's Report*, June 2017, Victorian Government, p 18.

ⁱⁱ City of Moonee Valley, *Affordable Housing*, October 2017, <<http://www.mvcc.vic.gov.au/about-the-council/community-health-and-wellbeing/affordable-housing.aspx>>

ⁱⁱⁱ Victorian Auditor-General, *Managing Victoria's Public Housing: Victorian Auditor-General's Report*, June 2017, Victorian Government, p 18

^{iv} Victorian Auditor-General, *Managing Victoria's Public Housing: Victorian Auditor-General's Report*, June 2017, Victorian Government, p 19.

^v Dr Judy Yates, *Victoria's Social Housing Supply Requirements to 2036*, State Government of Victoria, 2017, p4.

^{vi} City of Moonee Valley, *Community Profile*, 2016, < <http://profile.id.com.au/moonee-valley/household-size>>