



10 November 2017

Legal & Social Issues Committee
Standing Committee appointed by the Legislative Council of the Victorian
Parliament
Parliament House
Spring St
Melbourne VIC 3000

By email only to: phrp@parliament.vic.gov.au

Dear Committee

**Submission to the Parliamentary Inquiry into the Public Housing
Renewal Program**

We welcome the opportunity to make a submission to this inquiry and include with our submission an Appendix A containing the submission of 17 residents of our community.

Background

West Heidelberg Community Legal Service (WHCLS) is a community legal centre that provides free legal services to vulnerable and disadvantaged people in the City of Banyule. Our services are targeted to those least able to access legal assistance, including those experiencing poverty, chronic illness, mental health issues, disability and those who are from a refugee background.

For almost 40 years, WHCLS has operated a unique integrated legal service delivery model through its co-location with Banyule Community Health. On 1 July 2014, WHCLS formally merged with and became a program of Banyule Community Health (BCH).

WHCLS and BCH were established in 1975 as a result of community led activism demanding health and welfare services in the Olympic Village, West Heidelberg. Constructed for the 1956 Olympic Games, the Olympic Village was converted to public housing at the conclusion of the Games. Within a few years, the Olympic Village and its immediate surrounds was Victoria's largest housing estate.

In the early 1970s, as part of the impetus for social reform surrounding the Commission of Inquiry into Poverty (the Henderson Inquiry), a local social worker Mary Morgan compiled a research report identifying West Heidelberg, in

particular the Olympic Village, as a “District of Special Need” due to the high levels of poverty experienced by many residents and their limited access to critical social services.

Much has changed in the West Heidelberg area since the Henderson Inquiry, however, according to the SEIFA Index of Disadvantage, West Heidelberg, Bellfield and Heidelberg Heights remain among the most disadvantaged areas in Australia.¹ These suburbs are characterised by their high concentration of public housing stock, most of which is in poor condition, having long since passed the nominal date of structural obsolescence.² More than 30 percent of households in West Heidelberg, Bellfield and Heidelberg Heights are renting their premises from the Director of Housing, a figure that has remained fairly steady and is roughly ten times the state-wide average.³

By virtue of locating their genesis within this community, both WHCLS and BCH are founded on an acute understanding of the inseparable link between good health, social inclusion and secure, affordable and appropriate housing. This foundation is evident across BCH’s programs, and in particular WHCLS, which has considerable experience in the provision of tenancy and housing-related services.

Earlier inquiries into public housing

The problems arising from the decades long under-investment in public housing are well known. The diminishing role of public housing in the provision of stable and secure housing in Victoria is evident across the state. As a proportion of all housing stock, public housing has retracted year on year for more than two decades.⁴ There are currently more than 35,000 people on the public housing wait list with nearly 12,000 of these being assessed as having priority access needs.⁵ Nearly 23,000 Victorians are experiencing homelessness.⁶

Our experience assisting public and low-income private tenants and those experiencing homelessness regularly provides our service with an insight into the social, legal and health impacts associated with the lack of secure, affordable and appropriate housing in Victoria. Drawing on this experience, we have

¹ Australian Bureau of Statistics (2011), [SEIFA by Local Government Area](#), Australian Government, Canberra

² Victorian Auditor-General’s Report, [Access to Public Housing](#) (2012), 7

³ Australian Bureau of Statistics (2011), [Census of Population and Housing](#), compiled and presented by .id the population experts

⁴ Australian Bureau of Statistics (2011), [Housing assistance for renters](#), Australian Government, Canberra

⁵ Department of Health and Human Services, [Public Housing Waiting and Transfer List](#) (March 2017)

⁶ Australian Bureau of Statistics (2011), [Census of Population and Housing: Estimating Homelessness](#), Australian Government, Canberra

contributed to numerous inquiries and other forums on the topic. Much of what we have previously submitted remains relevant today.

In 2010, WHCLS and BCH made a submission to the Family and Community Development Committee Inquiry into the Adequacy and Future Directions of Public Housing in Victoria.

In part, the submission, said:

“A key concern that has emerged overall ... is the need for more public housing stock and the better maintenance of existing housing stock so that it is not run down. By letting the stock run down and not holistically maintaining it, the stock (a public asset) is more likely to disintegrate and cause health and safety concerns. We know that the demand for social/public housing far outweighs the supply of public housing. Predictions are that the demand is likely to keep increasing.

We also know that because of the huge demand and pressing nature of homelessness, the system has been administered by successive governments with a view to getting people out who are in need, so that others in need can be placed into the same public housing. This has resulted in large and long waiting lists and countless people entering in and out of homelessness or at risk of homelessness. This merely moves people in and out of the system but does not actually deal with the source i.e. the need for an immediate investment in socially inclusive, affordable, decent and accessible housing.

BCH and WHCLS are troubled by the trend which seeks short-term financial gains rather than long-term solutions. There is a concerning level of sale of public housing land to private hands without any requirement that it will be used for future public housing development. If we continue to sell off Crown land, as has been occurring, there is going to be less and less land for public or social housing and it will be even harder to build public housing. We appear to be doing this even though we know the population is increasing and the additional costs which will be associated in the longer term in buying back land from private hands. We argue that this approach is short-term and costly in the long run.

The adequacy of a proposed 10 percent increase in public housing (or 1,100 public units) on the sites given the size of the waiting list for public housing

We suggest that there are at least three aspects to this TOR which require separate consideration. The first is whether on the basis of current Public Housing Renewal Program (PHRP) plans, a 10 percent increase in social housing will be delivered. The second is whether, if a 10 percent increase were delivered, this would be adequate given the size of the waiting list for public housing. The third is whether the new social housing stock will be public housing; and, if not, whether it should be.

10 percent increase

There are currently 154 public housing dwellings across the two West Heidelberg estates (Tarakan and Bell/Bardia) included in the PHRP. The plans for redevelopment suggest that after the 154 are demolished, there will be 170 new social housing dwellings constructed across the two estates. The 16 additional social housing dwellings constitute a 10 percent increase in social housing dwellings on the estates.

However, the plans indicate that the redevelopment will result in an overall *reduction* in social housing capacity across the two estates. In particular, there will be *fewer* social housing bedrooms available for occupation under the proposed plans. Currently, we understand that there are at least 304 public housing bedrooms available for occupation across the two estates. After the redevelopment, based on current projections, there will be 273 social housing bedrooms available for occupation. This constitutes an overall reduction of 31 social housing bedrooms available for occupation.

Rather than delivering an increase in public housing, the PHRP will have the effect of reducing social housing capacity in West Heidelberg and the other metropolitan regions where estates are slated for redevelopment. This is contrary to the stated aims of the PHRP and ensures that the significant public investment in the PHRP will not deliver Victoria additional social housing.

Adequacy

On the West Heidelberg estates, the redevelopment plans anticipate the construction of an additional 551 dwellings on the current figure of 154 dwellings – 705 dwellings in total. This is an approximately 350% increase to the number of dwellings on the estates. Of this significant increase, a mere 2.9% are planned to be social housing, with the remainder being owned and sold privately.

In light of the scale and density of the proposed development on the estates, we suggest that the proposed increase to social housing dwellings is manifestly inadequate, comprising a very meagre fraction of new construction on land that is currently used solely for public housing. When considered in the context of the growing and unmet demand for affordable and secure housing for vulnerable and disadvantaged Victorians, the large-scale and permanent repurposing of public land into predominantly private housing developments, as is envisaged by the PHRP, is not a reasonable strategy to address this demand. In fact, the disposal of public land in this way will only make it more challenging, in the future, to construct new public housing at a rate that matches expected population growth, let alone additional need.

As a proportion of all occupied housing in Victoria, social housing is currently estimated to be at the historically low level of 3.4%.⁷ Given that this figure includes community housing stock, the true figure in respect of public housing stock alone is that it comprises just 2.7% of all Victorian housing. These figures are lower than comparative figures in any other state, a fact that is noted with concern in the Victorian Auditor General's recent review of the direction of public housing management. As such we are very concerned that, on current projections, the PHRP will contribute to a further contraction of social housing as a proportion of all housing in this state. In West Heidelberg, for instance, there will be around 34 private dwellings built for every new social housing dwelling built.

Public or social housing

Language in the PHRP plans and materials draw a distinction between public i.e. existing housing stock and social i.e. the new non-private housing stock built under the plan. This suggests clearly that a transfer of ownership or management of the newly constructed non-private housing stock to the community housing sector is envisaged.

We have serious concerns about the impact on any such transfer on tenants' rights and on their housing security. Under existing frameworks, community housing tenants do not have the same enforceable protections, and are not offered the same support, as public housing tenants. Community housing tenants are more likely to be evicted, more likely to be subject to inconsistent decision making processes and have fewer genuine avenues of review.

While some community housing providers have comprehensive tenancy allocation and management policies that aspire to higher standards than mere compliance with the *Residential Tenancies Act 1997*, many do not. Some providers have policies in some areas and not others. Some providers make their policies public and some do not. This lack of transparency and consistency reveals a troubling disconnect between the public functions these organisations are increasingly performing and their recognition of the obligations associated with that.

In light of this, we are strongly in favour of all newly constructed social housing remaining owned and managed by the Department. While assurances have been made to existing tenants that the conditions of their tenancy will remain unchanged if they return to their estates after the redevelopment, we suggest that this is a guarantee only of a form of grandfathering of the beneficial public housing tenancy conditions for existing tenants. Instead, public tenancy conditions should apply to all future occupiers of the dwellings and not only to the returning tenant.

⁷ Victorian Auditor-General, *Managing Victoria's Public Housing*, (2017), 18

The ability to cater for all demographics including families, couples and singles with the proposed housing mix.

The proposed redevelopment of the West Heidelberg estates caters well only to the cohort of people requiring 1-bedroom dwellings. Under the PHRP at West Heidelberg, the number of 1-bedroom social housing dwellings will increase from 8 to 76, or from 5% to 45% of all social housing across the estates. It is troubling that this growth does not represent a genuine increase to social housing capacity but comes at the expense of other types and sizes of housing. In particular, 2-bedroom dwellings will decrease in number from 132 to 85 and 4-bedroom dwellings from 2 to 0. There will be an additional three 3-bedroom social housing dwellings constructed, increasing the number from 6 to 9.

It is appropriate that a plan such as the PHRP seek to increase the number of 1-bedroom social housing dwellings available for occupation, given the absolute and relative growth of demand for public housing configured for single people over recent years. However, it's not appropriate that this growth is achieved by cannibalising existing larger housing stock for this purpose. While there is certainly a need for the construction of many additional 1-bedroom social housing dwellings across the state there remains a pressing need for other types of housing, particularly housing that is fit for families. There is no evidence that the demand for any type of public housing is decreasing. A plan, such as the PHRP, that will result in a decrease in the number of any type or size of public housing can only deepen the gap between housing need and public housing supply in Victoria.

In West Heidelberg and the surrounding suburbs, in particular, there is a critical shortage of dwellings with 3 or more bedrooms that can house large families. WHCLS regularly assists public housing tenants who are living in inappropriate and unsafe housing resulting from overcrowding. Many of these tenants and their families live in overcrowded conditions for many years (usually between 7 and 10 year) while waiting for a transfer to a larger property, of which there are few. The negative affects of overcrowding on the physical and mental health of parents and their children is readily apparent to the community and support services that many of these tenants engage with.

It is no surprise then that the Department's engagement reports compiled after consultation with local residents, show that a priority for tenants is for there to be more and bigger public housing dwellings constructed under the PHRP.

Given the age and condition of much of the housing stock in West Heidelberg, Bellfield and Heidelberg Heights, the health implications associated with overcrowding are exacerbated. It has long been recognised by residents, community services and the Department of Health and Human Services (the Department), that much of the public housing stock in the area is unsound, with persistent and widespread mould growth a particular concern to many tenants. Obtained by WHCLS under a freedom of information request, a 2010 Department of Human Services study into the feasibility of a regeneration project found: "...

the area suffers from poor and declining quality stock. Despite continued investment by [the Department], many buildings are no longer fit for purpose and do not meet the current need of the tenants or those on housing waiting lists”.

In 2012, the Department announced a 10-year plan to revitalise West Heidelberg, Heidelberg Heights and Bellfield with a goal of redeveloping 600 unsuitable or outdated public housing dwellings, using funds received from the sale of some public housing stock in the area. Known as the Olympia Housing Initiative, initially the plan proceeded, slowly, but well with 224 redeveloped public housing dwellings delivered by June 2017. While these houses do not comprise additional public housing stock, coming at a cost of the sale of other public housing, they are newly constructed homes and in many cases are appropriate to house families. However, it appears that the Olympia Housing Initiative has now been wound down in favour of the PHRP in West Heidelberg – a plan which will provide very little social housing appropriate for families. Many families living in inappropriate and overcrowded housing conditions, that had they been advised would be redeveloped as part of the Olympia Housing Initiative are now instead learning that there are “no immediate plans” to redevelop their dwellings. The Department’s public communications about the Olympia Housing Initiative now instead refer to the PHRP.

If you have any queries, please contact Stephanie Price on [REDACTED] or by email at [REDACTED]

Yours faithfully,

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