

Submission to Legal and Social Issues Committee

Re: Inquiry into the Public Housing Renewal Program

Background

I am writing on behalf of the Ashburton Residents Action Group (ARAG) in my capacity as a committee member. ARAG was formed in response to the announcement in September 2105 of the redevelopment of the Markham Estate in order to represent the views of residents in Ashburton. It is a demonstration of the level of community concern over this redevelopment that we have maintained our opposition to the proposals for over 2 years.

In that time we have:

- delivered newsletters via letter box drops
- hosted public meetings, each attended by over 100 concerned residents
- held a public rally in Ashburton, around 300 residents attended and which achieved national media coverage
- created and maintain a Facebook information page as well as an emailing group of over 150 households
- gained the support of both State and Federal Ministers and politicians
- engaged in a wide media campaign

The government is rushing through their public housing renewal developments, selling off public land for profit all in time for the upcoming state election in 2018. Ahead of the 'caretaker' period being imposed, the government wants to be seen ticking off promises, cutting ribbons and 'delivering' on their promises to their electorates, without waiting for the findings of this Inquiry to be made public.

Our submission addresses the terms of references stated in the inquiry documentation, as it relates to the development earmarked for Markham Estate, Ashburton.

ARAG Submission topics:

1. The adequacy of a proposed 10 per cent increase in public housing units.
2. The allocation of parts of the sites between the proposed new public and private housing units.
3. The proposed significant increase in density and heights and any local environmental impacts.
4. The removal of planning controls from local councils, and planning implications surrounding communities including existing neighbourhood character, traffic flow and provisions of services.
5. The transparency and genuine community consultation with affected residents, neighbouring communities and the broader Victorian community regarding the short, medium and long term implications of the PHRP model as currently proposed.

The fact that we have not expressly addressed all areas listed in the terms of reference should not be taken as lack of concern or opinion on our part. While this submission focuses on the State Government's total disrespect, and lack of concern towards local residents and communities in the Ashburton suburb – the impact is the same for all other affected suburbs.

1. The adequacy of a proposed 10 per cent increase in public housing units.

The government needs to define the 10% that is constantly mentioned in the press and in parliament. Is it 10% increase in dwellings or 10% increase in public housing resident capacity? The government should be focussed on reducing the waitlist – the 35,000 residents in need of housing are not being addressed in the redevelopment of sites such as the Markham Estate. As an example, it is incongruous that a site, formally home to 56 units can be redeveloped to **225** units with the capacity of public housing residents reduced. How do those figures contribute



to reducing the public housing waitlist? The proposal for Markham Estate and other such developments are designed to maximise profit and not focussed on providing more housing for the public housing residents in dire need of safe and adequate housing.

The government has contributed to the other developments outlined, specifically \$20 million to the Preston redevelopment, why not for the Markham site? A significant increase in the public housing capacity at Markham Estate would have an immediate and effective impact on reducing the waitlist.

Selling off 75% of the Markham site to a private developer for a "super profit" (actual government quote) means the future ability to address the public housing needs are lost forever.

So why has it come up with the proposal it has? It is because this is the outcome of the financial model it intends to apply. The Government has decided that the Markham Estate site must be self-funding.

The size and composition of the development is not governed by what is appropriate for this site – situated as it is in low-density back streets of Ashburton three-quarter of a kilometre from a major road. Instead, the scale is to be governed by the need for construction of enough private dwellings to ensure that profit from their sale is sufficient to fund reconstruction of public dwellings.

Indeed it is to be more than self-funding as the original proposal required the site to also return the land sale value of the private development land to the State (some tens of millions of dollars). It is understood that this model/process is sometimes referred to as "releasing the value of the land".

This land is precious social infrastructure not a revenue-generating commercial development opportunity. Imagine this model being applied to other social infrastructure such as schools. A run-down school needs investment so the Government sells off the greater proportion of the school site, packs it with a massive private development and uses the profit to rebuild the small proportion of the school that remains. The community would laugh at such a proposal. But shouldn't it be too for public housing?

On 22 October 2010, it was reported that the public housing waiting list was 41,212 – 7 years later the list is down to 35,000 according to government figures. If the property developments the government recently announced are to have a truly significant impact on the waiting list, those developments need to include more public housing than private units.

Suggesting the 10 (including Markham Estate) sites as part of the Public Housing Renewal Program will reduce the waitlist and increase the public housing capacity is misleading. It implies there will be no additions to the list and if the Markham Estate model is followed, capacity could in fact be reduced. It is simple mathematics – increase the public housing and reduce the private units in the developments. That is the only real way to address the public housing crisis facing Victorians.

2. The allocation of parts of the sites between the proposed new public and private units.

Rather than an allocation, this is simply a complete "sell-off" of public land to private developers for a massive profit. The Labor government were the government of the day when most of the public housing across Victoria fell into disrepair and became derelict. Markham Estate became a photo opportunity for the Andrews government during the last State election.

It is no coincidence that Markham Estate has been earmarked for a massive sell off to allow the government to achieve substantial profit. It is a disgrace to the neighbourhood and the public housing tenants that only 25% of the redevelopment will be allocated to public housing units. When the Minister for Planning outlined his reasons for taking control of the planning decision the documentation said, "*The development will also include a private*



housing component.” Given the public/private split of the Markham Estate proposed development – this statement is grossly misleading – it suggests the private housing units are a by-product of the proposal whereas it is **principally** a private dwelling development. 75 per cent is private dwellings.

To achieve the massive profit, the government has earmarked the prime parts of the site for the private dwellings. Views out to the golf club, the open spaces and the creek and nature trails. On the other hand, the public housing will be ‘squeezed’ into the site that faces the road and the back of adjoining houses in Ashburn Grove.

While the revised plans show a ‘salt and pepper’ approach, (mixing rather than segregating public and private dwellings) it is unlikely this will eventuate given it was proposed for a number of previous Labor Government supported developments where this was promised but not delivered.

Not only will the tenants be isolated in a ‘them and us’ environment, the amenities will also be to a lower standard. With a site designated 75/25 (private/public respectively), it is clear the focus on the renewed developments for these sites are aimed at private buyers. The redevelopment of Markham Estate should be used to provide much needed family accommodation instead of the amount of one bedroom units proposed.

3. The proposed significant increase in density and heights and any local environmental impacts.

In the case of Markham Estate, the original public housing consisted of two-storey blocks making up 56 units, housing mainly families whose children attended local schools. The government’s proposal to increase the number of units to 225 is a grotesque use of the land.

As a residents group, ARAG would have objected to the figure even if it was all public housing units. The increase in density and height is completely inappropriate for the size of the land. Of the 82 established large trees, 76 will be removed to make way for the development. The impact on the biodiversity of the creek and natural vegetation will be substantial.

Tree coverage in the Boroondara Council, especially in Ashburton is significant. Local residents are held to strict laws to maintain the ‘leafy suburb’; controls are in place to protect the trees in the area. However, with the proposed development – the government is bypassing the rules and standards that local residents are held to. The State Government should be held to those and even higher standards, setting an example.

The Markham Estate development is in a tiny pocket within the suburb, the proposed heights will be an eyesore in a neighbourhood characterised by two storey dwellings. Imagine the visual impact for those residents in the immediate area. The development will have an immediate negative impact on the current local residents in terms of liveability, amenities, and loss of peaceful and quiet enjoyment of our residential neighbourhood. Overshadowing, lack of privacy, lack of community resources for such a significant population increase contributes to the negative impact.

With the significantly increased density, the resulting traffic will create gridlocks in streets already struggling to handle the commuter parking near the stations, parking when the sports ovals are in use (both summer and winter) as well as the hugely successful Markham Children's Playground. Markham Avenue is already a very narrow street, due to a bicycle path running down its length. Traffic is often reduced to one lane when cars are parked in the street, this will exacerbate traffic congestion.

4. The removal of planning controls from local councils, and planning implications surrounding communities including existing neighbourhood character, traffic flow and provisions of services.

ARAG’s response to the Minister’s decision to remove planning controls from the council is unequivocal.



Boroondara Council should be the responsible authority for this and future developments in the area to ensure consistency in planning decisions and its impact on the municipality.

“Development Victoria (DV) has requested this intervention to facilitate the proposed development”. Our understanding is that the Government had decided on this intervention before DV's (previously Places Victoria) involvement, which began a year after the development was announced. Our belief is by removing the Council from the planning process, the Minister for Planning wants to avoid the normal scrutiny involved in the planning process. Residents have to abide by these rules, so should the government.

The planning amendment documentation suggests the amendment **is required to deliver the development in a “timely, coordinated and consistent manner”**. And to **“ensure the project can commence without delay”**

ARAG strongly believes these statements lack all credibility given:

- a) The delays so far are a direct result of incompetent Government project development. It took at least 6 months for the Government to establish a formal project delivery arrangement between Places Victoria and the Dept. of Housing (that we are aware of).
- b) Since there was no meaningful consultation early in the project development process, it took residents and Council protest before feedback was taken on board – hugely wasteful in time.
- c) There was a massive time delay of 9 months between the previous plans prepared by PV and revised plans produced recently (January to October 2017). What was happening all this time?
- d) The first press release about the Markham Estate development was September 2015, it is now October 2017 and plans have are still not finalised and shared with the community.

The Government has shown no urgency in getting on with the project in the two years since its announcement. Why the rush now? Is it because we are getting close to state elections and the government needs to be seen as ‘delivering’ on their promises?

The government have not provided any plausible reason why “coordination” and “consistency” would be affected under normal planning approval processes. Surely by keeping the council involved, coordination and consistency in planning decisions would be the result.

With the Minister for Planning assuming the role, residents lose the right of appeal. How is that fair and representative of a democracy?

5. The transparency and genuine community consultation with affected residents, neighbouring communities and the broader Victorian community regarding the short, medium and long term implications of the PHRP model as currently proposed.

The Labor government has been accused of ‘sham consultation’ in the past. Back in February 2010, the Labor Government was in the headlines over the Windsor Hotel planning controversy over a planned sham consultation process.

To suggest any community consultation has taken place is a major overstatement. The residents of Ashburton felt the need to create a residents group as a means to be heard because there was **no** community consultation. During the 2014 election numerous promises were made about the redevelopment of the substandard Markham Estate and that residents would be consulted before the redevelopment took place. Following the election of the Andrews Government, there was a press release in September 2015 announcing a ridiculous redevelopment plan for the site, 240 units 60 public, and the rest private dwellings. Again, lots of promises about consultation and community engagement – none of it came to fruition. The first real information came from a flyer distributed to small parts of the suburbs in January 2016 – not everyone received a copy. Updates on the Places Victoria and



DHHS websites were often misleading and only updated in response to pressure from residents.

The level of communication from the government and its development arm prior to the consultation sessions in November 2016 was sporadic and even when notices about the plans were distributed publicly; only some of the residents received them. The same with door knocking; some streets were targeted and others were not. This made for piecemeal and totally inadequate community consultation.

Only during the 'meet and greets' (terms by Places Victoria as it was at that time), were the residents able to see the plans, and were told in very forceful terms – that any changes to the size and scale of the plans were non negotiable. The 2 consultation sessions were information sessions at best. How is it community consultation if the residents have no opportunity to review the plans and provide feedback ahead of 'final' drawings?

In late 2015, ARAG committee submitted an FOI request for information about the development as a way to receive information that was not forthcoming from the government or Places Victoria (sic). The level of obfuscation from the department was unbelievably shocking. The fees quoted to receive information as part of the request were offensive – almost \$800! The committee formally submitted a complaint to the FOI Commissioner. The level of disrespect from the department to our request would be unacceptable in any private enterprise or if the government was requesting.

Ministers Foley, Wynne and Andrews have been absent from communications with the residents even after they were made aware of the views and opinions of the community. The current Minister for Planning was the Minister for Housing when the Markham Estate public housing units were in need of repair.

Our members are continually frustrated by the lack of transparency in the planning and development process, and the lack of respect shown by this government. Ashburton residents strongly support an improved and increased public housing redevelopment. We want our voices heard.

Recommendations:

1. The Inquiry should conclude that this funding model is fundamentally flawed for public housing infrastructure as it produces unacceptable outcomes for the local community and for public housing.
2. The Inquiry should recommend that public housing sites remain principally for public housing at all site redevelopments.
3. The Inquiry must recommend that Councils are best placed to decide on planning developments in their jurisdictions. Any assumption of planning authority by the Minister for Planning must be in extraordinary circumstances and must only be done if there are "checks and balances" to ensure that the Minister is not abusing his/her significant powers in this area.
4. Any future consultation needs to be ongoing, from the announcement of the project, so that residents can have meaningful input into the plans and proposals. There also needs to be better notification and communication between the government, developers and residents.

Conclusion

Members of the ARAG community group on behalf of local residents strongly advocate and support increased community consultation, a reduction in density and height of the proposed development, more public housing and saving the tree coverage in our suburb. The government must not be allowed to 'sell off' major public land to private developers for short-term gain. Once the land is lost, it is lost forever and the resulting heights and density of the development will set a dangerous precedent in our peaceful, quiet and residential suburb. We are prepared to attend the hearing and present our position if required.

Liz Atchison

On behalf of Ashburton Residents Action Group (ARAG)

