

To the Standing Committee on Legal and Social Issues
(Legislation and References)
Inquiry into the Public Housing Renewal Program

Submission from All Saints Anglican Church, Northcote

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To: The Secretary

Standing Committee on Legal and Social Issues
Legislative Council in Parliament House
Spring Street
EAST MELBOURNE VIC 3002

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

Thank you for the opportunity to provide a submission to this inquiry. This submission addresses the following Terms of Reference:

1. the adequacy of the proposed 10 per cent increase in public housing;
2. the ability to cater for all demographics...[through] the proposed housing mix;
3. the effects on current public housing tenants, including... whether [they] will be able to return;
4. the allocation of parts of the sites between the proposed new public and private housing units;
7. the removal of planning controls from local councils;
9. the transparency and genuine community consultation...regarding the short, medium and long term implications of the PHRP as currently proposed; and
11. previous Victorian public housing renewal projects.

Background

All Saints church has as its immediate western neighbour the Walker Street Estate, now earmarked for demolition and replacement by many more dwellings, most of which will not be available to public housing tenants.

Our perspective on this is neither party-political nor self-interested. We are aware of concerns about height, set-backs and overshadowing, streetscape impact, traffic and parking issues, and other issues including tree management. The church building has been cited in some discussions as historically significant (it is classified by the National Trust) and likely to be negatively impacted by such issues. These are legitimate concerns but we do not share them. Our concerns are entirely to do with social justice – the impact of the proposed renewal projects, here and on other sites, on those who are too poor to access private rental properties or own their own homes, too disadvantaged or ill-equipped or aged to access the job market, and who continue to need long-term secure housing close to support services and transport. We are also concerned with the impact on those who have similar needs but are not fortunate enough to be current tenants, the tens of thousands of households who continue to wait on the Victorian public housing waiting

list, or who are no longer on the list, having given up hope. We view shelter for the poor as a core Christian issue, but recognise that this is also a universally held community value.

TOR 1: Adequacy of the proposed increase

Our understanding is that there is no commitment to ‘a proposed 10 per cent increase in public housing’. There is a commitment only to a ten per cent increase in the number of dwellings. If, as is proposed for Walker Street, the majority of the new units will be smaller one-bedroom or two-bedroom dwellings, replacing the many existing three-bedroom dwellings, this can hardly be claimed to be an increase in housing – it is even possible that fewer public tenants will be housed than live there now. Nor is there any commitment that the housing will continue to be public. Even for the minority of new dwellings on the site designated for public housing tenants, the terms ‘social’ and ‘community’ housing have been loosely substituted from time to time, and this is not the same thing. These terms refer to quite different ownership and management arrangements.

Even if there was such a commitment, and even if a ten per cent increase in the number of public tenants was achieved at the end of the renewal project, this would be a very poor outcome. We believe that every public housing renewal action should result in (a) a substantial increase in the number of people in public housing at that location (not the number of public housing dwellings), and (b) all of the new housing being available first to the existing public housing tenants and then to people drawn from the waiting list.

TOR 2: The proposed housing mix

We support a mix that reflects the diversity of public housing tenants, which, like the rest of the community, includes families with children, couples, singles and households that include a carer. This means some one-, some two- and some three-bedroom homes, not replacement of three-bedroom dwellings by the smallest accommodation possible, which would make it harder to maintain what we have now – an ordinary, diverse, well integrated neighbourhood.

TOR 3: Effects on current tenants

We are concerned that people who live on the estate are treated properly. We have noted the promises that have been made to them: full information, offers of appropriate relocation, assistance with private rental if other options are not available, first right of return to the rebuilt estate, and so on. These rights seem obvious, but there is evidence that other similar projects have not resulted in the promised benefits to all tenants and have not delivered the promised outcomes in terms of better public housing and more of it. We consider that not only should the ordinary rights of consultation and information apply, but extra protections must be extended to people who may not all be well placed to keep themselves fully informed, process information, know their rights or make good decisions in their own interests.

Any promise of the right to return to the same estate appears hollow in the face of planned dwelling sizes and numbers. The Walker Street estate currently accommodates about 250 public tenants. Of the 87 units, most of them (56) are three-bedroom units. This must be so, to explain

the average occupancy of about 3 people per unit. Although no factual information about the planned replacement units was made available at the time of consultation, from Darebin Council documentation it appears that of a total 222 planned dwellings, only about five are planned to have three bedrooms. It is not plausible that the marginal planned increase in public housing dwellings is expected to provide for the return of all of the existing households. It is much more likely that for one reason or another, most of the tenants are expected to ‘choose’ not to return: this was actually said, in so many words, in a consultation meeting.

Another aspect of the position of tenants should be mentioned. There are few situations in which the power relations between people are so unequal. Some tenants are aware of previous renewal projects of which the outcomes for public tenants were not good. Facing the loss of their homes, it is not surprising that they are intimidated, unwilling or unable to offer any real input, or see their likelihood of being re-housed as subject to compliant behaviour. The Minister for Housing exacerbated these fears, by saying of public housing tenants that ‘provided they continue to pay their rent and be good, decent people, just like any other person covered by the Residential Tenancies Act, they have a right to live in their communities’ (PAEC, 31 May 2017).

There is also a good deal of uncertainty caused by the shift between ‘public’, ‘social’ and ‘community’ in the assurances tenants receive. The Minister refers to ‘public housing’ and has recognised the need for more public housing, but tenants are entitled to know what this really means, and they need to understand the likely impact on them of any possible transfer to ‘social and community’ housing, which the government may have in mind. Tenants are seeking a guaranteed right to return to Walker Street, so it is hard to see why many of them are expected to ‘choose’ not to return. Unless perhaps the project is expected to result in the disappearance of public housing altogether in favour of social and community housing arrangements, with greatly reduced rights and protections. No guarantee has been extended to tenants that they will be able to return as public tenants with a government landlord and it appears they will not have any certainty about this aspect of their future before having to leave their current homes. That is not genuine choice.

TOR 4: The public and private mix

4.1 The privatisation of public assets

There is growing concern in the parish and in the wider community about the policy failure that has accompanied handover of housing assets and control to the private sector. The private sector does not have a responsibility to the poor, the disabled, the helpless or disadvantaged: its responsibility is to its owners and shareholders. So finding ways to make secure housing affordable and available to all of Australia’s people is a national and state government matter, and for us it is essential that the government retains responsibility for public housing, rather than stepping back and relinquishing control, in favour of third-party or arm’s length arrangements with the private sector, even if they are supported by well-intentioned not for profit agencies.

We understand that the issues are complex and difficult. We recognise that Victoria has a larger population and more of that population is dependent on welfare than in the past. We know that the existing public housing stock was not built for today’s demographic profile, but for what was then known as ‘the working poor’ – people who would either be able to buy their own homes

eventually or move out to some form of independent accommodation. Those days are gone, and governments are faced with providing for the long-term housing of people who may never participate in the workforce successfully or be able to afford to live independently.

But this is a crisis that cannot be passed to private enterprise. The human cost of insecurity and homelessness for individuals, families and the wider community, is impossible to calculate. A lack of secure housing creates a barrier to the social and economic participation of Australians (Brotherhood of St Laurence, 2013) and there is agreement that housing is one of the social determinants of health and mental wellbeing. This is not an argument for solutions involving a public/private mix. It is an argument for much more public housing for many more public housing tenants.

It is not acceptable to set about creating more opportunities for private tenants on land that was previously reserved for the benefit of our poorest and most disadvantaged citizens. It is unsurprising that private developers are keen to be involved in projects like this at a time when there are fortunes to be made from such investment. But that is not development for the good of the whole community; it is development at the cost of the community. The willingness of governments to invest in publicly funded infrastructure and to manage and maintain those assets in the whole community interest is not an idea that belongs to the past: it is more important than ever.

4.2 Replacing public housing by a public-private mix

During consultation no rationale was offered for planning a mix of public and private housing, other than the spurious claim that mixing the two results in a ‘vibrant’ community. The Walker Street consultation materials claim that the project ‘will introduce private housing at each estate to deliver vibrant, integrated mixed tenure communities’ (KJA, 2017). This social engineering intent was explicitly espoused by Minister Foley in his claim that the mix was the way ‘to build better, modern public housing estates but also to bring into them, both for purposes of social change as well as meeting the substantial costs of such efforts, a new type of public housing community in the state’ (PAEC, 31 May 2017).

Somehow, it is assumed that people in public housing cannot generate a worthwhile community culture of their own. First, this is not true. Despite media depictions and negative stereotyping of public housing tenants, these can be and often are good communities. Many vulnerable people find a secure home and supportive neighbours in public housing – people with physical disabilities or mental illness, recently-arrived refugees or asylum seekers, Indigenous Australians, the unemployed, sole parents, people escaping domestic violence, aged pensioners. Of course there are sometimes problems: there are sometimes problems in nice neighbourhoods too. But an even stronger link can be made between social problems and a lack of secure housing, including a link to family violence (Hall, 2015). Second, the argument that poor people will become better if they are mixed with working people, socially aspirational people, wealthier people – has been challenged or discredited by research on similar implementations attempted in Australia (for example, Arthurson, 2012, Shaw, 2013).

This form of social engineering has failed in many contexts, partly because the potential for genuine community among those in similar circumstances has been underestimated. Breaking up and dispersing those with problems associated with poverty and replacing them by better people

is a way of denying the structural causes of poverty and inequality. Instead of recognising that people find themselves homeless or without secure housing for many reasons other than their own bad behaviour, the assumption is that the poor always behave badly, so if they live together they will make each other worse. If they live near others who are wealthier, the community will be 'vibrant'. This is an offensive rationale for deciding who should have access to new, high quality housing built with public money, and the claim that adding private housing to the estate will 'create integrated, better connected neighbourhoods' (DHHS, 2017) seems to have little or no basis.

TOR 7: Removal of planning controls from councils

We consider it appropriate for local councils to be either the principal planning authority or a planning authority partner, from the point of view of drawing on their planning expertise as well as the exercise of local community accountability. The proposed planning overlay, if approved, appears to have the consequence of closing down consultation, reducing or removing transparency, and shutting out the input of local councils, residents and neighbourhoods as projects are approved and proceed. This would introduce an unreasonable lack of transparency at a stage where almost everything about the planned projects is still unknown.

TOR 9: Transparency and consultation on the implications

From the point of view of a concerned resident or neighbour it has to be said that the consultation process for the Walker Street project was very bad. The material issued and the statements made at consultation meetings were uninformative, equivocal or evasive on many points.

It is impossible for consultation to be authentic if information is not available. The claim was made, for example, that the number of people who would be accommodated after the estates had been renewed was something that 'cannot be known'. This is nearly absurd, as the policy goal is to create more housing, so the intended housing outcome had to be known to someone.

The consultation process suppressed open public questioning and did not allow interested people to hear each other's views or be informed by each other's questions, and there was a refusal to engage in open discussion. This was both counterproductive and unethical – tenants and affected neighbours were unable to explore the implications because the project was presented as nothing more than 'ideas in progress' and no information was offered about the long-term consequences in terms of ownership or management.

It is not good enough to suggest that key information is not currently known or cannot be known. It is not good enough to plan only for a few months or a year or two, leaving tenants without the security they need or assurance that things will not suddenly change, as has happened in some instances where housing associations or community housing providers or private operators have become involved.

There must be some areas of genuine uncertainty in a planning process, but it is not reasonable to consider consultation closed before some of that uncertainty is resolved and before people have real information about what is actually proposed. Not knowing the possible future implications, particularly for tenancy management, robs current tenants of any meaningful choice.

TOR 11: Previous housing renewal projects

Past projects based on the same model have failed to make progress towards providing more housing for people who need it most, or towards reducing the number of people in a hopeless situation. Very large amounts of funding under Commonwealth agreements have been spent, but much of it seems to have disappeared into the hands of private developers for the construction of dwellings for private rental or private sale – in short, as a community we have funded the conversion of our own public assets to private assets. And the social problem this funding was supposed to address has become more serious over time, not less.

These projects have also been characterised by a lack of transparency and ongoing public scrutiny, including the failure to publish any evaluative findings or research that suggested policy failure.

A vocal critic of such projects, Kenneth Davidson saw them as a scandalous instance of successive governments being prepared to give away precious community assets reserved for the poor to developers interested only in exploitation of the profitability of private housing. Of two earlier projects he described the outcome as ‘the loss of public land for no gain whatever in public tenant numbers on the estate, following a development that cost \$200 million. In Kew, displacement of intellectually disabled residents resulted in new up-market housing becoming available to the private housing market; the net result was a massive *loss* to the government of about \$17 million’ (Davidson, 2010).

These projects have in common the laying down of direct government responsibility, perhaps in the hope and expectation that the challenges involved in providing and managing good housing for poorer people in the community are a burden that can be permanently passed to the private sector.

Conclusion

The housing crisis affects all of us. The long-term social and spiritual cost of tolerating, encouraging and institutionalising the exclusion of disadvantaged people makes for a community none of us should want to live in (Wilkinson & Pickett, 2014).

We think any solution that comes at the expense of existing public housing, which the people of Victoria already own, is unacceptable. Of all the states and territories Victoria already provides the lowest funding per capita for social housing, including public housing (Cook, 2014) and the Productivity Commission has reported that the state with the highest proportion of low income households in rental stress is Victoria (Productivity Commission, 2014: G13). Surely we can do better. As a community we have a responsibility to house more people, not for anyone’s profit, and not because this can be done cheaply and easily, but because it is a core community concern that everyone should have a place to live.

For us, the test of the planned renewal should be about the number of public housing tenants who are accommodated at Walker Street after renewal. If more units can be built on the land, the public tenant numbers should substantially exceed the number who live there now, and the estate, peopled by tenants living in newly constructed, well designed energy efficient homes, will be as

vibrant as the community around it. By contrast, we regard the building of private apartments on this land as an unjustified use of publicly-owned land – an asset that should be reserved for the benefit of those in the community who need it, rather than made available to those who can afford to pay. Public housing renewal and expansion is a worthy policy goal, but public housing replacement is not.

Contact details

Thank you for the opportunity to make a submission to this Inquiry. We would welcome the opportunity to participate in a public hearing.

Contact person for this submission

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