

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

**Rose Iser**



This submission is made pursuant to Sessional Order 6 that the House requires the Legal and Social Issues Committee to inquire into the Victorian Government's plan to sell a majority of the public land on existing public housing estate for private development under the DHHS Public Housing Renewal Program.

### **Advisory Committee Process Flemington Housing Estate**

As an individual, and in supporting the Flemington Association Inc., I made submissions to, and attended the hearings of, the Advisory Committee for the renewal of the Flemington Housing Estate. For the benefit of the House Committee, I have attached my submission as an appendix to this document.

Throughout the Advisory Committee hearings for the Flemington Housing Estate, it was apparent that considerable data and information was lacking from DHHS' proposal for a planning amendment to facilitate significant private development of the Flemington DHHS land.

*Inter alia*, the following matters were poorly addressed by DHHS:

- The arrangements for the ownership of the land following development;
- The arrangements for the management of tenancies following development;
- The location and quantum of public, community, social and private housing in redeveloped buildings;
- The future of the existing high-rise buildings housing approximately 2000 residents;
- Whether there is a need for three and four bedroom apartments;
- The absence of data to support DHHS' proposal for one and two bedroom apartments only;
- The economic and social justification for providing only 20 extra social housing homes as a result of the complete redevelopment of the estate;
- How the estate would achieve the stated goal of 'tenure blindness';
- The absence of a rigorous social needs analysis investigating the social needs and capacities of existing public housing residents;
- Processes for ongoing consultation with existing and future residents on and off the estate regarding the future development of the public land;

- A clear cost/benefit analysis with a triple bottom line evaluation justifying the proposed sale of land and contractual arrangements with developers.

It is submitted that the Advisory Committee for the Flemington Housing Estate was being requested by DHHS to evaluate a planning proposal for a significant area, with profound social and housing needs, with embarrassingly inadequate social planning data and supportive evidence to explain and justify the manner in which the proposal would meet the stated goals of increased social housing for Victoria.

***Recommendation:***

*DHHS be required to provide substantial social, economic, contractual and built form detail in planning proposals for the renewal of housing estates and be required to justify to economic case for the redevelopment of public land.*

**Quantum of social and public housing**

At the Flemington site, an increase of 10 percent in public housing equated to a mere 20 extra homes – with the private development totaling in the order of 700-800 homes.

Although the financial and contractual arrangements between DHHS and the developer were not provided for analysis, it is difficult to see how a developer building 700 private homes, and only 220 public homes (replacing 200 existing walk-ups), is not benefitting excessively from the arrangement. The lack of transparency with respect to the State's contractual arrangements with the prospective developers make it difficult to assess the true economic outcomes.

The Advisory Committee was not given scope to make recommendations as to the quantum of the public or social housing, nor reflect on the ways in which the arrangements might achieve greater economic value or better social housing outcomes.

***Recommendation:***

*An independent analysis be undertaken to consider how the redevelopment of housing estates can provide for adequate public and social housing to meet Victorians' need for affordable housing.*

**Planning proposal**

The proposal put to the Advisory Committee lacked definitive detail and clarity. It was put by DHHS that the absence of detail was necessary to provide flexibility for potential developers. It is submitted that this is completely unsatisfactory with respect to ensuring a planning process that allows for adequate consultation and consideration of relevant issues.

The Advisory Committee was also presented with expert evidence in support of the DHHS proposal that was based on a Design Framework rather than the DPO Schedule and Amendment. This made it difficult for the Committee, residents and submitters to understand the exact details of what was being proposed by DHHS.

The proposed DPO Schedule was vague and allowed for redevelopment of the site with very few limits on heights, apartment numbers, types of homes, provision of open space, provision of social facilities.

***Recommendation:***

*DHHS be required to provide greater detail in plans to ensure that existing residents on and nearby the housing estates are fully informed about the nature of proposed changes.*

**Consultation**

Consultation was undertaken in a completely inadequate manner with respect to the language, cultural and social needs of the existing tenants on the estate. Residents of the estate were given two days notice for a daytime session explaining the proposal. Residents living near the estate were sent letters with online links and descriptions that poorly characterized the proposed changes to the area.

The proposed DPO Schedule omitted the requirement that submissions be allowed for permits sought under the DPO. DHHS effectively sought to have residents removed from any further consultation for the redevelopment of their homes – including potential redevelopment of the four high-rise buildings.

At one point in the process, I was advised by a DHHS representative, [REDACTED], that DHHS had not expected residents to be interested in making submissions to the Advisory Committee, hence the absence of any provision for submission instructions in languages other than English.

***Recommendation:***

*The clear consultation guidelines be formalized to ensure that residents with languages other than English are able to easily access information and submission processes, and that information provided to residents on and off estate is clear, detailed, timely, and honest.*

**Attached – submission to the Flemington Housing Renewal**

## Appendix: Submission to the Social Housing Renewal Standing Advisory Committee for Debneys Precinct – Flemington Estate

### Rose Iser

1. I am a resident of Travancore, Victoria, 3032. I have lived in the Kensington/ Flemington/Travancore area since 2000. I am a former Councillor of Moonee Valley City Council (2007-2010). I am currently a PhD candidate at the Melbourne Graduate School of Education. I do not live on the Flemington estate.
2. I have attended six consultation and community meetings between September 2016 and July 2017 regarding the redevelopment of the estate.
3. I wholeheartedly support the redevelopment of the 'walk-up' public housing apartments in Flemington given their dilapidated state and the need for a higher standard of living for current and future residents.
4. There are, however, a number of elements of the proposal that are concerning: including the extent of private development and the resultant amenity impacts for residents living on the estate, the lack of details regarding ESD provisions, the increase in traffic movements on the estate, the differential rate of parking provision, and the loss of open space and open parking areas for residents.
5. Noting the terms of reference for the Committee, I am making submissions regarding the following matters for consideration:
  - a. The appropriateness of the proposal in light of key strategies including *Home for Victorians* and *Plan Melbourne 2017*.
  - b. The appropriateness of the proposal against the objectives of the *Planning and Environment Act 1987* and any other relevant provisions of the planning schemes.
  - c. Whether the Minister for Planning should act as Responsible Authority for the development site(s) and if this would expedite future planning approvals.
  - d. Whether the proposed changes to the planning scheme and/or planning permits should be approved, subject to any recommended changes.
6. I note that the exclusions from the terms of reference unfortunately prevent the Committee from considering important matters related to:
  - a. the continuing need for family social housing dwellings comprising three and four bedrooms;
  - b. the sale of public land;
  - c. the inappropriately low return of 10 per cent increases in social housing (approximately 20 social housing dwellings in Flemington);
  - d. the appropriateness of various management models for housing on the Flemington estate.

**The appropriateness of the proposal in light of key strategies including *Home for Victorians* and *Plan Melbourne 2017***

7. *Plan Melbourne 2017* guides the growth of Melbourne focusing on liveability, connectedness and sustainability. In seeking to develop increased density of housing close to the designated Racecourse Rd Activity Centre, two train lines and two tramlines, the proposal is consistent with *Plan Melbourne's* objectives.
8. However, the proposal does not clearly outline the ways in which it seeks to fulfil other key objectives including:
  - a. **Increasing the supply of social & affordable housing (Direction 2.3)**
    - Only a very small number of additional social housing will be provided as a result of this proposal (approximately 20 new social housing homes out of 845 new dwellings);
    - 'Social housing' has been defined in the Schedule to the Parking Overlay as housing for households with low to moderate incomes indicating that the housing won't be exclusively preserved for Melbourne's most vulnerable low income households; and
    - There is no indication that any of the 825 private dwellings will be provided as affordable housing at rents appropriate for low to moderate income families.
  - b. **Providing greater choice and diversity of housing (Direction 2.5)**
    - The private dwellings will be limited to one and two bedroom homes with no three and four bedroom dwellings provided for in the proposal;
    - There is no indication in the proposal that homes will vary in style or size with no townhouses, semi-attached homes or communal or private courtyards.
  - c. **Transition to a low-carbon city (Direction 6.1) and Integrate urban development and water-cycle management (Direction 6.3)**
    - There is no clear indication in the proposal of any specific Environmentally Sustainable Design objectives including water tanks, solar energy, improved waste disposal, energy rating objectives, storm water management, green transport plans.
  - d. **Make Melbourne cooler and greener (Direction 6.4) and Deliver green neighbourhoods (Direction 5.4)**
    - The proposal involves the removal of dozens of mature and healthy trees that currently provide shading, habitats for birds and healthy open space options for residents.
    - The proposal involves the removal of nearly all open space on the Flemington Estate and the replacement of open space with 100% impervious surfaces and high-density built form.

e. **Deliver social infrastructure to support strong communities (Direction 5.3)**

- The DPO does not include any detailed objectives or requirements with respect to the provision of community infrastructure.

9. **Homes for Victorians:** It is noted that in the information provided online about the Victorian Government's *Homes for Victorians* policy and programs, the Flemington Estate is not designated as a project for the 'public housing renewal'.

### The estates being renewed

Stage one will redevelop 1,100 ageing public housing properties in these nine estates:

- [Brunswick West](#): Gronn Place
- [North Melbourne](#): Abbotsford Street
- [Heidelberg West](#): Tarakan and Bell Bardia estates
- [Clifton Hill](#): Noone Street
- [Brighton](#): New Street
- [Prahran](#): Bangs Street
- [Hawthorn](#): Bills Street
- [Northcote](#): Walker Street
- [Ascot Vale estate](#).

Stage two will upgrade public housing properties in regional Victoria.

<http://www.housing.vic.gov.au/public-housing-renewal-program>

### Public Housing Renewal Program

Stage One of the [Public Housing Renewal Program](#) has been announced, and will result in the redevelopment of 1,100 public housing properties across nine sites in metropolitan Melbourne. They are:

- Brunswick
- North Melbourne
- Heidelberg West
- Clifton Hill
- Brighton
- Prahran
- Hawthorn
- Northcote
- Ascot Vale.

<http://www.vic.gov.au/affordablehousing/social-housing/building-and-upgrading-new-houses.html>

10. Instead, it is mentioned as a project in the 'social housing pipeline':

**Social housing pipeline**

**\$140 million**  
over four years

Our existing \$120 million [social housing pipeline](#) will deliver an additional 913 social housing dwellings through:

- \$60 million to increase the number of social housing properties on vacant or under-used land owned by the Director of Housing. The first 52 vacant parcels of land have been identified, creating almost 100 homes
- \$30 million to kick off the first stage of the renewal of the Flemington public housing estate, one of Melbourne's oldest – with a focus on replacing the estate's 22 ageing low-rise buildings

<http://www.vic.gov.au/affordablehousing/social-housing/building-and-upgrading-new-houses.html>

### Population projections

11. The proposal forecasts an additional 845 one and two bedroom dwellings bringing approximately 1200 new residents to the site. In order to meet population growth forecasts, it is estimated that Moonee Valley will need to house 19,000 new residents over the next 18 years (Id Consulting, May 2013, in DTPLI, *Victoria in the Future*).

Flemington currently makes up around 10% of MVCC's population, so should expect to grow by 1900 new residents over the next 18 years.

An increase of 1200 residents is over 60% of this target.

Between 2011 and 2016, Flemington's population increased by 1000 (ABS, 2017). At a rate of 200 people per year, Flemington is already accommodating double its expected 105 additional people per year.

The Flemington renewal development, coupled with additional developments at 1 Ascot Vale Rd and the Flemington Racecourse, will mean Flemington will be likely to achieve its 18-year target in 6 to 9 years.

12. There has been no targeted increase in infrastructure to support this exponential rate of population growth in Flemington.

**The appropriateness of the proposal against the objectives of the *Planning and Environment Act 1987* and any other relevant provisions of the planning schemes**

13. I make the following submissions with respect to the consistency of the proposal with respect to the state and local planning schemes.

Clause	Specific provision	Appropriateness of proposal
<p><b>15 Built Environment and Heritage</b></p> <p><b>21.06 Built Environment</b></p>	<p><b>15.01-1 Urban design</b> To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.</p> <p>Improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.</p> <p>Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.</p> <p><b>15.01-2 Urban design principles</b> To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.</p> <p><b>21.06-4 Urban Design</b> To ensure that new development of five or more storeys is designed and located to complement the surrounding neighbourhood, and is considerate of potential off site impacts.</p> <p><b>15.02-1 Energy and resource efficiency</b> To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.</p> <p><b>15.01-4 Design for safety</b> To improve community safety and encourage neighbourhood design that makes people feel safe.</p> <p><b>21.06-3 Safety, Health and Wellbeing</b> To ensure new developments create safe environments. Discourage designs that provide opportunities for concealment and entrapment along paths and in community spaces.</p> <p>To ensure that the design of the public and private environment supports accessibility, wellbeing and healthy living.</p> <p>Encourage opportunities for social interaction at interfaces between public and private areas, spaces and facilities within multi-storey residential and mixed-use development.</p>	<ul style="list-style-type: none"> <li>• The proposal includes multiple high-rise buildings that raise safety concerns due to increased external corners and reduced lines of sight for people moving around the public realm.</li> <li>• The proposal does not include any specific measures to address issues of security and safety raised by residents of the estate.</li> <li>• The proposal does not include diversity of living environments.</li> <li>• Extensive existing vegetation will be removed as a result of the proposal.</li> <li>• There are insufficient shadow diagrams to assess whether the proposal will create unreasonable overshadowing on existing residences.</li> <li>• The additional buildings replace open space surrounding existing buildings.</li> <li>• The DPO requires only minimal inclusion of ESD measures.</li> </ul>
<p><b>16 Housing</b></p> <p><b>21.05 Housing</b></p>	<p><b>16.01-4 Housing diversity</b> To provide for a range of housing types to meet increasingly diverse needs.</p> <p><b>16.01-5 Housing affordability</b> To deliver more affordable housing closer to jobs,</p>	<ul style="list-style-type: none"> <li>• The proposal does not provide a range of housing types to meet increasingly diverse needs.</li> <li>• The proposal provides only a small</li> </ul>

	<p>transport and services.</p> <p>Encouraging a significant proportion of new development to be affordable for households on low to moderate incomes.</p> <p>Ensuring the redevelopment and renewal of public housing stock better meets community needs.</p> <p><b>21.05-1 Housing Growth</b> To provide a variety of housing choices in appropriate locations to meet the needs of an increasingly diverse range of households</p> <p><b>21.05-2 Housing Diversity</b> To encourage new housing to be designed which caters for changing needs over time.</p> <p>To encourage housing design that enables people to work from home.</p> <p>Residential developments of 10 or more dwellings should provide a variety of dwelling sizes and bedroom numbers, across the development of the site, to cater for different demographic groups.</p>	<p>number of additional affordable homes for families on low to moderate incomes (20 of 845 new dwellings is only 2%).</p> <ul style="list-style-type: none"> <li>• In renewing public housing stock, the proposal does better meet community needs including accessibility, although not diversity of needs.</li> <li>• The proposal does not meet the needs of a range of households.</li> <li>• It is not clear whether the housing is designed to cater for changing needs over time.</li> <li>• It is not clear whether the proposal is designed to enable people to work from home.</li> <li>• The proposal does not provide a variety of dwelling sizes and bedroom numbers.</li> </ul>
<p><b>55.04-5 Overshadowing open space objective</b></p>	<p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<ul style="list-style-type: none"> <li>• The DPO reduces the standards for off-site amenity impacts of overshadowing including on communal open spaces and the outdoor areas at Hopetoun Children’s Centre.</li> </ul>
<p><b>18.02-5 Car parking</b></p> <p><b>52.06 Car Parking</b></p>	<p>To ensure an adequate supply of car parking that is appropriately designed and located.</p> <p>Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.</p> <p>Create a safe environment, particularly at night.</p> <p>To ensure that car parking does not adversely affect the amenity of the locality.</p> <p>To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.</p>	<p><b>Parking Overlay</b></p> <ul style="list-style-type: none"> <li>• The Schedule to the Parking Overlay for the proposal reduces the required parking rate and imposes a differential parking rate such that social housing residents have less access to parking than private housing residents, and 100 fewer car parks than provided for currently.</li> <li>• This is inconsistent with the objective of DPO8 to “balance issues of equity in the successful delivery of social and private housing that is ‘tenure blind’”.</li> </ul>
<p><b>55.07-2 Open space</b></p> <p><b>55.03-8 Landscaping objectives</b></p>	<p><b>Standard B11</b> If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> <li>• Be substantially fronted by dwellings, where appropriate.</li> <li>• Provide outlook for as many dwellings as practicable.</li> <li>• Be designed to protect any natural features on the site.</li> <li>• Be accessible and useable.</li> </ul> <p>To encourage the retention of mature vegetation on the site.</p>	<ul style="list-style-type: none"> <li>• The proposal only requires: Delineation of public, communal and private open spaces and the treatment of these interfaces; Opportunities for communal gardens; And it is not clear to what extent the proposal must comply with B11 or other landscaping objectives.</li> </ul>

<b>58 Better Apartment Design</b>		It is not clear whether the proposal is required to comply with new cl 58 – Better Apartment Design.
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14. In addition, it is noted that the high volume of traffic movements in the AM and PM peak entering and exiting the estate will create additional congestion at Racecourse Rd. This raises concerns about whether a connection to Mt Alexander Road will be considered necessary in the future. It is submitted that any use of Debneys Park to create a roadway connection between the Flemington Estate and Mt Alexander Road would be an unacceptable outcome in terms of loss of open space and safety for park users.

**Whether the Minister for Planning should act as Responsible Authority for the development site(s) and if this would expedite future planning approvals**

15. I **do not** support the Planning Minister acting as the Responsible Authority for the development sites for the following reasons:
- a. Given the concerns raised in this submission, I am not confident that the proposal adequately meets the requirements of the state and local planning schemes. In this circumstance, the capacity for the local Council to continue to have direct engagement in the proposal for the DHHS site is necessary.
  - b. Rights of review and notification are important processes in ensuring all residents and stakeholders have the capacity to participate in and shape planning decisions in Melbourne. These rights are removed under the DPO:

***43.04-2 Exemption from notice and review***

*An application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.*

Given the inevitable introduction of a DPO removing notice and review rights, Council should continue to take a role in the planning decision-making process to represent the interests of residents living on and around the estate.

- c. Very limited details have been provided regarding key aspects of the proposal including ESD provisions, social infrastructure, specific built form and urban design. Council should continue to take a role to strengthen the responses to these requirements in the planning proposal.
16. I am particularly concerned about the Planning Minister assuming control of the Council owned Debneys Park area including the playground, sports ground, community centre, school playground area, bike lanes, community gardens and surrounding open space. The area is a critical parkland and community resource for the whole of Flemington and Travancore. It must remain in the planning control of Moonee Valley City Council for the following reasons:

- a. The draft DPO does not apply to the Debneys parkland area or other Council land, and no plans associated with Stage 2 of the redevelopment have been proposed, so there is no clear reason for the Minister assuming authority of the Council owned land;
- b. It is noted that if the Planning Minister were the Responsible Authority for the Council owned parkland:

*“...all future planning permit applications or the approval of a development plan would be submitted to the Minister for Planning for consideration and approval” (Message Consultants, Planning Report, p.25).*

Consequently, Council would have reduced capacity to influence the contents of a future DPO for the area.

- c. Residents and users of the area must retain notification, consultation and appeal rights with respect to any significant decisions made about the public spaces within the Debneys Park area under Stage 2 of the redevelopment;
- d. No notification was provided to users and residents regarding the Council’s decision to request the Planning Minister to assume planning authority for the site;
- e. The Moonee Valley City Council report, provided as part of its meeting agenda on 28 March 2017, reads:

*“Any significant changes, and/or investment in Council assets would be moderated by Council’s statutory obligations as a land owner. All decisions would be subject to the standard consultation and reporting requirements. Any agreement to redevelop Council assets would require transparent decision making outcomes.” p.46*

<http://www.mvcc.vic.gov.au/-/media/Files/Governance/Council-meetings/2017/28-March-2017/Agenda---Ordinary-Meeting-of-Council-to-be-held-28-March-2017-v2.ashx?la=en>

This advice does not provide an adequate explanation to councillors about the specific changes that would result from the Planning Minister becoming the Responsible Authority for Council assets.

- f. At the Council meeting on 28 March 2017, Council indicated that the reason for supporting the Council resolution was for the timely delivery of an increase in social housing.

It is submitted that, given the details of the proposal, the timely delivery of social housing dwellings is not contingent on the Planning Minister becoming the Responsible Authority for the area marked ‘Stage 2’ (Debneys Park area) and that the Planning Minister **should not** act as the Responsible Authority for the Debneys Park area.

## Community engagement

17. It is also noted that the submission process for residents currently living on the Flemington Estate has been of the minimum statutory length making it difficult for many residents of culturally diverse backgrounds to make submissions.
18. At the meetings I have attended, residents living on the Flemington estate have made it clear that they have experienced frustration in accessing information in their first language, and navigating the submissions process that is entirely in English.
19. In addition, is not clear how the planning proposal responds directly to the community consultation conducted in 2016 and earlier in 2017.
20. In speaking with representatives from DHHS, it was made clear that, disappointingly, DHHS was surprised by the estate residents' interest in the redevelopment of their homes. It is submitted that resident interest and engagement should not have been surprising for DHHS representatives, and residents have every right to have expected a more rigorous and effective consultation process conducted by DHHS.
21. At meetings I have attended, residents have expressed their concerns about overcrowding, safety, heating and ventilation, traffic and car-parking, disability parking, loss of open-space, loss of playgrounds, and leisure facilities and spaces for young and older people. They have also asked detailed questions about the design and layout for which answers have not been readily available.
22. The submission process relied on by the Committee to seek feedback on this proposal has not been implemented in an accessible format for estate residents. Alternative methods of seeking residents' feedback on planning issues pertaining to the proposal should be undertaken. These methods should draw on feedback received from residents on the estate and could include:
  - a. One-on-one interviews with residents with the assistance of translators as necessary;
  - b. Questionnaires or surveys directed at specific aspects of the proposal in appropriate languages other than English;
  - c. Online submissions processes in languages other than English with specific questions on matters relevant to the Committee's terms or reference;
  - d. Interviews and surveys in English with clear explanations about the details of the proposal and the planning process;
  - e. Efforts to collect the views of different age groups and demographics;
  - f. Other methods suggested by residents to ensure a wide range of effective participation in the planning process.

**Whether the proposed changes to the planning scheme and/or planning permits should be approved, subject to any recommended changes**

23. It is submitted that the planning scheme amendment should not be approved without changing the following, at a minimum:
- a. Significantly reducing the number of individual building envelopes on the Flemington Estate;
  - b. Increasing the proportion of dwellings provided as affordable housing;
  - c. Providing a more diverse range of dwellings to cater for the community's needs;
  - d. Increasing the retention of open space on the Flemington estate;
  - e. Requiring the retention of a high percentage of mature trees on the site;
  - f. Increasing the parking provision for social housing residents;
  - g. Ensuring there is no difference in parking provision rates for social housing and private residents;
  - h. Significantly reducing the total number of car spaces on the site;
  - i. Requiring higher standards of Environmentally Sustainable Design;
  - j. Providing more details as to communal and social facilities to be provided on the site;
  - k. Not reducing overshadowing standards and requirements especially for the Children's Centre and communal open space;
  - l. Undertaking additional, and more effective, consultation with current residents of the Flemington Estate.

**Rose Iser**