

3 November 2017

The Secretary
Legal and Social Issues Committee
Parliament House
Spring Street
East Melbourne Vic 3002

Dear Committee Secretary

Thank you for the opportunity to make a submission to the Inquiry by the Legal and Social Issues Committee into the Public Housing Renewal Program.

This submission is made by the Hawthorn Residents Action Group (HRAG). The group formed following a public meeting on 9 August 2017 at which Hawthorn residents expressed their concerns over State Government redevelopment proposals for the Bills Street Public Housing Estate. The meeting was called by the local City of Boroondara Councillor Coral Ross and was attended by over 150 local residents and others as well as most of the Boroondara City Councillors.

Since then, HRAG has met regularly and it now has around 100 members and supporters. Its focus is to encourage the development and retention of a vibrant community that meets the needs of all people in the area around the Bills St/ Robinson Road area of Hawthorn.

We welcome this inquiry into the Government's Public Housing Renewal Program. The proposal to redevelop the Bills Street Public Housing is the latest in a huge program that we believe is:

- based on a flawed response to the Government's role in providing public housing;
- pays little attention to the social and human aspects of public housing while emphasising financial, technical and engineering matters;
- delivered in way that is surrounded by secrecy, lack of transparency and accountability and with little respect for the people affected.

We are aware that the City of Boroondara will also be making a written submission and we support their views. We would welcome the opportunity to further discuss our submission with members of the Committee. We can be connected by email at [REDACTED]. We are also hoping to locate more detailed information on the Bills Family gift of land and request that we be able to provide this to the Committee if it becomes available.

Yours sincerely

Joy Mettam
on behalf of the Hawthorn Residents Action Group

Standing Committee on Legal and Social Issues
Inquiry into the Public Housing Renewal Program
Submission by the Hawthorn Residents Action Group

Introduction

The Hawthorn Residents Action Group (HRAG) is deeply concerned over the State Government's redevelopment proposal for the public housing estate located in Bills Street and Robinson Road Hawthorn. Our concerns are threefold:

- We disagree with the broad thrust of the State Government's policy towards the redevelopment of public housing

The Public Housing Renewal Program relies heavily on private property developers and uses a funding model directed at making each project 'self-funding'. This approach will do nothing to address the current shortage of social housing or long waiting lists and is completely unsustainable in the long term. The focus of the program should be on the needs of people and not on harvesting the value of the land to fill government coffers or enriching private interests.

- We consider the way this policy is being implemented shows little respect for the needs and wishes of residents in the units on Bills Street and Robinson Road.

People have lived here for many years in an integrated and supportive community. The Department of Health and Human Services (DHHS) has been secretive in their dealings with the community and has provided only the most minimal information and scant detail about what is being proposed. Officers of the Department have failed to make themselves available or accessible and have conducted consultations either by outsourcing them to a private organisation, via a website that is full of rhetoric and vague, high sounding promises or through a call centre using inexperienced people who know little about the proposal. The consultation process is poorly designed to meet the needs of the people and has left many anxious and worried about their future.

- We see the proposal in its current form as unsympathetic to the character of the local area.

The redevelopment will lead to a substantially increased burden on local schools, roads and other forms of infrastructure and will significantly alter the general amenity of the area. The presence of large towers in particular are completely out of character for this area and will lead to overshadowing and other detrimental outcomes.

We want to stress that we are not opposed to public housing. We believe that public housing makes a significant contribution to our local community and that Bills Street should be allowed to flourish and meet increasing levels of demand for such housing in

this area. This is particularly important now as so much social housing has already been lost in the City of Boroondara.

What is the Bills Street Public Housing Estate?

The Bills Street Public Housing Estate comprises 35 units in Bills Street and Robinson Road Hawthorn. The units include one, two and three-bedroom residences in single storey, two storey and three storey walk-up blocks.

We stress that the estate covers both Bills Street and Robinson Road as some residents were confused over what was covered by the Government's proposals and believed they were not included.

How many units have there been at Bills Street?

Current residents report that prior to 2011, a number of units in the Bills Street estate were demolished. The foundations for some of these are still apparent. When these were demolished and the residents relocated, they were given a promise that they would be able to return to the estate when new buildings were constructed. So far, the buildings have not been replaced and the guarantee given to the relocated residents has not been met.

The Annual Report of the Victorian Housing Commissionⁱ for 1960/1961 confirms the existence of 61 units at Bills St as at 30 June 1960

The purpose of Bills Street

A comment by the Commissioners in the 1960/1961 Annual Report is relevant to the thinking surrounding estates such as that at Bills Street:

The Commission's prime responsibility is to house families and it can only apply a limited proportion of its funds to meet the demand from the elderly. To obtain the greatest effect of the contribution the Commission is able to make co-operation by local Councils is sought.

The report notes that, as part of its program to provide low rental housing for elderly people, the Commission had prepared plans for '*...an extension to the existing group at Bills Street, Hawthorn*'. This suggests that the Housing Commission planned to add further units to the existing 61.

It is our understanding that the land on which the estate is located was originally gifted to the City of Hawthorn by George Bills, a prominent manufacturer of concrete products including horse troughs. It was his intention that this land would remain in public ownership to provide housing for elderly disadvantaged women. Ownership of the land was subsequently transferred by the Council to the State Government for the purposes of public housing for the elderly.

How many people currently live at Bills Street?

We do not have clear information on how many people currently live at the estate or the demographic they represent. Anecdotally, we know that there are a number of single,

elderly women who have lived at Bills Street for many years, some of whom have significant health problems. There is also at least one single parent family with children that are well settled into the local public schools. The estate also provides long term homes to a number of older men, at least one of whom was previously homeless. More recent arrivals comprise people who are non-English speaking.

Current state of Bills Street

Residents report that the units have been allowed to deteriorate because of the lack of maintenance to the point where some are now uninhabitable. The maintenance company contracted to do work appears to have taken a very lackadaisical attitude to its obligations and the Department has done little to monitor the quality of its work. Small jobs were either not attended to or were completely over-serviced. Repairs were often done by under-qualified staff using poor quality materials that broke down within days or weeks of the repair being made.

Proposals for Bills Street

Residents have been given very sketchy information about what DHHS is proposing for this area. The small amount of information they have received so far suggests that the land will be sold to a private developer who will have approval to build around 450 to 500 units in towers up to 12 storeys high.

The developer will be required to include social housing at the rate of 10 percent more than the original number of units. It appears that this calculation will be based on the existing number of units and not on the number prior to the 2011 demolition. Whichever figure is used, it seems unlikely that the total number of social housing residences will exceed 55.

It also appears that the figure will not be calculated to reflect the existing number of bedrooms but solely based on unit numbers. As the proposed units will be one and two bedrooms, the total accommodation capacity will be reduced as the percentage calculation does not make allowance for the existence of three-bedroom units, the high number of two-bedroom units or the absence of one-bedroom units.

On 11 September 2017, local residents received a letter from DHHS stating that consideration of the proposal has been put on hold until the first or second quarter of 2018. This is to allow the Department to work with the University of Melbourne to reflect the University's plan to request rezoning of their land from GRZ4 (Educational) to a Mixed Use Zone (MUZ). This additional proposal raises many questions for which the Department or the University have been unable or unwilling to provide answers.

The Proposed Funding Model

The funding model proposed for redevelopment of Bills Street/Robinson Road is similar to that used in a number of other redevelopments carried out in recent years. It involves the sale of the land to a private developer in return for which the developer is required to include a proportion of social housing, the number to be a 10 percent increase on that previously existing on the site.

The supposed rationale for this approach is summed up in a comment by the Minister for Housing Martin Foley that ‘...*the State is a terrible housing manager*’. The Minister’s statement implies that the private sector will always do such projects better than the public sector. We see this as a totally dishonest comment that the Minister has used to cloud the issue and to cover up the real reasons why this approach has been adopted.

We see the rationalisation provided by Minister as a myth that needs to be challenged.

We note that public housing in Victoria has been in a parlous state for some time now with long waiting lists, poor management of tenancies and deteriorating housing stock. This reflects the failure of successive Governments to allocate sufficient resources and expertise to public housing over the past 25 years and longer:

- Inadequate funding has been available to maintain the housing stock. This reflects the desire of successive Governments to cut back on operating costs in all areas of Government responsibility and to balance budgets in response to short term political considerations
- Maintenance of the housing stock has been outsourced to poorly supervised companies who appear to have gamed their access to Government funding through poor workmanship, poor quality materials, slow responsiveness and other tactics such as over-servicing particularly in the area of plumbing
- Continual cutbacks in public sector staffing levels has left many areas short of the expertise or corporate knowledge to deliver satisfactory outcomes. Many areas no longer have the necessary policy development or program implementation skills and have become simply contract managers.

Our preferred approach

We take public housing to be housing that is owned and managed by the Government for the purposes of providing long-term accommodation for the disadvantaged including low-income families, the elderly and people living with disability.

Our preferred approach is to retain the land in public ownership and for the Government to redevelop the site with 100 percent public housing. All buildings should be constructed in sympathy with the physical contours and characteristics of the land and with an eye to retain as many of the existing trees as possible. Any development should be compatible with the existing characteristics of the surrounding residential areas and sporting facilities. This includes height limits to buildings, road design that prevents congestion and facilitates access to the playing fields nearby, adequate car parking and effective storm water management.

It should be noted that the Bills Street land is prone to flooding and may be susceptible to the development of sink holes because of the way the area was previously used. The volume of local traffic and adequacy of parking reflects the large number of people and sporting clubs that use the nearby sports fields.

We advocate this approach for a number of reasons:

- Governments have an enormous capacity to raise loans for social projects that will benefit the community while preventing the improper enrichment of private interests at the expense of the public purse

There is a prevailing reluctance within Governments of all persuasions to borrow to undertake large scale projects seemingly under the misapprehension that a balanced budget with low levels of liabilities indicates good economic management. This ignores the fact that Governments have a duty to invest in the future of our community and to create long term assets that contribute to the health and welfare of all of its members and to its economic productivity. Governments have always had a central role in the provision of safe and secure housing for people on low incomes or experiencing other forms of disadvantage.

By retaining control over project funding, the Government is freed from necessity of making a profit and can give priority to social objectives that are beyond the scope of a privately funded initiative. The needs of tenants can be given precedence over other considerations and the estate be managed to reflect the long-term interests of the residents.

- The retention of the land in public ownership
 - honours the original purpose of the Bills family endowment;
 - eliminates the difficulty of achieving a fair and accurate valuation of the land,
 - prevents the creation of windfall profits and unearned enrichment of the private developers;
 - ensures the long-term future of the area as public housing;
 - allows greater visibility, transparency, and accountability on the part of governments in the fulfillment of their obligations.

The sale of public land to private developers is a totally unsustainable solution to meeting the ever-increasing public housing waiting list. This represents a short-term solution to an enduring government obligation. Once the land is sold to private interests, it cannot easily be returned to public control. This will lead to a dwindling resource that will ultimately be completely lost to the public sector. It is on these grounds that we also oppose community housing, the handing over of responsibility and often ownership to non-government organisations.

The obligation on private developers that they set aside at least 10 percent of the total units to social housing goes nowhere near meeting the level of demand within the community for such housing. The City of Boroondara has witnessed a significant decline in social housing as rooming houses have closed, rental and house prices have escalated beyond the reach of most people and units in existing public housing estates have become uninhabitable due to lack of maintenance.

Private contract law can hamper transparency and accountability by allowing Governments the opportunity to decide what should be kept secret and what should not. Commercial confidentiality considerations can be used to hide important information from public scrutiny. This openness to scrutiny is an essential element in fostering democracy and the prevention of corruption.

- The concept of public/private social mix has been shown to be a failure both here and overseas

This was a concept that formed the basis of much of the public housing in Britain and the United States where the conditions and context are very different to those applying in Australia. In Australia, public housing is located in close proximity to all other forms of housing and near to generally available infrastructure and resources. This factor facilitates a high degree of social mix naturally and does not require artificial measures to overcome the ghettoisation that plagues many overseas public housing projects. This failure is demonstrated by the division that has developed within the Carlton estate.

This is particularly important with respect to young families in that they are able to take advantage of local schools serving the needs of all and not just a specific demographic. Bills Street has examples of single parent families whose children are well integrated into the high quality public schools located nearby. Similar considerations also apply with access to public transport by people unable to afford their own car or physically incapable of walking long distances to access trains, trams or buses.

- Planning responsibility should remain with the City of Boroondara so that the character of the site be protected and appeal rights for local residents be maintained

Responsiveness to the needs of residents

We are aware that DHHS has undertaken some consultations with residents in Bills Street and Robinson Road. It would appear however that these consultations have failed to give the residents clear and unambiguous information about what is proposed for the estate and what will be happening to them. This has left residents anxious, unsure and apprehensive about their future.

The residents that we have spoken to have valuable ideas about what should happen. These ideas cover all aspects of the redevelopment and it is essential that their voices are heard by departmental officers and their views be taken into account in the decision-making process both for their relocation and for the future design of this estate.

Relocation of residents

We are aware that some residents at Bills Street have already received offers for relocation. Others expect to receive an offer in the near future. Consultation on these offers have been conducted on an individual basis and by a contracted agency which appears to lack the necessary expertise or understanding of the needs of the residents.

Most of the current residents at Bills Street/Robinson Road have lived here for many years and have strong family and social contacts in the area and have strong links to the local facilities such as medical, pharmaceutical and other health and welfare services.

We have been told of offers that are totally inappropriate for the needs of the person. These include elderly people experiencing difficulty in climbing stairs being offered upper level units without access to lifts; people without transport being offered relocation to areas without public transport; and people with local families being offered units in areas far from their families.

Consultations

It is important that all consultations with the residents are conducted by people with relevant experience and expertise. Where necessary, language interpreters and advocates should be used to facilitate better understanding.

The more recent arrivals at Bills Street include a number of non-English speaking people. It was reported that neither the public consultations nor those individually have provided interpreters to ensure these people fully understand what is happening. None of the written communications have been translated into other languages.

Advocates with an understanding of the needs of the elderly, disabled or otherwise disadvantaged should be included in all consultations. This is to help residents formulate questions and to interpret the overly technical language often used by bureaucrats in these circumstances and to challenge the secrecy, lack of transparency and reluctance to share that has characterised much of the process to date.

Consultations and information sharing should not rely on the electronic media as there are many residents who are unfamiliar and uncomfortable with email and the internet due to age, lack of exposure or inability to access electronic devices.

Design Aspects

There are design aspects of the existing Bills Street estate that fail to meet the needs of residents and which represent a danger to their health and security. The lived experience of these people should be given more prominence in determining future design. These failures include:

- The lack of lifts to enable disabled, elderly or families with young children access to units located above the ground level. This is especially difficult when trying to assist a sick person to go to hospital and can discourage occupants from going out and participating in social and other activities.
- The lack of any means to control temperatures within the units which can be cold in winter and hot in summer. This can have a particularly detrimental effect on the health of the elderly people living here.
- Units with only one external door which can create a hazard in the case of fire

Construction that is harmonious with the local area

The area around Bills Street and Robinson Road is primarily residential with well-established family homes of one or two storeys. The University of Melbourne has its Hawthorn campus on the northern edge of Bills Street. Proposals for towers of up to 12 storeys are out of character for this area and are likely to cause overshadowing and intrusion on privacy.

Located close to Gardiner Creek, the area is surrounded by open grassed areas with large, mature trees and other vegetation. Close by are hockey and football playing grounds, a velodrome and a very busy bike track that follows the creek. This area provides pleasant recreational facilities for people in nearby residential areas and an attractive visual aspect to people living on the other side of the creek. Tall towers and greater building and population density as is proposed will damage the scenic and recreational amenity of this area.

Conclusion and Recommendations

The Hawthorn Residents Action Group is grateful for this opportunity to register its concern over the State Government's proposals for redeveloping the Bills Street Public Housing Estate. We regard the current proposal for Bills Street as poor policy that will not lead to a sustainable solution to the needs of the local residents or to the current crisis of public housing more generally.

Our recommendations for redevelopment of the Bills Street Public Housing Estate are as follows:

- The land ought to remain in public ownership and to be devoted entirely to public housing. No land should be sold to private developers.
- Planning control should remain with the City of Boroondara to protect the democratic rights of citizens and to take advantage of local government expertise.
- Development should be undertaken on behalf of the Government and the completed facility owned and managed by the Government.
- Funding for the project should be through long term government loans; interest and loan repayments should be treated as long term government liabilities and not treated as part of the Government's operating account. Other arrangements such as public private partnerships or private funding should not be considered.
- Design should reflect the character of the area and the needs of the residents. The scale of construction should be harmonious with the surrounding area. The buildings should also provide innovative designs suitable for elderly, disabled or otherwise disadvantaged people; and be constructed from materials and to standards that are not noticeably different to the existing streetscape.
- The development should be sympathetic to the geography of the site and provide for safe transit, areas to encourage people to walk and meet together as a community

ⁱ <https://www.parliament.vic.gov.au/vufind/Record/51541>