

# Inner Sydney VOICE

WINTER 2016 • ISSUE 129

## REDEVELOPING PUBLIC HOUSING

**\$22B WORTH OF REDEVELOPMENT OF PUBLIC HOUSING STARTS WITH THE  
WATERLOO AND IVANHOE ESTATES: RAISING BUILDING HEIGHTS AND IMPORTANT QUESTIONS**

### **+PLUS**

VOICES FROM WATERLOO

LESSONS FROM OTHER ESTATES

A HISTORY OF PUBLIC HOUSING

BASIS FOR REDEVELOPMENT

COMMUNITY HOUSING

AFFORDABLE HOUSING

CREATING SOCIAL MIX?

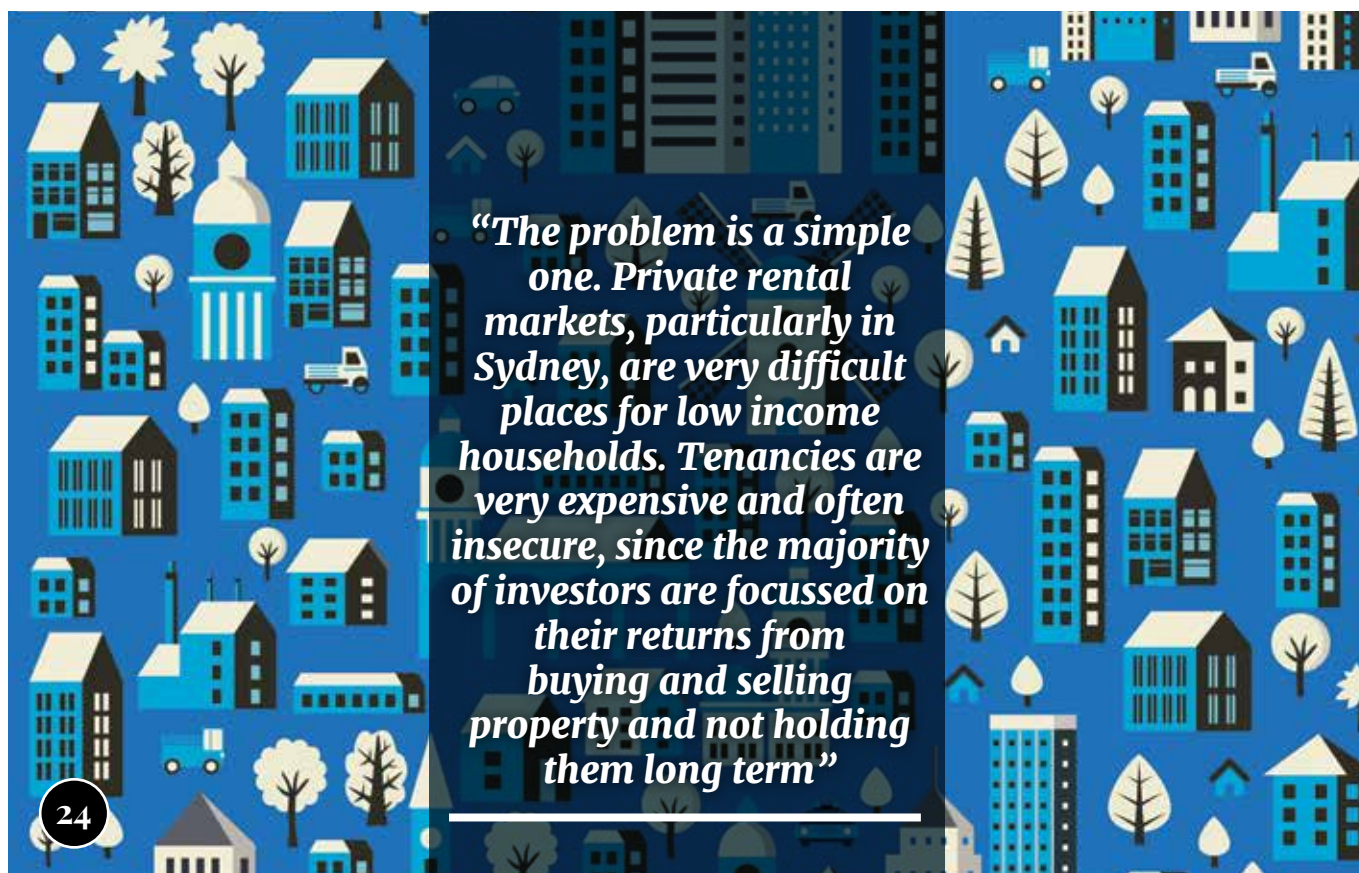
DENSITY & HUMAN SERVICES

HEALTH & WELLBEING IMPACTS

THE JOURNAL OF THE INNER SYDNEY REGIONAL COUNCIL FOR SOCIAL DEVELOPMENT INC

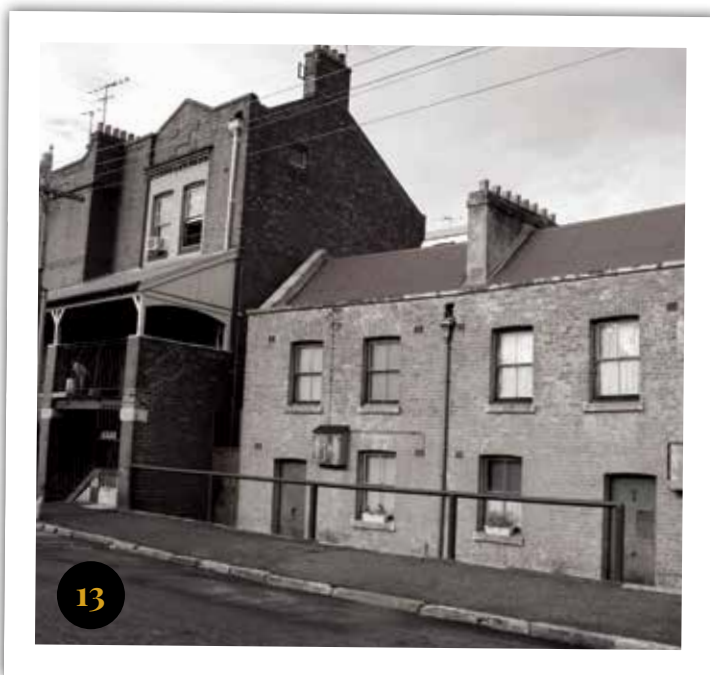


# Contents



**“The problem is a simple one. Private rental markets, particularly in Sydney, are very difficult places for low income households. Tenancies are very expensive and often insecure, since the majority of investors are focussed on their returns from buying and selling property and not holding them long term”**

- 4 **Noticeboard**
- 5 **Editorial**
- 6 **Public housing: on the up and up and up!**  
The recent *Future Directions* policy is driving the Waterloo and Ivanhoe redevelopments as Geoff Turnbull explains. Many higher rise developments will follow to meet the governments targets.
- 8 **Waterloo reactions: a storm brewing?**  
People's reactions to the Waterloo announcement have been captured by local agencies and the local media. Here is a small selection of the reactions from this diverse community.
- 10 **Robyn's reflections: more than bricks and mortar**  
Redevelopment of public housing in NSW is not new. We can learn a lot from what has happened in earlier estate renewals. Julie Foreman spoke to Robyn Stafford about her experience at Minto.
- 12 **Collective learnings from earlier redevelopments**  
Six months after the Waterloo redevelopment announcement tenants know little more and anxiety remains high. Julie Foreman questions what was learnt from other estate redevelopments.
- 13 **Public housing in New South Wales: a brief history**  
To understand modern day public housing, it is important to understand its history. Chris Martin looks at what has shaped public housing over more than 100 years.
- 16 **Communities Plus: something old something new**  
*Communities Plus* is the NSW Government's approach to renew and increase the amount of social housing. Craig Johnston and Geoff Turnbull explain how the value of land is used to build new social housing.
- 18 **Is community housing set to feature in Waterloo estate rebuild?**  
In replacing an estate's rundown public housing, Hal Pawson explains that a community housing organisation may be brought in to manage the newly built low rent properties.
- 20 **What is affordable housing and why do we need it?**  
Finding housing which is affordable to low income workers is almost impossible in Sydney. Nicole Gurran explains the problem and what can be done to provide affordable housing.
- 22 **Social mix and the challenges in creating it**  
Urban planners and government policy makers often advocate having social mix in areas with high concentrations of public housing. Kathy Arthurson looks at the theory and practice of social mix
- 24 **Future Directions for Social Housing in NSW: Is it good policy?**  
The *Future Directions* policy provides the context for redevelopment and the management of social housing tenants. Peter Phibbs, while acknowledging the importance of the policy, also raises some significant concerns.



## 26 Can the people problems be fixed by estate redevelopment?

Estate renewal and housing mix is portrayed by government as a fix-all for public housing estates but, argues Geoff Turnbull, improved human service support for high needs tenants will be essential if this mix is to work.

## 28 Five key changes to social housing laws

Anti-social behaviour and how to tackle it has been a contentious issue in public housing. The Tenants' Union NSW explains the three strikes process that can lead to mandatory termination.

## 30 Reducing redevelopment impact on health and wellbeing

No matter who you are or how you will be affected, the redevelopment of Waterloo will present personal and community challenges explains Elizabeth Harris.

## 31 From the Vault - Public Participation

It is nice to know in the current climate that public participation was fashionable in the summer of 1993/4 as recorded by *Inner Voice*. This list of how it can be subverted however remains relevant today.



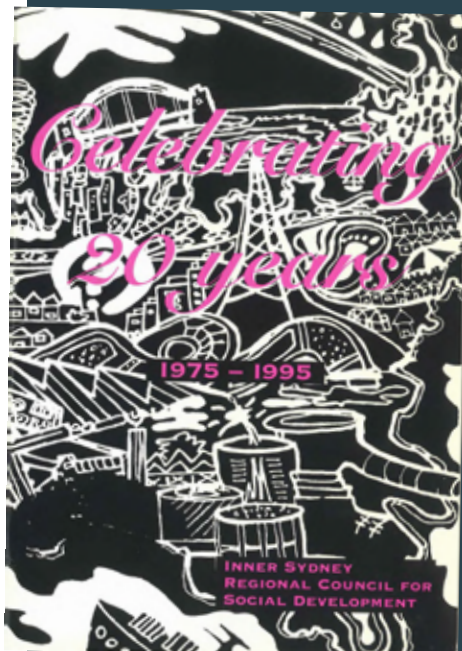




## Online community services map

Find community services in the eastern suburbs and inner city.

Check out the link on our website [www.innersydneyvoice.org.au](http://www.innersydneyvoice.org.au)  
To add or update service listings please email [admin@innersydneyvoice.org.au](mailto:admin@innersydneyvoice.org.au)



## INNER SYDNEY REGIONAL COUNCIL 40TH ANNIVERSARY

To jog people's memories we have posted the 20th Anniversary issue of Inner Voice in the PDF Editions section of [www.innersydneyvoice.org.au](http://www.innersydneyvoice.org.au). If you were not around then it is great historical background and if you were around it will hopefully spark memories you might like to share.

The 20th Anniversary Issue from Spring 1995 includes two pages covering each of Regional Council's first 20 years with details of workers and committee members. Ideally we would like to collect similar details covering the second 20 years and would welcome your contribution towards this.

- We want stories and reflections

from those involved during our last 40 years.

- We want to make contact with those we have lost contact with
- We want to know who would like to come back for a reunion
- We want people who would like to help pull this all together for mid-2016.

Please spread the word to those you know were involved in the past and help us bring people together to celebrate the great history we all share!

If you can help please contact Charmaine Jones on [char.jones@innersydneyvoice.org.au](mailto:char.jones@innersydneyvoice.org.au) or phone 02 9698 7461

**W**e are starting to pull together material for our 40th Anniversary celebrations. Our video archives have been digitised and a documentary about Regional Council is drawing together some of the archival material with interviews with some who have first-hand experience of that history.

#### ABOUT

Inner Sydney Voice Magazine is the journal of the Inner Sydney Regional Council for Social Development Inc trading as Inner Sydney Voice. We are a non-profit organisation committed to the idea of information as a tool for community development. The organisation defines Inner Sydney as being the local government areas of Botany Bay, Leichhardt, Randwick, City of Sydney, Waverley and Woollahra.

#### ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the traditional custodians of the lands across the areas we service, particularly the Gadigal people of the Eora Nation, traditional custodians of the land on which our office is located. We pay our respects to Elders, past and present.

#### Editors

Geoff Turnbull, Charmaine Jones

#### Contributors

Kathy Arthursen, Julie Foreman, Nicole Gurrin, Elizabeth Harris, Craig Johnston, Charmaine Jones, Chris Martin, Hal Pawson, Peter Phibbs, Taizya Phiri, Robyn Stafford, Jazz Stradbrook, Peter Strickland, Geoff Turnbull, South Sydney Herald and all our proof readers.

#### Design and Cover

Alys Martin

#### Membership and Subscription Coordinator

Saskia Cheney

#### Printing

Prografica

#### Website

[www.innersydneyvoice.org.au](http://www.innersydneyvoice.org.au)

#### Publisher

Inner Sydney Regional Council for Social Development Inc trading as Inner Sydney Voice  
Rear 770 Elizabeth Street Waterloo NSW 2017  
ABN 86 770 127 254

Phone 9698 7690 Fax 9318 0852

Email [admin@innersydneyvoice.org.au](mailto:admin@innersydneyvoice.org.au)

#### Facebook

[www.facebook.com/innersydneyrcsd](https://www.facebook.com/innersydneyrcsd)

Twitter @innersydneyrcsd

Website [www.innersydneyvoice.org.au](http://www.innersydneyvoice.org.au)

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#### Winter 2016 • Issue 129

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# Editorial

The announcement, just before Christmas 2015, that Waterloo would get a Metro Station coupled with the redevelopment of their public housing estate has created much anxiety among public housing tenants. Six months after the announcement tenants know little more about the earlier studies, the proposal put to cabinet, the work being undertaken by consultants or the implications for their community.

With no details on the table it is not surprising that relocations became the focus. The Minister fuelled this at his one and only public meeting by bringing relocated tenants (including from Millers Point) to talk about how well FACS Housing manage relocations. But many made it clear they did not want to move and saw no reason for the redevelopment. This perplexed one Housing staffer who was heard to say – But I don't understand why you would not want to get out of Waterloo!

One of the best ways of minimising the impact of redevelopment is to stage developments so communities are kept together as much as possible.

This should be possible on the large

Waterloo estate. Between natural turnover and places freed up by some people who want to leave, sufficient places should be available for those who want to stay in Waterloo to temporarily relocate within the estate.

In this issue of Inner Sydney Voice, we explain the government's current approach to estate renewal and unpack some of the challenges that need to be addressed. *Public housing in New South Wales: A brief history* (page 13) provides a broader context while *Public housing – on the up and up and up!* (page 6) outlines the current government's broad renewal plans and what we know about Waterloo as an example.

We also listen to those impacted by estate renewal. In *Waterloo redevelopment: A storm brewing?* (page 8) we record a range of reactions from Waterloo. In *More than bricks and mortar: Robyn's reflections* (page 10) a Minto tenant shares her redevelopment experience and some of the lessons learnt. While *Collective learnings from earlier redevelopments* (page 12) has been put together by the Tenants' Union. *Reducing redevelopment impact on health and wellbeing* (page 30) draws on an earlier estate renewal Health Impact Assessment to highlight the issues.

*Communities Plus: Something old something new* (page 16) explains the redevelopment vehicle being proposed by government and *Future Directions for Social Housing in NSW – Is it good policy?* (page 24) questions parts of the broader government policy. We also explain the recent three strikes eviction policy in *Five key changes to social housing laws* (page 28).

*Social mix and the challenges in creating it* (page 22) goes to the heart of the redevelopment rationale while *Is community housing set to feature in Waterloo estate rebuild?* (page 18) and *What is affordable housing and why do we need it?* (page 20) explore two of the proposed tenure mix housing types. In *Can the people problems be fixed by estate redevelopment?* (page 26) we explore what needs to happen with human services if tenure mix is to work with people of high needs.

This month *From the Vault – Public Participation* (page 31) revisits 1993 and looks some of the ways participation can be distorted.

Charmaine Jones and Geoff Turnbull  
Co-editors Inner Sydney Voice

**“One of the best ways of minimising the impact of redevelopment is to stage developments so communities are kept together as much as possible”**



THE REDEVELOPMENT OF LARGE PUBLIC HOUSING ESTATES HAS UNTIL NOW BEEN FOCUSED AWAY FROM THE INNER CITY. REDEVELOPMENT IS NOW GOING HIGH-RISE, RAISING MANY NEW ISSUES UNDER THE GOVERNMENT'S FUTURE DIRECTIONS POLICY. **GEOFF TURNBULL** EXPLORES WHAT IS DRIVING THE WATERLOO AND IVANHOE REDEVELOPMENTS.

## PUBLIC HOUSING: ON THE UP AND UP AND UP!

The Auditor General's report in 2013 made it official that the system was cannibalising itself to stay alive. Michael Coutts-Trotter, head of Family and Community Services (FACS), put it this way in an ISV article in 2013 "In fact the portfolio has been depleted at an average of 2.5 properties a day for a decade. Properties have been sold and not replaced to help fund maintaining the balance of the portfolio in reasonable condition because rent and commonwealth and state funding have not been sufficient."

The sell-off of public housing in Millers Point has been the most public of these sell offs. But all around the state public housing has been sold off. "For Sale" notices have been going up on public housing in inner suburbs like Glebe, Surry Hills and the Waterloo conservation area. These sales have alarmed many inner city public tenants who believe they too will be moved out because of the desirability of the land they occupy.

It is within this context that in January 2016 the Minister for Family and Community Services and Minister for

Social Housing, Brad Hazzard, released *Future Directions for Social Housing in NSW* which sets out the government's strategy for redeveloping its public / social housing over the next ten years. Social housing includes public, Aboriginal and community housing.

At the heart of this new strategy, Land and Housing Corporation (LAHC), which owns public housing, will fast-track redevelopment through a new mechanism to grow supply of housing stock – *Communities Plus*. This will be done through partnerships with private sector developers, finance and non-government organisations.

The policy promises the "new social housing developments will be modern, look the same as neighbouring private dwellings and be close to transport, employment and other community services". The policy expects to generate \$22 billion in construction activity in NSW over 10 years with 23,500 new and replacement social and affordable housing dwellings.

Central to the strategy is development of projects in proximity to UrbanGrowth's priority renewal areas where

planning agencies can up-zone land to build larger redevelopments that deliver 70:30 ratios of private to social housing. The aim is to renew social housing stock and increase the amount of social housing where practicable, funded by the creation of private housing.

The policy uses as an example "the eight hectare Ivanhoe Estate at Macquarie Park (currently with 259 social housing dwellings), will be transformed into a high quality integrated community with more than 1,800 private, 556 social and 128 affordable housing dwellings".

Minister Hazzard's Waterloo estate redevelopment announcement stated "the Waterloo estate will be part of the property portfolio offered through *Communities Plus*". Ivanhoe and Waterloo estates are both in areas where the government, through UrbanGrowth, wants to develop higher densities around railway stations. Both areas require an increase in planning controls (height and floor space) to make them work.

Sydney Council revealed in May 2016 that the NSW government wants a new

State Significant / Priority Precinct within the Central to Eveleigh study area. This would remove council's role in setting planning controls and, by rezoning privately owned land, push density into surrounding areas. Council say the proposal includes the Redfern public housing estate.

The message is clear – public housing situated near railway stations, a proposed light rail line or which is in an area targeted for increased density is ripe for redevelopment under the new policy.

On 16 December 2015 the NSW Government announced a new Metro Station would be built at Waterloo enabling the redevelopment of public housing in Waterloo. UrbanGrowth had pushed for the new station on the basis it would justify an up-zoning and allow the estate to be redeveloped.

The Waterloo announcement was short on detail. It created great anxiety and uncertainty just before Christmas when local community centres were closed. It took until Minister Hazzard's meeting on 18th February for a Q&A sheet to be produced which clarified that the area to be redeveloped was the consolidated estate with its 2,013 public housing units.

An initial map included the adjoining heritage conservation area where estate consolidation was stopped by the 1970s Green Bans, as documented in Tom Zubrycki's film *Waterloo*. In 2011 there were 188 apartments and 336 terraces and town houses in this area – some have since been sold and it has not been clarified if sales will continue.

The Waterloo announcement was for "the delivery of an additional 10,000 homes". In May 2016 UrbanGrowth clarified that half of these homes would be in the surrounding area and half would be new private and affordable housing delivered in addition to an increased amount of social housing on the estate. Together the total number of units expected on the current estate will be a

***"The message is clear – public housing situated near railway stations, a proposed light rail line or which is in an area targeted for increased density is ripe for redevelopment under the new policy"***

bit over 7,000 increasing by 3 1/2 times.

Depending on how you do the estimates, that is between 13,000 and 14,000 people on 19 hectares (ha) approximately 700 people/ha. By contrast Central Pyrmont has 395/ha and the old ACI site has 360/ha. UrbanGrowth says density will be similar to Green Square Town Centre. Council argue this contains a lot of commercial floor space so it, and the CBD, cannot be compared with residential areas. According to Sydney Council papers the proposed density is much higher than the Green Square average and rivals the densest parts of Hong Kong and New York. UrbanGrowth has said developments in the corridor will be up to 35 storeys – the highest towers currently in Waterloo are 30 storeys.

Earlier proposals for Waterloo estate proposed lower densities. The leaked Redfern-Waterloo cabinet papers in 2004 indicated around 5,600 units and the Redfern Waterloo Authority's Draft Built Environment Plan 2 in 2011 proposed 3,920 units with a loss of 305 public housing units which was opposed by local groups. The earlier plan was considered uneconomical by government until the Metro station offered the possibility to increase densities.

UrbanGrowth has indicated it wants to talk to the community about how tenure mix might be delivered at Waterloo. In the earlier suburban estate redevelopments, the aim was to have public and private houses in the same street looking the same, but what is the equivalent for high-rise estates like Waterloo and Ivanhoe? Do they have mix on each floor, within each building or in separate buildings? How will this work if social tenants are

people with high needs and human services support does not improve?

Mixed buildings can create strata issues when a large portion of units are owned by one party which can disproportionately influence strata decisions. Separate strata within a building can address that problem but would work against people socially mixing as would separate buildings. In one case in a Melbourne renewal a brick wall was erected between the private building and its private space, and the public building. Much work remains to be done if there is to be a viable model in Sydney to deliver high-rise social mix. Community group REDWatch has raised a list of similar questions about the Waterloo redevelopment on its website.

Six months after the initial announcement there is still no clarity about the details of the proposal. The Environment Impact Statement (EIS) for the Metro line and Waterloo station went on exhibition in May 2016 but it only covers the Metro Station construction and not what might be built above the underground station – that will be in a separate EIS when plans are finalised. It will presumably take up some of the other 5,000 private units.

UrbanGrowth's Central to Eveleigh team has been preparing an Urban Transformation Study for the entirety of its area which will go on exhibition mid-year. While much of the preparation predates the Waterloo announcement it will also guide renewal in the estate. UrbanGrowth will prepare the Master Plan for LAHC, and FACS Housing will continue to have responsibility for dealing with tenants.

Geoff Turnbull is the Co-editor of Inner Sydney Voice Magazine.



# WATERLOO REDEVELOPMENT: A STORM BREWING?

PEOPLE'S REACTIONS TO THE WATERLOO ANNOUNCEMENT HAVE BEEN CAPTURED BY LOCAL AGENCIES AND THE LOCAL MEDIA. HERE IS A SMALL SELECTION OF THE REACTIONS FROM THIS DIVERSE COMMUNITY RECORDED BY INNER SYDNEY VOICE AND THE LOCAL SOUTH SYDNEY HERALD.

Image: Andrew Xu from NZ - [Explore Stormy]  
www.commonswiki.org

## INNER SYDNEY VOICE STUDENTS **JAZZ STRADBROOK** AND **TAIZYA PHIRI** ASKED A RANDOM GROUP OF PEOPLE WALKING ON THE ESTATE FOR THEIR REACTION TO THE REDEVELOPMENT OF WATERLOO

"I've been here 44 years and I love it here. We have transport, we have buses ... we have trains at Redfern station that didn't have a lift. We complained many years to have a lift. Suddenly they put only one platform lift and nothing else. We have happy people here, we are community here, and we don't need a metro rail - we don't need that. And especially the high rise are very good buildings they want to put down and I don't think that is a good idea. For many many people here they are upset, angry and myself too. I don't want to move into another suburb."

”

"'Again!' was my first reaction... They said the same thing in the 90s. That's over 20 years ago and they've announced the same thing saying you know it's again. If it actually happens I don't mind, but somehow I don't think it will happen. At least it won't happen as they claim. They said in the 90s they were removing it all ... but it hasn't happened."

"I thought the other three buildings on Walker Street were all going to come down before these ones... I was a bit taken back. These ones have only been here forty years. The Queen actually opened these buildings, I was actually there when the Queen opened. How are they going to move people out? The logistics in that? Like one person said they should just move one building at a time."

”

"Why do they need a train station here? We've got one at Redfern two minutes up the road and one at Green square. Why do you want another one here?"

"I feel ok about it. I recently moved to the area so I haven't been here for long enough to sort of get used to the area yet. I've heard that it's not too good cause most people have been here for ages like over 20 years so it's not too good."

”

"Its gonna happen there's no use complaining about it, it's just gonna... they just do it... they don't really care."

"Anxiety definitely ... they painted it like it's the best thing since sliced bread... it will be beautiful that everybody will be taken care of ... I spoke with Waterloo Connect ... They've been very polite, nice and reassuring but I'm still not buying it. There is some information... this has been done that has been done but not the logistics of it. How it's going to be done? Who does what? We've been told it will be case by case and everybody will have a mentor to help us move out but as to where we are gonna go... There are thousands of people. Where are you going to f\$#!!!! put them? I don't see it, like I said the logistics have to be a nightmare."

”

"I thought it was something that needed to be done but... I wanted to get out of here for a while, so it might be my opportunity to get a transfer. We're going to be found new places right...obviously. But what if I want to move to Queensland?"



### SOUTH SYDNEY HERALD'S (SSH) REPORTING OF THE LOCAL REACTIONS

"It's common knowledge that Christmas can be a particularly anxious season for many vulnerable people. The timing of the government's announcement of plans to redevelop the Waterloo estate, and the means by which those plans have been communicated, strikes many residents and housing representatives as highly insensitive and disrespectful."

Rev Andrew Collis in *Disrespect of vital community SSH*.

"Some months ago, an elderly patient was upset by a letter from Brad Hazzard, the Minister for Social Housing. The letter outlined the plans for redevelopment of the Waterloo Estate and relocation of the residents, some of whom have called the area home for several decades. His letter began: 'I am excited to write to you and let you know ...'."

Dr Marie Healy GP in *Health and Housing SSH*.

"If you were at the National Centre of Indigenous Excellence (NCIE) in Redfern on Thursday February 18, you would have been forgiven for thinking you were arriving at a Hillsong Church convention. Residents were greeted by an army of bureaucrats and rent-a-staffers (recognised from other consultations) sporting bright green T-shirts emblazoned with the promise: 'More Homes, Better Place, Great Transport'. If you were expecting a smooth talking and inspiring preacher, however, you would be disappointed."

Emily Straney in *Hazardous encounter with locals SSH*.

"As the NSW government readies its wrecking ball to tear through Waterloo, it has become plainly clear that once again our friends and neighbours in public housing have been given only the barest of afterthoughts."

Darren Jenkins in *Redeveloping Waterloo – a wrecking ball SSH*.

**"You know it's not right. This community help me out on the streets. I can't stand it you know, I like it at this place yeah."**

”

"I thought it was a good idea to be honest. Those 'suicide towers' are bug infested with no hope in them. Like if you had a look at one percent of these units you don't want to step in. Honestly they need to go. But it was a s\$#! game how the government released it to everybody just before Christmas Day. It was like yeah they were given no real notice about it. That this was in the works in the first place, so I think it's a good opportunity for some new. You know get rid of the old... put in something better - as long as it's done by the book."

”

"It's throwing people out on the street ... The government they're gonna replace the social housing ... It's just not gonna happen ... There's 2000 people affected and they're just going to kick them out... There's a lot of hostility out here. And social workers like myself - the number of people that seek our services - it's appalling."

”

"You know it's not right. This community help me out on the streets. I can't stand it you know, I like it at this place yeah."

”

"When I first heard about it I thought it was a pretty exciting idea because I thought it was a good thing, but there was going to be some changes in the community. I've been working with people in the area and some of them have had trouble understanding the communications. I did have a look at that office that they have up there near IGA I actually took one of my people up there ... That was good because he couldn't read and he needed it to be put in a simple way and they were good. I feel a bit better now knowing that that office is there and that people can access that room and get information if they need it any time."

### MERRY CHRISTMAS, 2015

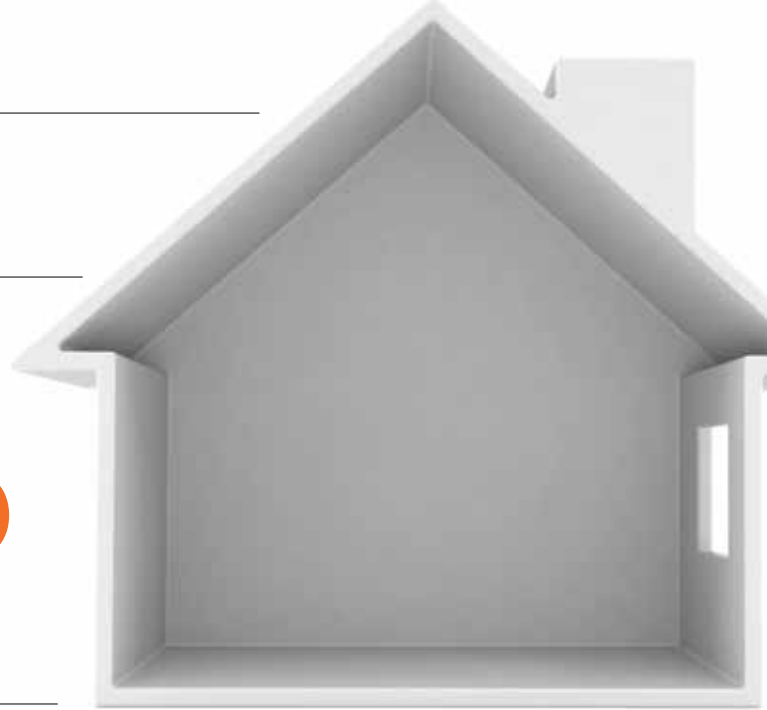
Often our opinion of others is revealed through our inattention to small details like the Home Brand bread and sausages the Hon Brad Hazzard, MP, thought suitable to provide for tenants of public housing at a barbecue held to announce the destruction of their loved homes, their lively community, to be replaced, he announced ... with a better-quality environment frequented, no doubt by a better-quality human being who buys Select Brand.

– Poet's name withheld SSH.

Links to other resident reactions can be found in the online version of this article.

ROBYN'S REFLECTIONS:

# MORE THAN BRICKS AND MORTAR



REDEVELOPMENT OF PUBLIC HOUSING IN NSW IS NOT NEW. WHILE THE PROPOSED REDEVELOPMENTS OF WATERLOO AND IVANHOE MIGHT BE HIGH-RISE, PUBLIC HOUSING COMMUNITIES CAN LEARN A LOT FROM WHAT HAS HAPPENED IN EARLIER ESTATE RENEWALS. **JULIE FOREMAN** SPOKE TO **ROBYN STAFFORD** ABOUT HER EXPERIENCE AT MINTO.

## Tell me about Minto

I love the Minto Community. The public housing community of Minto has gone as most of the original tenants have moved on. Some of the families went before the redevelopment and have bought their own places. I worked at the Post Office in Minto Mall until I retired 11 years ago so I am lucky that I knew, and still do, people from every area. Minto is a very diverse community. We have the rich, the poor, the in-betweens (young families trying to make a living and buying their own homes). It is also very multicultural with people from many nations living in our midst.

As part of the renewal I was moved

over to Campbelltown for six years. I was lucky enough to be successful in the housing ballot and came back to a brand-new two-bedroom home in 2011. To be honest I am not that fussed about living where I do – once I put my car in the garage nobody would even know you're here. I say hello to neighbours but don't really know them. The fences are so high you can't even be sociable over the back fence. This is different to when I lived in Minto before the redevelopment.

## How did you find out about the redevelopment of Minto?

## How long was it expected to take?

I actually found out about the redevel-

opment on the 6pm news on TV on 29 May 2002 ... I couldn't believe what I was hearing! Yes, parts of Minto did need attention, but it was not a ghetto. I had recently had my townhouse inspected and I was to have some work done and an upgrade of my kitchen so for that, I was excited. Officially I received my notification from Housing NSW the following day via a letterbox drop.

The redevelopment was expected to take about 10 years initially, but there were four Housing Ministers before the masterplan was even signed. After the masterplan was approved the completion time was put back till 2015 and now that has been extended till the end of this year (2016).

## ADVICE FOR DECISION-MAKERS WHO ARE EMBARKING ON NEW REDEVELOPMENT PROJECTS:

- COMMUNICATION – Talk to the people it mostly impacts on. Don't be afraid of them or their ideas and concerns.
- SHOW COMPASSION – How would you feel if you were uprooted from your home with no real control over the time to move and where to move to?

## Some practical things to think about:

- Have alternative accommodation ready for the elderly so people do not have to move twice.
- Ask who wants to move and start with them first.
- Keep residents informed and updated on plans.
- Come up with a different solution for single unit complexes. Without the right supports young people with

mental health issues and the elderly do not mix.

- Make sure there are community facilities such as parks, community centres and meeting rooms available in unit complexes.
- Try not to move the elderly as most have lived in their places for years and raised families there, so it is the family home. When implementing a redevelopment project try to understand that when older, long-term tenants were originally allocated their house they were told it was for life to "treat it like your own". They put in their own floor coverings, blinds, fans and air conditioners. Some even put up side fences and sowed the seed for their lawns. Their heart and soul has gone into their family home.



The plans have continued to change. At first we were informed that there would be no three bedroom homes built and instead we were to get 104 two bedroom homes and 120 senior / over 55s units. That changed too – the two bedroom stand-alone houses were not viable, so now three bedroom cottages are being built on the remaining lots. The small units have generated issues, which are caused by living so closely together without the necessary government or community supports. You can't just throw people together – especially when some have complex needs – and expect a community to form.

**What was the impact of the redevelopment on the community and on you?**

We were devastated and watched in awe at the speed that the first lot of residents were moved out. People were wandering around bewildered. The lack of information and understanding led to fear and stress and if I am honest, led me to take early retirement. Some people took the opportunity to move to coastal areas and we were all told we could come back. Those who wished could put their names on a return to Minto list.

Apart from our own individual stories there was the bigger picture. Due to dislocation and the population dropping the schools in our area lost

services – they have picked up again now – and our shopping mall went downhill badly. At times it was like living on a building site, and many friends moved away. It was hard to believe that 800 people were going to be dislocated and no social impact study was going to be undertaken. Gradually things have improved again.

During the difficult times community members met together, and did their best to keep each other informed and supported. Not long after the announcement the Minto Residents Action Group (RAG) formed. We worked alongside non-government organisations (NGOs) like St. Vincent de Paul Animation Project, South Western Regional Tenants Association, Shelter NSW and too many more to name individually. Along with these NGOs, residents and the wonderful Franciscan Friars who lived within our community, the Macarthur Housing Coalition was formed and we were successful in lobbying Housing NSW for an independent Tenant Advocate. Together these groups and Housing NSW came up with guidelines that have been used in a lot of the estates that are undergoing renewal.

**Julie Foreman is the Executive Officer of the Tenants' Union NSW. This is an edited version of the interview that appeared in Tenants News in March 2016.**

***“We were devastated and watched in awe at the speed that the first lot of residents were moved out. People were wandering around bewildered. The lack of information and understanding led to fear and stress”***



**TOP TIPS FOR ANYONE EXPERIENCING THE TRAUMA OF MOVING WITHIN THE PUBLIC HOUSING SYSTEM.**

- Do not talk to relocation officers on your own.
- Look around you – what do you have that you would like in your new place? Things like screen doors and window security locks are not always guaranteed.
- Make a list – NEGOTIATE.
- Have you purchased your own ceiling fans or air conditioner – did you have permission to install them? Even if you haven't – do you have receipts from an authorised installer? These can be relocated with you or you may get new ones.
- These days Housing try to match your needs to a house so make sure they know your needs – doctors, hospital, public transport, shopping and family.
- Get medical certificates from your doctors to confirm your needs.
- When you go to look at a new place, take someone with you – check each room for adequate power points – negotiate.
- Write a list of everyone who needs to be updated with your new address (this can be a very big job).
- Remember you are not alone; seek support from organisations and your community. Ask questions and negotiate.
- Be warned a lot of people get letters of termination and rental arrears when they are relocated. These need to be dealt with straight away and most are human error – like a relocation officer not pressing a button to finish off your account at the address you moved out of.
- Remember you are entitled to two weeks rent credited to your new account while you are moving.



## COLLECTIVE LEARNINGS FROM EARLIER REDEVELOPMENTS

SIX MONTHS AFTER THE WATERLOO REDEVELOPMENT ANNOUNCEMENT TENANTS KNOW LITTLE MORE AND ANXIETY REMAINS HIGH. **JULIE FOREMAN** QUESTIONS WHAT WAS LEARNT FROM OTHER ESTATE REDEVELOPMENTS

I recently attended one of the public meetings on the redevelopment of the Waterloo public housing estates. The one I went to was hosted by Jenny Leong MP, one of two Members of Parliament representing the suburb. Also in attendance was the Social Housing Minister, Brad Hazzard MP.

I was heartened by the level of interest and attendance by all stakeholders. Tenants expressed anxiety and confusion about the announcement. The following snippets capture the questions and concerns raised:

- “Is my home being demolished?”
- “When will I be moving?”
- “Where will I be moving to?”
- “Will I get a like-for-like house when I move?”
- “Why do I have to lose my home, my community, my security?”
- “I feel like my life will be on hold for the next 5 years.”
- “How are you going to deal with all the extra parking needed?”
- “I am afraid of moving away from my health supports and friends”
- “Will you cover my moving costs?”
- “Why didn’t you take the last 10 years of consultations into account?”
- “You just sprung it on us before Christmas with a flyer under my door!”

The Minister suggested to participants that meetings such as these just scare and raise anxiety. I believe they reflect honest and real concerns.

Unfortunately, the issues raised do not surprise me – they are what I have heard at every gathering (large, small or one on one) of social housing tenants facing or experiencing redevelopment. I heard it in Riverwood, Bonnyrigg, Minto, Clay-

more, and Ivanhoe. This is not to deny that there are also some tenants who want to move, in the hope of changing their overall circumstances.

What did surprise me was that FACS Housing and the Minister had not anticipated this response, and adjusted their usual announcement process accordingly. The public housing agency has been through this a number of times, and assures us over and over that they have learnt from their mistakes.

Given the reaction, the Tenants’ Union put together a list to help all of us – tenants, FACS Housing, Minister Hazzard, and community organisations, increase the prospect of sensitive, appropriate and effective redevelopment.

Collective learning from research commissioned by FACS Housing, built on consultations over a number of years with tenant groups and the non-government sector, informs the list:

- Acknowledge the strengths and history of the existing community;
- Progressively move people within the estate as new buildings are constructed;
- Undertake a social impact assessment to inform the best plans and processes for tenants and their communities;
- Fund additional supports and independent tenant advice while maintaining funding of existing services and supports;
- Include genuine community empowerment and involvement at appropriate levels;
- Don’t give undertakings that cannot be met;
- Make available past plans or reports

on consultations, to enable tenants to participate in informed discussions;

- Make sure communication is clear, regular and takes place in different forms;
- Provide additional training and support to FACS Housing staff tasked with working as relocation officers. This training should include presentations from tenants who have lived through the experience of redevelopment in other areas;
- Undertake ongoing evaluation;
- Follow up and support tenants that have moved;
- Carefully consider allocations to ensure they are appropriate;
- Listen to tenants and treat them with respect! This sounds easy but is anything but if really taken seriously.

Similarly, research and past experiences have provided evidence on practices to avoid – worst practice principles, if you like. So on this note, be sure not to engage in:

- Tokenism in forming partnerships and building community involvement;
- Short-term ‘quick fixes’. Good outcomes take time;
- Public representations and narratives of disadvantaged locations, which entrench the problem by exaggerating an area’s dysfunction;
- Actions which merely displace the problem. Projects that merely move people to new locations do not solve problems of poverty and disadvantage.

**Julie Foreman** is the Executive Officer of the Tenants Union NSW





## PUBLIC HOUSING IN NEW SOUTH WALES: A BRIEF HISTORY

TO UNDERSTAND MODERN DAY PUBLIC HOUSING, IT IS IMPORTANT TO UNDERSTAND ITS HISTORY.

**CHRIS MARTIN** LOOKS AT WHAT HAS SHAPED PUBLIC HOUSING OVER MORE THAN 100 YEARS.

**F**our years ago, the New South Wales public housing system turned 100 years old. The milestone went unobserved by the NSW State Government, in what felt like an embarrassed silence. Public housing was not always regarded this way. When the *Housing Act 1912 (NSW)* was introduced, creating the NSW Housing Board and authorising the construction of the first planned public housing estate in Australia, the State Treasurer, Rowland Dacey, proclaimed the Government's vision proudly:

*We propose to establish a garden city, and to offer the people healthy conditions for living. It has been truthfully said that the city beautiful will yield big dividends to the nation. We propose to establish a city beautiful, which Australians abroad will be able to point to with pride and say, 'There, that is how Australia builds its garden cities.'*

Dacey died one week later, and was memorialised in the name of the first public housing estate – Daceyville.

This was not the first involvement by the NSW state government in the provision of rental housing: through the Sydney Harbour Trust, it owned and let houses at The Rocks and Millers Point which had been acquired when the area was resumed for sanitary redevelopment following an outbreak of bubonic plague in 1900. But the 1912 initiatives were the first time the state government had a dedicated housing agency with a deliberate mission to improve housing through the design, construction and letting of publicly-owned housing.

The establishment of public housing in New South Wales reflected the international ferment at the beginning the twentieth century of ideas

for reform from a particularly 'social' point of view. In contrast to the moralising, classical liberal reformism of the previous century, this new social-liberal reformism proposed solutions to governmental problems not through *laissez faire* or philanthropy or well-meaning amateurs, but instead through greater interventions by the state and technocratic experts in planning, social security and other programs that would secure and regularise the lives and conditions of working people. Housing was significant in these programs of reform, and garden suburbs like Daceyville were described at the time as being 'the great lever of social reform'.

The social-liberal reform of housing was not, however, only – or even mainly – about public housing: the first choice of reformers was a reform of housing provided privately by the market. So, in the same parliamentary session as it passed the *Housing Act 1912*, the NSW State Government also passed legislation to advance deposits and mortgage finance to workers for home ownership; later, the commonwealth government would directly support home ownership through the War Service Homes Commission. Less directly, private housing to an appropriate standard was supported by the state through the wage arbitration system, which formulated a 'living wage' that accounted for the reasonable cost of housing for a working class household.

Public housing, then, was only one of several solutions proposed by reformers, never the most preferred one and, where it was implemented, it was with a considerable degree of variation and experimentation. This was especially the case in New South Wales: Daceyville was a fraction of the size originally planned when building stopped and the Housing Board was abolished in the early 1920s. A number of more or less stop-start engagements with public housing followed, including the short-lived Housing Improvement Board (1936–42), which produced the fortunately much longer lived Erskineville Estate.

Public housing really became an

enduring part of the policy landscape – and the landscape of our cities and towns – after 1945. Internationally, social-liberal reformism at this time was newly rationalised and extended by Keynesian macroeconomics, the practical experience of governing the war effort, and the politics of 'reconstruction', and around the world public housing entered its 'golden age'. In Australia, the commonwealth became crucially involved in public housing. First, the Commonwealth Housing Commission (the CHC), a board of inquiry appointed in 1943 by Ben Chifley as Minister for Post-War Reconstruction, presented a massive report documenting housing conditions and needs, and set out a striking statement of principle for housing policy:

*We consider that a dwelling of good standard and equipment is not only the need but the right of every citizen – whether the dwelling is to be rented or purchased, no tenant or purchaser should be exploited for excessive profit.*

On the CHC's recommendation, the commonwealth inaugurated the Commonwealth-State Housing Agreement (CSHA) to fund state governments to build and operate public housing. Under the first CSHA (1945–55) State housing authorities built almost 100,000 dwellings for public rental – one in every seven dwellings built in Australia in that period. The NSW Housing Commission (established in 1942 to house war workers) built almost 38,000 dwellings under the first CSHA, about 18 per cent of all dwellings built here in the period. The majority of the Commission's new dwellings were detached houses built according to sanitary town planning principles on middle- and outer-suburban estates, initially of 500–2,000 dwellings each, with some very large estates in development from the late 1950s – notably Green Valley, with 6,000 dwellings for 25,000 persons, and Mt Druitt, with 8,000 dwellings for 32,000 persons. As the Commission put it, 'these estates radiate out from the city proper' and, it was claimed, 'created a potential labour





force in strategic areas which attracted and allowed “breathing space” for industrial expansion – and provided the “castle” for the working man and his family’. The Commission also built flats, first mainly in walk-up blocks, then, from the mid-1950s, in high-rise towers, such as John Northcott Place, a ‘Town in the Sky’ of 430 units in three 12-storey towers in Surry Hills, ‘designed mainly for business couples and families with grown-up children working in the city’.

Policy support for home ownership, however, remained paramount. Australia’s largest state program of direct assistance for home ownership was the War Service Homes scheme, which financed the construction of 265,000 dwellings in the period 1945–1971. From the mid-1950s, public housing policy was shifted to supporting home ownership too, with the 1956 CSHA concluded by the Menzies Government diverting 30 per cent of commonwealth funds to building societies and state banks to subsidise finance for home ownership. In the subsequent decade, public housing’s average share of completions declined by a similar proportion (in New South Wales, to about 12.5 per cent). Moreover, public housing authorities could sell much more of what they built – something Menzies and the state premiers had been looking forward to for some time. (After a conference with the premiers in 1953, Menzies is reported to have said ‘I do not want to see a state of affairs in Australia – and I am glad to gather that the premiers do not – in which governments are the universal landlords. I think that is a shocking position for governments to get into.’) In 1956–57, the NSW Housing Commission built 3030 dwellings – and sold 3,197. By 1969, the Commission would end up selling one-third of all the dwellings it had ever built (93,817 to that date).

From the 1960s, with public housing an established, if less preferred part of social liberal government, a new movement of social scientific investigation, both internationally and in Australia, began to uncover the persistence of

poverty amidst the prosperity of the post-war period. At first it was supposed that this would be addressed by extensions to government programs of social security and urban renewal but, by the 1970s, investigative attention was turning to the role of those very programs of government in the production of hardship and strife amongst poor households. So, for example, in his *Ideas for Australian Cities* (1970), Stretton defended both public housing provision and the suburban form of Australian cities, but lamented the reality: being a resident of a public housing estate was ‘like a yellow badge in a lifeless ghetto town to which it is public knowledge that no successful man would be admitted’ (page 167). These critical investigations were joined by community discontent with the paternalism of government institutions. In New South Wales, the strongest critics of the Housing Commission in the period – and, in particular, its plans for ‘slum clearing’ inner city suburbs and the construction of so-called ‘suicide towers’ in slum-cleared inner city suburbs – were the radical Builders Labourers’ Federation, working class residents action groups and community activists.

While progressive criticisms of public housing and other social-liberal government programs mounted, the long period of post-war economic growth ended and throughout the developed world a new agenda of market-led reformism was embraced by policymakers. Public housing in particular was rapidly recast from being one of governments’ solutions to poor housing and associated problems to being a problem itself. In the 1970s and 1980s, neo-liberal and neo-conservative governments turned strongly against public housing, reducing the size of public housing sectors, variously through cessation of new construction, sales of properties and, most spectacularly, the huge programs of demolitions in the US and the UK. They also shifted public housing’s target clientele from workers and their families to persons who are marginalised or excluded from labour and housing markets.

In Australia, where so much of the public housing stock was privatised a generation previously, the decline was slower, because the early Hawke Labor Governments of the 1980s continued building public housing to mitigate policies of wage restraint, but it took hold by the late-1980s and accelerated from the mid-1990s. Public housing’s share of dwelling completions fell from an average of 16 per cent over 1945–70 to nine per cent over the 1980s, and fell again to five per cent over the 1990s. Upon the election of the Howard Coalition Government in 1996, funding to social housing under the CSHA was cut and declined in real terms over the subsequent 10 years by 30 per cent, whereupon dwelling numbers began to decline absolutely. In New South Wales, the absolute loss of public housing was forestalled until relatively recently – but all the while the stock has become more rundown, and an increasingly poor fit for the changed clientele of public housing.

While the recent history of public housing is, on most measures, one of decline, it is also one of transformation, in potentially positive ways. As well as public housing, New South Wales has now developed a community housing sector to which state housing functions have been contracted out, in neo-liberal fashion. However, it is also in this sector that some of those older social objectives of security and dignity through housing are being maintained and rearticulated with greater responsiveness to the needs of individuals and communities; it is also where initiatives are forming to extend affordable housing again to working households for whom the private sector has failed to provide.

After the silence of public housing’s centenary year, the NSW State Government has recently had a little more to say about opportunities for growing social and affordable housing. It might yet come up with something to be proud of.

Chris Martin is a Research Fellow in Housing Policy and Practice at the City Futures Research Centre at University of NSW.

# COMMUNITIES PLUS: SOMETHING OLD SOMETHING NEW



COMMUNITIES PLUS IS THE NSW GOVERNMENT'S APPROACH TO RENEW AND INCREASE THE AMOUNT OF SOCIAL HOUSING STOCK IN NSW. THE APPROACH IS BEING USED IN THE REDEVELOPMENT OF THE IVANHOE ESTATE AT MACQUARIE PARK AND IS PROPOSED FOR THE WATERLOO REDEVELOPMENT. **CRAIG JOHNSTON** AND **GEOFF TURNBULL** EXPLAIN THIS APPROACH TO USING THE VALUE OF LAND TO BUILD NEW SOCIAL HOUSING.

In recent decades, and as noted in a report of the NSW Audit Office in July 2013, there has been a steady decline in the number of dwellings owned by the Land and Housing Corporation (LAHC) — most of which are managed as public housing, and some managed as community housing.

In the last couple of years this decline has been stopped, and LAHC has reported extremely modest net additions in the number of dwellings it owns. Now, LAHC is looking to actually build on the turn-around, and increase the numbers overall from the current 130,000 or so state-wide.

Some of the core factors that underpin LAHC's commercial viability have not changed (and might not change), in particular a customer base of mainly lower-income households. But there has been a steady increase in the value of the land owned by LAHC. This has occurred as a result of natural scarcity in Sydney, and rezoning to allow for higher density that has been driven by successive state governments.

Currently some of its public-housing estates and sites are located where value in those sites can be 'unlocked'. The sites can be redeveloped at higher densities (with high-rise or medium-rise buildings); with components of private for-sale dwellings and also with components of social housing and intermediate ('affordable') housing.

This is the basis of the *Communities Plus* initiative foreshadowed in a media release by social housing minister Brad Hazzard on 24 September 2015. It was followed by an industry briefing held in November and further clarified in the initial Expression of Interest (EOI) processes. The program has a dedicated website at [www.communitiesplus.com.au](http://www.communitiesplus.com.au).

Many of the aspects of the initiative are similar estate-redevelopment initiatives that we have seen in the last decade (such as at Minto and Bonnyrigg). The approach involves:

- a redevelopment of an existing estate or site,
- demolitions of existing dwellings and construction of new dwellings,
- greater densities because of favourable planning controls (in particular floor space ratios),
- redevelopment not to be undertaken by a government agency (but by a private-sector firm or community-housing provider or consortium),
- developers' profit to be enabled by greater supply of dwellings on the site and sale of a proportion of those dwellings to individual owners,
- replacement of the social-housing dwellings demolished with new social-housing dwellings,
- displacement of existing tenants,
- various place-making and commu-

- nity-engagement strategies, and
- property and tenancy management of the social-housing dwellings by a community housing provider (not by a government agency).

Unlike some other estate redevelopment initiatives of recent years, there has not been the 'break-up the dysfunctional estates' rhetoric around *Communities Plus*. Rather, it has been cast around a need to grow the supply of social-housing dwellings, a practical path for financing that growth as well as a need to replace dwellings that are no longer 'fit for purpose'.

The initial package of seven sites involved the Ivanhoe public housing estate at Macquarie Park in North West Sydney and six smaller scattered sites within and outside Sydney. A number of smaller sites have since been added, along with Waterloo. Most of the \$22 billion redevelopment of public housing estates announced as part of the Government's *Future Directions for social housing in NSW* policy (released in January 2016) are expected to be via *Communities Plus*.

The NSW Government has focused growth on the precincts where it can get greater densities, as part of a broader strategy of redeveloping town centres and precincts around transport nodes, and nearby estates get absorbed in the development. You can see this in the following examples:



- The Ivanhoe estate 259 dwellings at Macquarie Park in a middle-ring suburb close to a transport node, a university and a growing commercial centre, will be developed over 8–10 years.
- According to 2011 Census Telopea has 468 public housing dwellings making up 20% of the suburb. Telopea sits on the route of the proposed Parramatta Light Rail Project and is expected to be developed over 10–15 years.
- Redeveloping Waterloo estate's 2,013 dwellings have been used as part of the case to place a new Waterloo Metro station next to the estate in a redevelopment expected to take 15–20 years.

LAHC's intention is to cap social housing at each of the *Communities Plus* sites at 30% of the total new dwellings.

UrbanGrowth has advised that at Waterloo it is proposed there will be more than the existing 2,013 public housing units on the estate, that there will be 5,000 additional private units (some of which will be affordable housing) and that social housing will equate to around 30% of the development. At Ivanhoe, LAHC in its 'Registration of interest' estimates of some 2,470 dwellings to be delivered on its land include about 550 (22%) social housing and 120 (5%) 'affordable' rental housing.

LAHC will insist that the design of apartment buildings not distinguish between those used for social/affordable rental and privately-owned housing.

A paper released as part of the tender for some of the smaller sites was analysed by the Tenants' Union NSW and gives some indication of how the scheme may work.

- "The program is predominantly seeking one and two bedroom dwellings as social housing, with a preference for more two bedroom

***"Communities Plus ... has been cast around a need to grow the supply of social-housing dwellings, a practical path for financing that growth as well as a need to replace dwellings that are no longer 'fit for purpose'"***

dwellings. A number of dual key dwellings could be attractive as they provide greater flexibility."

- "as a minimum, the social housing will be required to meet the Silver Level of the Liveable Housing Design Guidelines as published by Liveable Housing Australia." This covers eight core design elements of most widespread benefit including step free access to the unit, a toilet and shower, as well as reinforcing for easy adaptation of bathroom and stairs.
- "Passive environmental design, which maximise solar access, orientation and cross flow ventilation to reduce energy heating, cooling, lighting and clothes drying costs...will be a requirement".
- LAHC will seek to optimise its commercial return for the land it contributes to the project, whilst adding to the overall supply of social housing and "seamlessly integrating" social, affordable and private market housing.
- "LAHC would retain ownership of the land until the project is completed and would appoint a Proponent to develop the site at the Proponent's cost. The proponent earns a return through a development fee equal to the proceeds of sale...[land] will be responsible for and accept all risk selling the private dwellings".
- The government anticipates that affordable residences will be owned or controlled by the developers, and managed by a registered

community housing provider.

Further, "it is not intended the value of land contributed by LAHC will fund the affordable housing component." These residences will be managed according to Department of Family and Community Service guidelines as to what constitutes affordable rental housing.

- The paper also notes that parties contracted to construct and manage the sites will not be able to draw on funding from other NSW Government housing initiatives, such as the Social and Affordable Housing Fund.

Any redevelopment relocates tenants. On the larger Waterloo estate, it is expected people will be relocated early in the development to surrounding suburbs. Later in the development it should be possible to move people directly into their new housing on the estate. In smaller developments an interim move is likely.

Many key questions remain unanswered. It is unclear what input current public housing tenants will have into the decisions that will affect their future. Issues of concern for current tenants are those that shape their neighbourhood, aspects of the redevelopment, the relocation process, engagement (information, consultation, participation) and the shape of the new built form.

Craig Johnston is the Principal Policy Officer at Shelter NSW. Geoff Turnbull is the Co-Editor of Inner Sydney Voice Magazine.

AN IMPORTANT COMMUNITY HOUSING INPUT TO THE WATERLOO ESTATE RENEWAL PROJECT LOOKS LIKELY. **HAL PAWSON** EXPLAINS THAT IN REPLACING THE ESTATE'S RUNDOWN PUBLIC HOUSING, A COMMUNITY HOUSING ORGANISATION MAY BE BROUGHT IN TO MANAGE THE NEWLY BUILT LOW RENT PROPERTIES.

## IS COMMUNITY HOUSING SET TO FEATURE IN THE WATERLOO ESTATE REBUILD?

**T**riggered by the December 2015 NSW Government announcement of a new station nearby, the Waterloo Estate is set for a huge revamp over coming years. Existing public housing units will be replaced by an equal number of new low rent flats built to modern standards, with all current residents entitled to one of these replacement homes. To pay for this, valuable surplus land freed up on the site will be sold for private housing development so that the rebuilt estate will have a greatly increased number of homes, overall.

The Waterloo project is part of the NSW Government's state-wide *Communities Plus* estate renewal program. Under this model private developers partner with community housing providers to replace outdated estates with new low rent homes, alongside properties built for market sale. With Waterloo tenants having a 'right to return', these 'returning' (or remaining) residents are likely to find their new homes managed by a community housing provider rather than by the State Government's Department of Family and Community Services (FACS). Why would the Government choose to do this and what will it mean for tenants?

### WHAT ARE COMMUNITY HOUSING ORGANISATIONS?

Community housing organisations, or CHOs, are not-for-profit bodies set up to build and manage affordable rental housing. Like public housing, CHO properties are generally rented out at 25% of tenant income (unless that income exceeds an equivalent 'market rent' for that property). For landlord and tenant responsibilities, CHO

tenancy agreements are also similar to those in public housing.

Important in ensuring CHOs maintain a good standard of service and efficient operation is their supervision through national regulation. Under this system the NSW Registrar of Community Housing keeps a watchful eye on all listed CHOs operating within the state, periodically checking that each organisation is 'compliant' with clearly defined minimum standards. This level of external scrutiny is unmatched for public housing.

In NSW around 30,000 tenants rent their homes from CHOs compared with around 110,000 renting a public housing property from FACS. Although there are hundreds of individual CHOs across Australia, most have only a handful of properties. The bulk of CHO tenancies are managed by a few larger organisations. In Sydney, these more significant players include Bridge Housing, St George Community Housing (SGCH) and the Women's Housing Company.

### WHAT HAPPENS WHEN PUBLIC HOUSING TENANCIES ARE 'TRANSFERRED' TO COMMUNITY HOUSING?

Across NSW, many renting from CHOs are former public housing residents whose tenancies have been 'transferred' to a CHO at some time over the past 10 years. When this happens, tenants are normally protected against any loss of existing rights.

For Waterloo tenants who see their current public housing tenancy transferred to a CHO on the rebuilt estate, the State Government has indicated that lease length (unlimited or fixed-term) and other terms and conditions (such as whether pets are allowed) will

remain unchanged. Rents will also be set at an equivalent level to what would be charged in public housing, leaving tenants' net income after rent payment unaffected by the change of landlord.

### WHY ARE GOVERNMENTS WANTING TO EXPAND COMMUNITY HOUSING?

Both in NSW and in other states, governments have actively promoted the expansion of community housing over the past 10-20 years. This has happened for several reasons. The most important is the view that CHOs have the potential to provide a more personalised and responsive tenancy management service than public housing providers. The better results achieved by CHOs are reflected in the higher rates of tenant satisfaction recorded by CHOs compared with public housing landlords. In NSW, for example, the latest figures show 79% of CHO tenants 'satisfied with overall landlord service' compared with only 65% of public housing tenants.

One reason that CHOs are rated more highly by tenants is that they can afford to spend a bit more on housing services. This is partly because low income CHO tenants are eligible for Commonwealth Rent Assistance (CRA). This is a Centrelink benefit that can be claimed to top up the rent a low income CHO tenant can pay, without any reduction in their net income, as compared with what their situation would be as a public housing tenant. For a CHO, the ability to have tenant rent payments topped up through CRA means the organisation's rental income can be about 50% higher than what it would be for a public housing



provider managing the same estate with the same tenants. This puts a CHO in a better position to keep its housing in a good state of repair and/or to invest in new affordable housing.

As a charitable organisation, a CHO can also benefit from tax concessions such as GST-exemption. This means CHOs can make tenants' rents go further when it comes to buying in property repairs or other tenant services.

Another reason that some governments have chosen to transfer public housing to CHOs is because, being non-government organisations, CHOs are less bound by restrictions on borrowing funds to invest in new housing that can add to overall affordable housing supply. A local example involved the 6,000 social housing dwellings built by the NSW Government between 2009 and 2012 as part of the Commonwealth Government's economic stimulus program to counter the risk of recession due to the 2008 Global Financial Crisis. In return for receiving the 6,000 new homes, CHOs

committed to taking out debt to build an additional 1,200 affordable rental properties over the following decade.

However, this kind of deal can work only with significant government help – in this case provided by transferring ownership of the 6,000 new properties to CHOs at no charge. Although community housing finances are slightly stronger than those of public housing departments, the difference is nothing like enough to enable CHOs to build new or replacement social or affordable housing properties without additional government support or 'subsidy' of some kind.

Unlike public housing departments, there's a certain amount of competition between larger CHOs looking to be chosen by Government as a partner organisation on estate renewal or other housing development projects. Governments believe competing helps to keep CHOs 'on their toes'. This connects with a bigger argument that, by moving away from a social housing structure overwhelmingly dominated by a single

public housing provider, expanding the number of viable CHOs will benefit tenants and the wider community through a more competitive system.

## DIFFERENCES IN POWERS

There is one significant difference between CHO powers compared with those of a public housing landlord. Although seldom used, CHOs in NSW have the legal authority to end a tenant's lease without needing to jump through the same legal hoops as the public housing authority. Some have argued that this is an important aid in dealing with serious antisocial behaviour.

A similar difference in powers exists between public (council) housing and not for profit housing in England. English housing associations (the equivalent of our CHOs) likewise have 'no cause eviction' powers not available to councils. Although rarely used by English housing associations, the existence of these powers has understandably led to anxieties among English public (council) housing tenants facing possible transfer to housing association management.

Recognising these concerns, associations looking to take on former council housing have often contractually guaranteed no use of these powers for transferred estates. Here in NSW a similar pledge could possibly be offered by any CHO in line to take on ex-public housing tenants in NSW. Alternatively, a similar safeguard could be included in any new legislation the government might enact to underpin future transfers.

## LOOKING TO THE FUTURE

The NSW government has recently announced plans for another batch of public housing transfers to CHOs, state-wide.

A decision on whether the low rent part of rebuilt Waterloo estate will be part of these plans should be revealed in coming months.

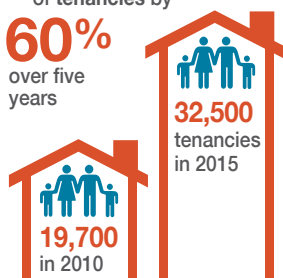
References and further reading can be found in the online version of this article.

Hal Pawson is Professor Housing Research and Policy and Associate Director at the City Futures Research Centre, UNSW

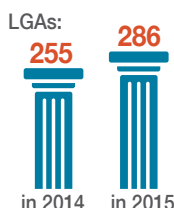
## COMMUNITY HOUSING IN NSW: STATE OF THE SECTOR

In 2015, the 20 largest community housing providers:

► Increased the number of tenancies by **60%** over five years



► Provided good quality homes in **31** new council areas



► Tripled their profitability in three years \*EBITA



In 2015, the 20 biggest community housing providers had:

✓ A net worth of almost **\$3 billion**

✓ More than **\$200 million** in bank debt invested in affordable housing

✓ Employed nearly **900** dedicated staff

✓ A rental income stream of **\$300 million**

✓ **97%** of urgent repairs completed on time

✓ Arrears less than **2%**

source [www.communityhousing.org.au](http://www.communityhousing.org.au)



## WHAT IS AFFORDABLE HOUSING AND WHY DO WE NEED IT?

WHEN CITIES PROSPER, HOUSE PRICES AND RENTS TEND TO RISE. SO THE LOSS OF LOWER PRICED HOMES TO RENT OR PURCHASE CAN BE AN UNFORTUNATE BY-PRODUCT OF SUCCESS FOR GLOBAL CITIES SUCH AS SYDNEY.

**NICOLE GURRAN** EXPLAINS THE PROBLEM AND WHAT CAN BE DONE ABOUT IT.

**T**here is clear evidence that this problem has been growing in Sydney for many years. Concern about the loss of low cost rental apartments and boarding houses was first raised in the 1980s when the inner city began to gentrify and attract new residents and tourists. Since this time there has been a steady decline in affordability across the metropolitan region. By June 2015, less than two per cent of Sydney's home sales and only 18% of rental properties were affordable to those on low incomes (down from a third of all rental properties in 2001). Over 70% of low and 95% of Sydney's very low income earners were in "housing stress" at the time of the 2011 census – paying more than 30% of their income on rents or mortgage.

A lack of housing options near jobs forces people to travel long distances and work longer hours, while others might be unable to participate in the workforce. Low income households often live in overcrowded and inadequate conditions, and forgo basic requirements for food, medicine, or education. As well as social costs, an inadequate supply of housing choices may undermine global competitiveness in an international economy which depends on 'key workers' such as police, nurses, automobile mechanics and teachers. International firms may hesitate to invest in cities where their staff will face high housing costs.

### ISN'T NEW AND DIVERSE HOUSING SUPPLY ENOUGH?

Some say that an increase in the supply of new and diverse dwellings – particularly medium and higher density apartments – should resolve affordability problems.

But over the past decade there has been a phenomenal growth in the number of new dwellings in the central Sydney region, with the majority being medium



and higher density apartments. In the City of Sydney area an additional 21,641 dwellings were added in the decade between 2001-2011; an increase of 25% in the housing stock. This compares to a 10% increase across the entire Sydney metropolitan area, roughly in line with the city's net population growth. Yet affordability problems have worsened over this time.

Neither the supply of social housing, nor new residential development produced by the market, has been able to meet the needs of Sydney's low or moderate income earners. So more must be done to support the provision of affordable housing, for these lower and moderate income groups.

## DEFINING AFFORDABLE HOUSING

The term 'affordable housing' is used in many different ways by policy-makers, politicians, and the property industry, and indeed varies across Australia. Broadly speaking, affordable housing means homes that are available for low and moderate income earners to rent or purchase, while still meeting other basic needs like food, transport, electricity, health care, education and so on. Housing costs of up to 30% of income are usually said to be 'affordable' for very low, low or moderate income households. Currently, that means income levels of around \$24,000 for a very low income individual to \$120,900 for a moderate income couple with two children.

Many types of accommodation can fall within the affordable housing umbrella. However, a distinction is often made between 'affordable' and 'social' housing since a wider group of people are eligible for affordable housing, and the forms of provision are more diverse. Adequate quantities of 'affordable housing' usually depend on government intervention and funding.

Affordable housing might be offered as a fixed term lease for below market cost (80% of market value is a common benchmark). In NSW, 'affordable housing' has been defined as rental accommodation for very low, low and moderate income groups. By serving a wider range of income groups, including moderate income earners who can pay higher rents, affordable housing providers are able to cross subsidise their operations.

Other jurisdictions like South Australia and the ACT, extend the definition of affordable housing include low cost home ownership – offered at a discounted price or on an equity sharing basis. In South Australia, where the planning system requires that 15% of housing in new residential areas be affordable, eligible households can obtain a discounted purchase price or enter into an equity sharing arrangement. These models can be structured so that the subsidy (and a portion of capital gains) can be recycled to provide an ongoing funding stream.

In addition to the use of government land, financial grants or incentives, the planning system often leverages affordable housing as part of new projects. Internationally, the benchmark requirement for affordable housing inclusion is usually around 15-30%, depending on the amount of government land and other resources invested in the scheme, and on the extent of value uplift associated with planning approval. Under South Australia's 15% quota providers of social rental housing or eligible households can obtain a discounted purchase price for dwellings delivered in this way.

Lower-cost forms of housing delivered through the private market for rent or purchase – such as modest apartments, senior's accommodation and sometimes boarding houses – can also be a critical supply of affordable

accommodation. It is important to monitor the availability of such housing in the market and to encourage its ongoing provision.

## AFFORDABLE HOUSING DEVELOPMENT IN INNER SYDNEY

Affordable housing is often provided by non-profit management and or housing developers, but could also be developed by the private sector. In Sydney, the City West housing company was established in 1994 to develop, build, and manage affordable housing initially in the Pyrmont/Ultimo urban renewal area and now over a wider area. Currently, City West has delivered over 730 units of affordable rental accommodation in Pyrmont/Ultimo, Green Square, and North Eveleigh (which won the UDIA NSW Excellence in Affordable Development award in 2015). However, overall less than one per cent of new supply in major renewal areas such as Green Square / Victoria Park has been in the form of dedicated affordable rental units.

While investing in transport infrastructure and new urban facilities improves accessibility and catalyses housing and economic growth, it is critical to ensure that these benefits are not solely capitalised in higher rents and prices which exacerbate the affordability pressures faced by lower income groups. Rather, the value created through urban renewal and development processes can and should be used to leverage a pipeline of diverse and affordable homes to meet the needs of households across the income spectrum.

**Nicole Gurran is Professor of Urban Planning at the University of Sydney where she teaches and researches on housing and urban policy. References and further reading on the issues in this article can be found in the online version.**

# SOCIAL MIX AND THE CHALLENGES IN CREATING IT

URBAN PLANNERS AND GOVERNMENT POLICY MAKERS OFTEN ADVOCATE HAVING A SOCIAL MIX WITHIN A PARTICULAR SPATIALLY DEFINED AREA, SUCH AS IN NEIGHBOURHOODS WITH HIGH CONCENTRATIONS OF PUBLIC HOUSING.

**KATHY ARTHURSON** LOOKS AT THE THEORY AND PRACTICE OF SOCIAL MIX.

**T**he term 'social mix' is commonly used interchangeably with tenure mix, which refers to the nature of housing occupancy. As such, this may include homeownership, private rental, public housing and community housing, with the different housing tenures all situated in the same location. This is considered an important aspect of planning policies that aim to build sustainable and vibrant communities.

## THE ORIGINS OF THE IDEA OF SOCIAL MIX

Many contemporary ideas underpinning social mix as a planning tool have a long history, although its popularity waxes and wanes at different times. In Victorian England, for instance, support for social mix was a response to social class segregation due to slum housing concentrated in industrial cities. Locating housing for the working classes amongst middle classes was seen as a way for the poor to gain role modelling about proper forms of behaviour – and to maintain their health and vitality as a labour force for expansion of industrial capitalism.

Recently, making changes to social mix has become linked to policies of Australian public housing estate renewal. Concentration and segregation of public housing households on estates is perceived as causing stigma and other negative effects. Lowering the amount of public housing on estates, dispersing tenants amongst homeowners and private renters, and attracting home buyers to estates is characterised as a mechanism to fix the problems. Many developments arising on former public housing sites are designed to achieve a 'social mix', of no more than 30 per cent public or community housing tenants.





## THE CHALLENGES OF IMPLEMENTING SOCIAL MIX

Australian research that has sought public housing tenants' views about social mix policies shows that they are not a quick or even appropriate fix for the 'problems' of public housing. The policies rely on a simplistic explanation about lack of proximity of tenant households to home owners as a cause of problems and ignore other important issues. The reduced supply of public housing, reductions to funding, tighter targeting, and effects of economic and industry restructuring on employment opportunities have all impacted on the demographic mix of tenants. It is these factors that have led to increased stigmatisation of public housing, and exacerbated housing related poverty traps, not lack of social mix.

Certainly it is preferable in constructing new housing on vacant land (that hasn't previously been developed) to have a mix of different housing tenure groups, in order to provide affordable housing, create urban diversity and accessibility to services for different groups. However, when tenure mix is changed on existing public housing estates people already live there. Many are long term residents. Estate renewal generally requires tenant relocation, and as the concentration of public housing is reduced overall some existing residents have to move permanently to other areas. But of course those that are able to return to the regenerated estate should get better quality public housing than before.

## SOCIAL MIX IN HIGH RISE DEVELOPMENTS

The consistency of the housing tenure mix that is implemented varies. It might comprise a fine grained (salt

and pepper) mix - where residents from different housing tenures are located next door to each other. Alternatively the mix might be 'thinner' with different tenures clustered in particular pockets of the neighbourhood, or on one side of the road. All the public housing, for instance, might be clustered in the western corner of the neighbourhood.

Similarly, in high-rise buildings public tenants and home owners may live along-side each other, be grouped on different floor levels or live in separate buildings. At the Carlton Redevelopment Project (Lygon Site) in Melbourne all the public tenants are in one building and the private tenants' apartments are located in two separate buildings. Originally it was planned to have a 'salt and pepper' mix of public and private units in the same buildings to break down social barriers between tenure groups. The complex includes an enclosed courtyard garden, visible from all three buildings but only accessible to residents in private buildings. Research in 2014 by Iris Levin, Kathy Arthurson & Anna Ziersch found this design is not conducive to social integration.

## SUPPORT NEEDED TO MAKE SOCIAL MIX WORK

What did bring different tenure groups together in a productive way at Carlton was the 'Eco-Carlton Project' - residents interacted in learning about the special environmental features installed in the three buildings. Participants in Eco-Carlton said that having a social mix on the estate was worthwhile, although research in 2015 I participated in found, that to maintain ongoing social interactions between the different tenure groups, more community development work was needed.

In some instances, private residents were against a salt and pepper mix as they thought this would lower their property values. This viewpoint highlights that any changes to social mix must be carefully managed to avoid recreating conditions of stigma and exclusion for public tenants. Otherwise, according to research, places of social mix may become new spaces for social exclusion through identification of 'us' - private owners who purchase properties - and 'them' - public tenants paying subsidised rents to government for their housing.

## SUMMARY

Policy makers have not made a strong case for funding and support to address the long term viability and growth of public housing. The provision of stronger connections with support services in homelessness, education and health are also critical. Adopting social mix policies in estate renewal has become a convenient cover for the public-private mix and economic partnerships that come at the cost of selling off large amounts of public housing. Given the complexity of the issues it seems odd, if not counter-productive to focus on public housing concentration as the main problem and changing social mix as the solution. Especially when targeting of public housing only to people with high needs works against having a future social mix within public housing.

Associate Professor Kathy Arthurson is Director, Neighbourhoods, Housing and Health @ Flinders, Southgate Institute for Health, Society and Equity at Flinders University of SA. References and further reading on the issues in this article can be found in the online version.



## FUTURE DIRECTIONS FOR SOCIAL HOUSING IN NSW: IS IT GOOD POLICY?

THE REDEVELOPMENT OF PUBLIC HOUSING ESTATES AND THE MANAGEMENT OF TENANTS WILL TAKE PLACE WITHIN THE CONTEXT OF THE RECENTLY RELEASED FUTURE DIRECTIONS POLICY. **PETER PHIBBS** WHILE ACKNOWLEDGING THE IMPORTANCE OF THE POLICY, ALSO RAISES SOME SIGNIFICANT CONCERNS.

**L**et me say at the start – if you are working for the Government, it's hard to write good policy. If you are the Minister it's hard to get good policy through a cabinet process, especially when you are dealing with colleagues who have little real experience of your portfolio.

There are a lot of good things in the Government's Future Directions document. For a Minister from a conservative Government to be able to attract substantial funds to increase the level of social housing and to renovate a large number of existing dwellings – Is a fantastic outcome for social housing. And who would argue about a plan that wants to improve the experience of social housing tenants? Another big tick.

However, I have some significant concerns with the document. One is the notion that people will transition out of social housing and into the private rental market. Clearly a lot of people do this already. An AHURI study on Social Housing exits led by Ilan Weisel from City Futures (*AHURI Research and Policy Bulletin Issue 190*) quantified the level of exits in some detail. The study found that annually, vacancies caused by voluntary tenant-initiated exits represent approximately five per cent of all public housing stock. It also found that about a quarter of tenants who

entered social housing in 2007 voluntarily exited within six years, although some of these will have subsequently re-entered or sought to do so.

The study suggested that increasing the level of exits from social housing of people who are unable to sustain a private market tenancy is likely to be counterproductive. This is the risk for a policy that sets a target of doubling the level of successful exits from public housing.

The problem is a simple one. Private rental markets, particularly in Sydney, are very difficult places for low income households. Tenancies are very expensive and often insecure, since the majority of investors are focussed on their returns from buying and selling property and not holding them long term. Moreover, social housing tenants who do find work are often employed on a casual or contract basis in low wage industries. In market terms, social housing tenants in this situation are facing revenue risk (from uncertain employment outcomes), cost risks (from increasing rents) and eviction risks (from landlords who want their rental properties vacant so they can sell them). Social housing tenants who voluntarily moved out of social housing in these circumstances would be exposing themselves to a number of short term and long term







risks, and social housing landlords would be likely to have a duty of care to counsel them against leaving, rather than having a KPI to move them on.

People are “staying” in social housing not because the social housing system is broken – rather because the private rental market is unsuitable as a long term tenure for people on low and moderate incomes in Sydney. Fixing it would require a radical change in private tenancy laws (not likely given the tenor of the recent discussion paper on *Tenancy Law Reform in NSW*) and a real effort by the NSW Government to address affordable housing. The Policy document talks about a joined up process between agencies, but it is not very evident. The reference to Fair Trading is very vague: “FACS will also work with the Department of Fair Trading to examine ways to make the private rental market more suitable for people on low incomes” (page 15).

My other concern with the document is the lack of evidence in the policy. For a document which was a long time in the making and included a significant amount of public resources devoted to a number of large consulting reports, why couldn’t we see more evidence in the policy. In particular, why wasn’t there a systematic examination of the costs and benefits of some of the new programs in the policy.

For example, making the poorest people in our community pay rental bonds to FACS Housing seems like a strange policy. To write as a justification that you are preparing them for a transition to the private rental market, when most of them won’t go near the private rental market (for reasons outlined above) does seem strange. Would the tenants be better off spending \$1400 on the education of their kids rather than having it locked away in the Rental Bond Board? If it’s about the tenant damage issue, why not use it as a “stick” for tenants who

damage their property rather than for every tenancy. How much will it cost to administer and will these costs exceed the assumed benefits? What are the equity issues with only applying it to new leases? It seems like a thought bubble by someone in the Minister’s office rather than a carefully considered policy. It clashes in a spectacular way with the policy aim of “A better social housing experience”.

My final comment relates to the issue of “joined up services”. This is a crucial issue for social housing tenants, particularly for children living in social housing. Education could have a transformational role for children of social housing tenants (think TAFE programs in housing construction and maintenance). So what is the only educational initiative mentioned? It is:

*“Commissioning a joint research project to determine the extent that living in social housing explains under performance, beyond that which is explained by socio economic status.”*

As a housing researcher, this makes me despair. AHURI has undertaken a range of housing research that demonstrates exactly the opposite. Children who move into social housing have a better educational experience than kids operating in the private rental market. There are a number of reasons for this, but the main ones are increased housing, and hence school, stability and increased disposable income of parents who can now help support their children by connecting them to the internet, buying books etc. (see *AHURI Final Report No. 47 Housing assistance and non-shelter outcomes*).

The NSW housing agency actually helped pay for the research. Someone in FACS should go and read it.

**Professor Peter Phibbs is the Chair of Urban and Regional Planning and Policy at the University of Sydney and also Director of the Henry Halloran Trust at the same University.**

# CAN THE PEOPLE PROBLEMS BE FIXED BY ESTATE REDEVELOPMENT?

ESTATE RENEWAL AND HOUSING MIX IS PORTRAYED BY GOVERNMENT AS A FIX-ALL FOR PUBLIC HOUSING ESTATES. **GEOFF TURNBULL** ASKS CAN NEW BUILDINGS ALONE REALLY ADDRESS THE PROBLEMS CREATED WHEN GOVERNMENT PLACES PEOPLE WITH HIGHER AND HIGHER NEEDS INTO PUBLIC HOUSING WITHOUT THE WRAP AROUND HUMAN SERVICES NECESSARY FOR THEM TO KEEP THEIR TENANCIES AND ADDRESS THEIR ISSUES.

**P**ublic housing started out as workers' housing. Early public tenants had to prove their house keeping skills were good enough to look after public housing and that they had a steady job to pay the rent. While some now elderly tenants came in to public housing on this basis, those entering public / social housing now do so on a very different basis.

When public housing construction did not keep up with demand, it started being allocated on the basis of need. While once everyone worked, this is now the exception. The waiting list of eligible people blows out as those with greatest need get priority access to scarce public housing.

Today's public tenants now have greater need for human services. Issues of aging and failing health face older public tenants. The issues for many of the new priority tenants are often complex and multifaceted. Alcohol and other drugs, mental health, domestic violence, homelessness, disability, trauma and institutionalisation in the prison system.

The human service needs of both groups require an integrated / wrap around approach that Redfern, Waterloo and Glebe groups have been request-

ing for a long time. Without a holistic approach for example, people with drug and psychiatric issues are pushed back and forwards between specialised drug, psychiatric and family agencies.

The failure of governments to adopt all the 1983 Richmond Report recommendations to provide de-institutionalised alternatives for the "psychiatrically ill and developmentally disabled"; the lack of resources for mental health; alcohol and other drugs support; and the lack of rehabilitation in prisons, all leave public housing bearing the externalised consequences of policy decisions in other parts of government, without the resources to address the issues that impact on those they are expected to house.

The 2016 FACS Housing *Future Directions* policy proposes "wrap-around" services to support tenants build their capabilities and take advantage of the economic opportunities". Hopefully it will produce better results at a local level than previous human service government agreements. Crucial to the success of "wrap-around" services, be it one stop shops or other ways of delivering services, are mechanisms for front line workers and NGOs to identify and report the lack of integration being experi-



enced by their clients and to have those problems addressed. Local services have proposed a mechanism for this.

The *Future Directions* suggestion to place a referral role in the new community housing approach will be no more successful than current referrals unless there is funding to increase delivery capacity for services when they are required.

As someone dies or exits public housing when they gain employment they will likely be replaced by a person or family with similar or higher needs, so it has the effect of further concentrating the disadvantage in public housing rather than addressing it.

One of the concerns for agency workers is that while tenants must establish evidence of high need to be allocated priority housing, there is no follow through to ensure that ongoing support is being accessed or that complex diagnoses are being case managed.

So some tenants create problems for





their neighbours by exhibiting anti-social behaviour and have difficulty keeping their tenancy. Neighbours have an entitlement to “quiet enjoyment” of their homes which may not be possible if their neighbour is going through an episode of psychiatric illness or drug, alcohol or violence issues.

The problematic behaviour that governments are seeking to address by estate redevelopment is a consequence of the housing and allocation policies of successive governments and the failure to fund sufficient human service support to the tenants they allocate to, and concentrate in, public housing.

Given all of the above, what happens in human service delivery becomes crucial, both for those with human service needs and their neighbours. In private complexes like Meriton, residents also experience anti-social behaviour. Tenure mix will bring additional issues and service needs. Without the human services aspects being addressed we

will not only see the current problems being carried over into new buildings, but due to the higher density housing, the consequences of any psychiatric or drug or alcohol event is likely to impact on far more people. Even if they have experience of bad behaviour in private developments, it is unlikely that private owners or renters will tolerate the level of behaviour FACS Housing have expected its tenants to tolerate.

A mixed tenure redevelopment with all those high income private owners and renters in the same area as public housing tenants with high needs will mean on average that the statistics will appear greatly improved. On the flip side it will be much more difficult for agencies to make the case to fund services for the less statistically visible part of the community with high needs that remains. Less land owned by government may also mean it is more difficult to find space to provide new services as they become needed.

The success of any redevelopment will be dependent on significant human service improvements for the public tenants. Agencies argue that if support systems for public tenants worked properly a lot of the pressure to renew public housing to “fix the problems” would not exist. Rolling out robust human services support in both Redfern and Waterloo estates prior to, during and after the Waterloo redevelopment would provide an opportunity to compare how human service improvements alone compare with estate renewal to address estate and tenants’ issues.

The final part of the human service – development picture is that redevelopment creates new human service problems and brings to light issues that are hidden from services.

Currently, for example, local community centres are not funded to deal with most of the public housing community who walk through their doors. They are funded by the state for families with children, but not to deal with older tenants or those with high needs where funding has moved to individualised federal packages that do not contribute

to such local community wide services. The Waterloo announcement has already created an increase of walk-ins to community centres by anxious tenants. This will significantly ramp up as people see plans for areas where their homes currently sit and as they face their relocations.

As FACS starts to knock on doors it will begin to uncover issues that it was not aware of, like tenants with restricted sight being able to operate around their own home but not being able to cope with a new environment, or people with dementia who have reverted to their birth language and cope only because their existing neighbours come from the same language group.

The Millers Point relocations highlighted that many people survived outside the formal health system because of social networks which were fractured during relocation. At the centre of the human services re-development issue is that redevelopments break community cohesion and support networks. The informal supports people have relied on are often no longer accessible, resulting in an increased demand for government funded services. This is the reason why minimising the disruption of communities during redevelopment should be a priority for government and service providers.

Usually the increased human service demands around redevelopment are only handled short term when people are relocated during building. Long term issues of providing support for people dislocated from their community, re-establishing supportive communities and supporting people with high needs in new public / community housing, are challenges the government often does not address. However, without such human service support constructing new buildings will not lead to the promised improvements for tenants and their neighbours.

**Geoff Turnbull is Co-Editor of Inner Sydney Voice Magazine and the Treasurer of Counterpoint Community Services**



# 5 KEY CHANGES TO SOCIAL HOUSING LAWS

ANTI-SOCIAL BEHAVIOUR AND HOW TO TACKLE IT HAS BEEN A CONTENTIOUS ISSUE IN PUBLIC HOUSING. ON ONE SIDE IS PEOPLE'S RIGHT TO "QUIET ENJOYMENT" OF THEIR TENANCIES AND ON THE OTHER SIDE PEOPLE WITH HIGH AND COMPLEX NEEDS ARE ALLOCATED HOUSING WITHOUT ADEQUATE SUPPORT TO HELP MAINTAIN THEIR TENANCIES. **THE TENANTS' UNION NSW** EXPLAINS THE THREE STRIKES PROCESS THAT CAN LEAD TO MANDATORY TERMINATION.

In October 2015, NSW Parliament passed *Residential Tenancies and Housing Legislation Amendment (Public Housing - Antisocial Behaviour) Act* changing the rights and responsibilities of all social housing tenants in important ways. FACS Housing began using these new rules against public housing tenants from 22 February 2016 with community housing providers to follow.

Many of the new rules are highly complex. So *The Tenants' Union* has put together a guide to the five most important changes for tenants, community advocates, support persons – just about anyone who is not a lawyer – and reproduced it in full here.

## 1. STRIKE NOTICES

Social housing landlords can use a system of three 'strike' notices. These

are letters issued by the landlord to the tenant when the landlord believes the tenant has breached the tenancy agreement, but the breach is not serious enough to terminate the agreement.

A strike notice is only an allegation against the tenant. But if a tenant has received two notices in a 12-month period, the landlord may seek termination of the tenancy from the Tribunal instead of issuing a third strike.

FACS Housing's policy is to issue strike notices against tenants for alleged antisocial behaviour (for example, hosting a loud party where bottles were thrown onto the street). But the new law allows social housing landlords to issue strike notices for any alleged breach.

### ALLEGATION LETTER

FACS Housing's policy is to first send the tenant a letter concerning the


alleged breach. This letter describes the alleged conduct and provides the date it is said to have occurred. It invites the tenant to attend an interview to discuss the allegation. The tenant should attend this interview, or immediately contact FACS Housing if they are unable to attend at the nominated time. A tenant should take an advocate or support person to the interview.

The law does not require landlords to send an allegation letter, and community housing providers may choose not to.

### WARNING NOTICE

If FACS Housing decides that the tenant has committed the breach, and the tenant has not received a strike notice in the previous 12 months, it will issue the tenant with a warning. This does not count as one of the strikes required to seek termination of





***“These changes are highly complex. The consequences for affected tenants will vary greatly depending on the alleged conduct and the circumstances of the tenant and other residents”***

the tenancy at the Tribunal.

The law does not require landlords to issue a warning notice, and community housing providers may choose not to.

#### **STRIKE NOTICE**

If the landlord decides a tenant has committed a breach – and in the case of a FACS Housing tenancy, the tenant has already received a warning notice in the last 12 months – it may issue the tenant with a strike notice.

The letter must describe the conduct, provide the date it is said to have occurred, and explain why the landlord thinks this was a breach of the tenancy agreement. It must also allow the tenant to write to the landlord to dispute the strike notice and ask that it be withdrawn. Disputing a strike in this way is useful in any later termination proceedings (see ‘Termination for three strikes’).

#### **REVIEW OF A STRIKE NOTICE**

If a tenant has written to the landlord to dispute a strike notice, and the landlord has decided not to withdraw it, the tenant may ask for the strike to be reviewed by a separate panel. The landlord must allow the tenant at least 21 days from its decision not to with-

draw the strike to ask for a review. The review panel can confirm a strike or require the landlord to withdraw it.

FACS Housing uses the Housing Appeals Committee as its review panel. Community housing providers are expected to do the same.

#### **TERMINATION FOR THREE STRIKES**

If the tenant has received two strike notices in the previous 12 months, the landlord may issue a notice of termination to the tenant instead of a third strike. This allows the landlord to apply to the Tribunal for orders terminating the tenancy for the three alleged breaches.

The Tribunal may not be able to consider all the evidence regarding strikes one and two when deciding whether to order termination. If the tenant did not write to the landlord to dispute strikes one and two, the Tribunal may be forced to accept that the breaches occurred.

#### **2. NEIGHBOURHOOD IMPACT STATEMENTS**

Social housing landlords can provide a ‘neighbourhood impact statement’ to the Tribunal when seeking termination of a tenancy for breach of an obligation under the tenancy agreement. This is a summary of statements made by the tenant’s neighbours about the effect the tenancy has had on them. The Tribunal must consider the contents of a statement when deciding whether to order termination, but does not have to agree with it.

A statement can only be provided after the Tribunal has found that a breach occurred. It cannot be provided as evidence of the breach.

#### **CONTRIBUTING TO A STATEMENT**

Neighbours asked to contribute to a neighbourhood impact statement should be aware that the statement, and the Tribunal proceedings it is used in, may identify them as participants. Although the law requires the landlord and Tribunal to make efforts not to

identify participants, it does not guarantee anonymity.

#### **3. MANDATORY TERMINATION**

When a social housing landlord applies to terminate a tenancy for some types of illegal use of the property, damage to the property, and injury to a neighbour or landlord’s representative, the Tribunal is now required to order termination of the tenancy if it finds that the conduct occurred. There are limited exceptions for especially vulnerable tenants, and tenants with children who would face hardship if evicted.

These changes are highly complex. The consequences for affected tenants will vary greatly depending on the alleged conduct and the circumstances of the tenant and other residents.

#### **4. REPAIRS CERTIFICATES**

Social housing landlords can provide the Tribunal with a certificate of costs, when seeking reimbursement for repairs to damage to the property that the tenant caused (or allowed others to cause). The Tribunal must accept the certificate as proof of the reasonable cost of the repairs.

Previously, a tenant could accept responsibility for damaging their property, but argue that the landlord’s costs were unreasonably high.

#### **5. LANDLORD REPOSSESSION**

When the Tribunal orders termination of a tenancy, it must order that the landlord is to take back possession of the property in 28 days or less (unless ‘exceptional circumstances’ apply). Previously, the Tribunal could order repossession at a later date.

**Any tenants contacted by their housing provider regarding the new laws should contact their local Tenants’ Advice and Advocacy Service for assistance as soon as possible. You can find your local service at [tenants.org.au/need-advice](http://tenants.org.au/need-advice).**

**This information is based on an Information Sheet produced by the Tenants’ Union which can also be found on the Brown Couch Blog at <http://tunswblog.blogspot.com.au>**

# REDUCING REDEVELOPMENT IMPACT ON HEALTH AND WELLBEING

NO MATTER WHO YOU ARE OR HOW YOU WILL BE AFFECTED, THE REDEVELOPMENT OF WATERLOO WILL PRESENT PERSONAL AND COMMUNITY CHALLENGES EXPLAINS ELIZABETH HARRIS.

**T**here will be people living through redevelopment who will not be relocated; some residents who will be temporarily or permanently relocated; and a very large number of new residents to the area. We know that the scale of these changes can have negative impacts on health that can be minimised if they are recognised and addressed.

The poor health of public housing tenants has been well established, with research demonstrating higher rates of infectious disease, chronic illness, mental health disorders, delayed child development, inadequate nutrition and poor oral health, compared to the general population.

This is often seen as resulting from a contest between context and composition. Are these poor health outcomes a result of the poor physical, social and economic environments in which people live that limit their life opportunities (context)? Or is it the composition of the population due to high numbers of people with long term mental illness, drug and alcohol problems, chronic health problems and families experiencing domestic violence that lead to these poor health outcomes (composition)? It is likely to be a combination of both, acting over time, which can leave some families trapped in disadvantage that can become intergenerational. Improving physical conditions are important but if they do not lead to increased opportunities for health through work and education, impacts may be compromised.

The international evidence of improvement of health and wellbeing from redevelopment is mixed and at times conflicting. Some studies such as “Moving to Opportunity” did find improvements in health, but no change in education and employment. A large Scottish study of relocated residents

found that although housing conditions and social cohesion improved, there were no changes to physical and mental health.

An Australian qualitative study of the Minto Renewal Project in south west Sydney found that children and adults who moved into an area of low public housing concentration reported improvements in psychosocial health outcomes. However, uncertainty, delay and ongoing disruption caused by relocation were identified as potential causes of stress, injury and hardship if appropriate services were not in place.

Insights into the health impact can be seen in *The Relocation of Public Housing Tenants in South Western Sydney – A Health Impact Assessment (HIA)* which provided much of the content for this article. Based on a literature review, a demographic and health profile of the Airds Bradbury area, in-depth interviews with employees of health and welfare agencies and residents, they identified six potential health impacts related to: Neighbourhood conditions; Residents response to renewal; Neighbourhood and housing quality; Social networks and community engagement; Access to healthy foods and opportunities for physical activity; and Access to social and health care services.

Analysis of local health data showed significantly higher rates of ill health, chronic disease and behavioural risk factors compared to the NSW average. These patterns of illnesses are often associated with poor living, social and economic factors such as income, education, employment and family type.

Although the health effects of redevelopment have been mixed in Airds Bradbury, all those interviewed acknowledged the process was stressful. This was true in the HIA where many residents reported increased anxiety and stress as a result of delays and

uncertainty of the move. Living in areas with empty housing meant they felt vulnerable to gang violence, vandalism and increased crime. Some residents who had moved to mixed-income communities reported increased access to transport, recreation and supermarkets, and they felt happier and safer. Residents who had been actively involved in the redevelopment and have positive relations with their housing officer seemed more satisfied with the relocation. A personalised approach to relocation is reported to have positive impacts on health and feelings of control.

Improved quality of housing had positive impacts on residents although many reported that the new housing did not meet their requirements for space, size and layout. Noise and dislocation during the redevelopment was also difficult for residents.

In summary the HIA found:

- A personalised approach at all stages of the redevelopment improves satisfaction and outcomes
- Community engagement should be a priority for investment,
- Ensuring uninterrupted access to services is important;
- Environmental and social disruption should be minimised;
- Residents should be rehoused in relation to their needs and preferences; and
- Redesigned neighbourhoods should maximise safety and security and provide opportunities for social interaction.

The HIA makes practical recommendations on how these issues can be addressed. You can see the full HIA at [www.swslhd.nsw.gov.au/populationhealth/PH\\_environments/pdf/RelocationPHTenants.pdf](http://www.swslhd.nsw.gov.au/populationhealth/PH_environments/pdf/RelocationPHTenants.pdf)

Elizabeth Harris is an Associate Professor in the Centre for Primary Health Care and Equity at the University of NSW and is Director, Health Equity Research and Development Unit, Sydney Local Health District



Summer  
1993/4

## Public Participation

It is nice to know that public participation was fashionable in the summer of 1993/4 as recorded by Inner Voice. Twenty plus years on, with Westconnex and little dialogue with communities about urban renewal, it feels like the participation pendulum has swung to the other extreme.

As public tenants face engagement about estate renewal it is useful to be reminded of some of the pathologies or diseases that impact upon good participation that have been set out in the article below. They remind us of some of the games that get played that undermine public participation. Participation bingo anyone!

### PUBLIC PARTICIPATION

It's taken a long time for Public Participation to enjoy the fashionable status it has now - a necessary inclusion in the planning processes of both government and private sectors. But in practice, says DR PETER STRICKLAND (a man of many committees) some consultation processes are used to thwart real participation by gagging or even exhausting the participants.

#### A Definition:

"Public participation is any process whereby any group or individual not directly involved in a decision or planning process can be a part of that process."

"...not directly involved" means members of the public other than politicians, councillors and other elected representatives, public servants directly involved, proponents, company representatives, agents, owners. It includes people who can contribute to better decisions and not just those who are immediately affected.

It is about involvement in the decision process. It is not being told about decisions after they are made - or being sold the justification.



#### Benefits of True Public Participation:

- addressing local concerns
- gaining community support for decisions
- reflecting local values
- providing access to local expertise
- avoiding counter actions
- considering environmental and social values
- enabling corrective action before it is too late

#### Some Mechanisms:

- voting
- submissions regarding exhibited plans
- public meetings
- workshops
- advisory committees

- precinct committees
- council (functional and issue) committees
- direct action
- referenda (US propositions, resident initiated)
- market research, sampling and polling
- petitions
- legal action
- public inquiries
- open Council meetings
- publicity
- resident, action and environmental groups - spokespeople
- lobbying, delegations

We need to ask whether these provide for expert inputs or are measures of public opinion, whether they are proponent initiated or public initiatives.

#### Pathologies:

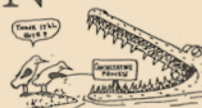
Experienced participants come to recognise some of the pathologies of the process. Here are a few:

**Token Participation** - what looks like participation but, on critical assessment, isn't really (eg. Xmas Rush).

**The Arthur Dent DA** - named after Arthur Dent of "The Hitchhiker's Guide" who found the development application to demolish his house in an inaccessible basement - not very different from DAs that are only available for inspection in Council offices during working hours.

**The Concertina Effect** - committees that expand and contract depending on who attends.

**The BOMA Syndrome** - comparing the ease by which a representative of



commercial interests can join a committee, while a resident group must lobby and go through formal processes to be represented.

**The Gag** - Confidentiality of information limiting effective feedback by community representatives to their groups.

**Public Service Culture "Yes, Minister"** - that public servants know how to provide for the public good and have superior knowledge, management and information processing skills.

**Darling Harbour Effect** - that a special case exists that requires normal consultation processes to be by-passed - Ministerial pronouncements, flexible boundaries (Olympics, Casino, Heliport and Australian Technology Park)

**Meeting Power Games** - using control of the meeting to the proponents' advantage, eg where minutes are tabled at a meeting giving insufficient time for informed discussion (the counter to this is not allowing discussion of non-agenda items), who chairs the meeting, when and how often meetings are called.

**No Real Sharing of Power** - when there is no real aim to have participation, only one-way consultation.

**Restrictive Terms of Reference** - setting boundaries on what is discussed or treating key issues as subsidiary issues, such as the Pymont Casino in City West.

**The Martyr Effect** - expecting community participants to have unlimited time and resources limiting participation to those of independent means.

**The MSB Effect** - where public authorities use the Cabinet ranking to override objective considerations.

**The Narrow Window of Opportunity** - where all the public participation has to take place in an afternoon, even though preparation has

been going on for months, and analysis will take likewise.

**Consumed by Participation** - when committees are deliberately used to take up the time and effort of participants.

The pathologies are not all one-sided, so: **From the Environmentalist's Viewpoint:**

- the protest becoming more important than the issue
- ideologies dominating
- prejudices and simplifications - judging people by their position such as whether they are from the private sector or a public servant, responding as Luddites to issues involving technology, chemicals, etc
- lack of planning or effective preparation
- preaching to the converted - not recognising that those whose opinions we seek to change need to be approached differently
- treating options and ideas as firm plans

#### Requirements for an Effective System:

- trust
- constructive response to delays and difficulties
- flexibility to cope with different mechanisms
- access to relevant information
- realistic timing and participation early in the development of options
- open and objective processing of information
- decision system that is transparent and understood by the public
- real sharing of power
- effective post-audit or monitoring system
- adequate resources available to the public participants
- seen to achieve real results and not just time-wasting or diversionary.

"Public Participation is about involvement in the decision process. It is not being told about decisions after they are made - or being sold the justification."





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