

Wednesday, 7 October 2026

High Court to hear residents' legal challenge over public housing tower demolition program

The fight by a Melbourne public housing community to prevent their homes being demolished will go all the way to the High Court of Australia on Wednesday.

The full High Court will hear an appeal by Inner Melbourne Community Legal against a Victorian court's decision which has paved the way for the demolition and redevelopment of all 44 public housing towers in Melbourne.

The High Court hearing is the final stage in a three-year legal battle by residents of the first three towers to be demolished in North Melbourne and Flemington.

Lawyers for the residents will argue that last year's ruling by the Victorian Supreme Court of Appeal to allow the redevelopment program to go ahead should be set aside because tenants living in the towers were denied procedural fairness when the decision to demolish the buildings was announced.

It will be argued that a fair process would have seen the residents consulted about the demolition of their homes and the impact that would have on their lives before a decision was made. But instead, they only found out about the decision when it was announced by then-Premier Daniel Andrews on 20 September 2023.

Prior to the commencement of the redevelopment program, the towers made up about 10% of Victoria's public housing stock and were home to approximately 10,000 people.

The Victorian government has always insisted that the towers need to be demolished because of their age and state of disrepair, despite evidence that they could be refurbished.

The decision to demolish the buildings has been criticised by a Victorian Parliamentary inquiry and by the United Nations Special Rapporteur on the right to Adequate Housing.

On behalf of residents, IMCL launched a class action in early-2024 to reverse the decision because of a lack of fair process and consideration of the residents' human rights.

Most residents in the towers have now been relocated but some have refused to leave their homes and have been allowed to remain because of a court injunction preventing Homes Victoria from evicting them. They hope that the Government will be forced to reconsider its demolition program and consider viable alternatives that preserve their homes, such as refurbishing the buildings instead.

**Comments by Louisa Bassini, Managing Lawyer for Housing & Tenancy, Inner Melbourne
Community Legal:**

“At its core, this case is about the rights of residents to be consulted about the future of their housing.

“In many cases, these towers have been homes for residents for several decades.

“But they are more than just a roof over their heads, they are communities of people who provide security and support to one another. Residents are being told they have no choice but to relocate to new homes without the networks and services they rely upon.

“But those residents were kept in the dark by the state government and Homes Victoria at the very beginning when the decision to knock down the towers was announced and the documents underpinning the decision have never been made public.

“The tenacity of residents to take this case to the High Court is a testimony to the strength and resilience of the people who live in public housing estates across Melbourne no matter what life throws at them.

“If this final appeal to the High Court succeeds, it will validate the voices of public housing residents and force the government to halt this program and consult with residents on less intrusive alternatives, such as refurbishment which may allow residents to remain in their homes and communities.”

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