

DELWP
8 Nicholson Street
East Melbourne Vic 3002

By online submission: www.planning.vic.gov.au/shrp

16 October 2017

Dear Sir/Madam,

Re: Abbotsford Street Renewal Program

We write this submission in response to the Abbotsford Street Renewal Program – proposed planning changes. Set out here is a non-exclusive list of issues we have identified with this Renewal Program to date.

Inner Melbourne Community Legal (IMCL) welcomes the opportunity to contribute in respect of these proposed changes.

IMCL is a not-for-profit community legal centre that provides legal assistance to people experiencing disadvantage in the City of Melbourne area, including the CBD, Docklands, West Melbourne, North Melbourne, Carlton and Parkville. IMCL has been assisting clients in Melbourne's inner northern suburbs for forty years.

This engagement includes maintaining strong relationships with local organisations who also provide services to our priority clients. Critically, our work involves co-locating lawyers in partner organisations to ensure that we are accessible to those clients most in need of our legal assistance. As a generalist service, IMCL provides legal advice and representation in a range of areas, including tenancy law and to public housing tenants. As an organisation that provides assistance to the most vulnerable members of our community,¹ we are well placed to observe the ways that the proposed changes to public housing estates can impact our clients. IMCL also runs a legal clinic at the Carlton Public Housing Estate on a fortnightly basis.

¹ 'Vulnerable members of our community' include people experiencing financial disadvantage and other vulnerabilities such as family violence, homelessness, substance abuse, disability, mental health issues and limited English proficiency

We welcome DELWP's approach to consult broadly on the important issues raised and provide stakeholders with an opportunity to respond to the proposed planning changes.

Disruption to existing tenants

While IMCL appreciates that the Department of Health and Human Services (DHHS) will pay for reasonable relocation costs and give existing tenants first priority to return once the redevelopment is complete; relocation still involves a significant degree of disruption for existing public housing tenants. For example, tenants with children who would need to change schools if they are unable to be rehoused near their current schools. We understand that the closest school, North Melbourne Primary school, is at capacity so it may not be possible for children to return to the same school if they return to the redevelopment. Similarly, enrolment at the local high school - University High School, is in significant demand. Children currently enrolled at University High would be unable to remain at their school during the redevelopment if they are rehoused outside of the school zone. The school's website notes that permanent residents within the school's zone will be given first priority for enrollment. The website further states that *'The expectation of this eligibility requirement is that the family will remain permanent residents within the zone for the duration of their child's education at The University High School. Those families that move out of our zone will be expected to relocate their children to their new neighbourhood school.'*²

Increase in social housing properties

We understand that up to 330 new dwellings could be built on the site with an increase of social housing properties by at least 10 percent. However, we note that after the Carlton Redevelopment, the numbers of public housing tenants actually decreased from 510 residents to 341.³ Similarly, the Kensington redevelopment also saw a decrease in the number of properties for social housing tenants from 694 properties to 444 properties upon completion of the project in 2012.⁴

² University High School, *Enrollment Information for Years 8-12*
<<https://www.unihigh.vic.edu.au/index.php/enrolments/years-8-12>>.

³ Office of Housing, City of Melbourne, 'Melbourne Planning Scheme Amendment C117: Carlton Housing Precincts' (Planning Committee Report, 6 June 2006) <http://www.melbourne.vic.gov.au/about-council/committees-meetings/meeting-archive/MeetingAgendaItemAttachments/18/324/PC_53_20060606.pdf>.

⁴ Abdullahi Jama and Kate Shaw, 'Why do we need social mix?: Analysis of an Australian inner-city public housing estate redevelopment' (Paper submitted to Housing Studies, June 2017)
<<http://www.smh.com.au/cqstatic/gwsjcu/JamaAndShawReport.pdf>>. <

Even if the Abbotsford Street redevelopment bucks this trend and increases available social housing property numbers, it will be at the cost of a significant proportion of inner city land already designated for public housing. This raises serious questions on whether the Victorian Government should be selling public housing land to developers when the social housing waitlist is in excess of 50,000 applicants. We note that the Carlton estate sales revenue was projected to make in excess of \$300 million for its developers - Australand⁵. IMCL is of the view that a redevelopment program funded by the State Government which focused on providing more social housing would be much more effective at meeting the increasing demand for social housing.

IMCL understands that the State Government is minded to provide another primary school for the area as part of the redevelopment, given that North Melbourne Primary School is at capacity. However, it is unclear as to why this at the expense of public housing land when there is currently a housing affordability crisis. IMCL suggests that the State Government may be better served by rezoning the existing school boundaries and further investing in the neighbouring primary school, Debney Meadows Primary, which has just 90 students enrolled down from a peak of 750⁶.

We note that there is no indication as to if the housing would remain public housing or become community housing after the redevelopment. We note that current accountability mechanisms for Community Housing are comparatively weak. Unlike DHHS, Community Housing providers are not bound to act as model litigants or provide information under Freedom of Information requests. This could mean that it would not be possible to access relevant policy documents or understand the decision making process of such housing providers.

'Mixed tenure'

A 'salt and pepper' approach has been suggested in relation to distribution of properties within

⁵ Ibid.

⁶ Linh Ly, 'Flemington School with states lowest socio-economic population enters existing era of renewal' *Leader Community News* (online), 27 February 2015 <<http://www.heraldsun.com.au/leader/north-west/flemington-school-with-states-lowest-socioeconomic-population-enters-exciting-era-of-renewal/news-story/0b52add084ee16acd8150a1bfb050248>>.

buildings at the Abbotsford site⁷. We note that there was a similar intention for the Kensington and Carlton redevelopments. The intention for both redevelopments was that the buildings be for mixed use with ‘a salt and pepper’ arrangement of public and private units scattered throughout the same buildings. Unfortunately, at Kensington the final distribution was that only 4 of 21 buildings were of mixed tenure and the remainder had separate entrances.

Notably one of the four objectives from DHHS with the redevelopment was integration of the estate with the local Carlton community, primarily through the introduction of a mix of public and private dwellings on the estate⁸. Ultimately, as was the case with Kensington, the buildings were divided between public and private dwellings with separate car parks, entrances and a courtyard for the exclusive use of private tenants. Furthermore, the courtyard was separated from the neighbouring public housing estate by a 1.8 metre wall.⁹

The ‘Abbotsford Street, Frequently Asked Questions’ document states that the mix of social and private dwellings will be determined only after the Planning Scheme Amendment process has been completed. Given that it is not in the developer’s interests to provide integrated buildings – as they can achieve greater resale values by segregating the properties – we are concerned that the preferred ‘salt and pepper approach’ will not eventuate similarly to the previous redevelopments. This is of significant concern given that the mix of social and private dwellings will be determined only after the Planning Scheme Amendment process has been completed.

Parking

IMCL regularly provides advice to public housing tenants in relation to parking issues. Some of the key issues raised are concerns around sufficient parking which echoes similar views from residents as outlined on page 13 of the ‘Phase Two Engagement Report’ from the DHHS.

It is important that there be sufficient parking on the site so as to not further disenfranchise public housing tenants. The Abbotsford Street Site - proposed planning changes information sheet states that parking overlay proposes a reduced provision of car parking spaces for residential use within the Abbotsford Street site. We understand that the statutory car parking

⁷ Department of Health and Human Services, ‘Abbotsford Street, North Melbourne Renewal, Phase two Engagement Report’ (Report, August 2017).

⁸ Jama and Shaw, above n 4, 17.

⁹ Ibid, p 21.

requirements for the subject site are set out in Clause 52.06 of the Melbourne Planning Scheme which identifies minimum car parking requirements of 1 space to each 1 and 2 bedroom dwelling and 2 spaces to each 3 bedroom dwelling. However, if Schedule 12 of the parking overlay is implemented as proposed, this will mean the reduction of parking spaces as Schedule 12 requires only one parking space to be provided per dwelling.

We also understand that Melbourne City Council does not increase the number of parking permits provided to newly built properties on the basis that sufficient parking needs to be provided onsite. Furthermore, we note that we were advised that in some instances the number of parking permits is decreased or not provided at all. Given that the proposal is for an increased number of dwellings to be built on the site, it is inevitable that not all residents will be able to obtain a parking permit given the increased demand. IMCL's concern is that if public housing tenants are unable to obtain parking permits for the area and only one parking space is provided per dwelling, they will be under an increased risk of incurring parking infringements given the time restricted spaces surrounding the site. Considering that public housing tenants are overwhelmingly on very low incomes, an infringement for parking is a significant financial burden. What is more, residents who are unable to pay their infringement and have no assets which can be seized by the sheriff face risk of imprisonment under section 160 of the *Infringements Act 2006*. It is on this basis that we encourage DELWP to seek a permit so to provide parking spaces in excess of the maximum of one parking space per dwelling.

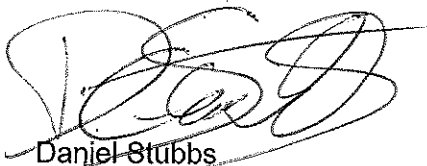
We have had to assist clients living in public housing, who have incurred considerable fines because they have been unable to find accessible parking as a tenant. This is highlighted by the case of Lucy, who had experienced a number of crises in her life in recent times and was from a culturally and linguistically diverse background. She experienced: serious family violence with her former husband, homelessness and struggled with mental illness; all whilst caring for four children on her own. Although she found stable accommodation, Lucy faced tremendous difficulties finding parking at the public housing where she was living. There was parking available to tenants only, but there were often no parking spaces for her to use because people who didn't live at the housing were parking in the housing car park. This was forcing Lucy to park on the street which caused her to incur fines. She could not avoid incurring these fines by moving her car either, as it would have required her to either leave her children unattended or bring them all with her just to move the car.

While we assisted Lucy to get a parking permit and to go on a payment plan for these fines, it was still something she struggled to pay because she was only receiving Centrelink benefits. If Lucy was able to readily access parking close to where she lived, she would not have incurred these fines.

Stronger Communities

We also encourage the inclusion of community spaces including green spaces and community facilities. It is our view that these spaces are important for fostering greater community engagement and developing strong and more inclusive communities. Provision of community spaces allows for the provision of services including, youth and support services, legal advice, financial counselling and child care facilities. In particular we note that IMCL provides a legal clinic at the Carlton Housing Estate where the majority of clients surveyed stated that they would not have sought legal advice if it had not been the provision of our services on the estate.

Please do not hesitate to contact me, Daniel Stubbs (IMCL CEO), on 9328 1885 if you have any questions regarding this submission.



Daniel Stubbs

Chief Executive Officer