



Greens NSW Response to 'A Housing Strategy for NSW' Discussion Paper May 2020

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Acknowledgement: Always was, always will be Aboriginal Land

As a matter of protocol and a mark of respect, we acknowledge it always was and always will be Aboriginal land and pay our respects to Aboriginal elders past, present and emerging.

We also submit that 'A Housing Strategy for NSW' must prioritise ensuring Aboriginal housing needs are met along the housing continuum. This means resourcing Aboriginal-led homelessness services, supporting Aboriginal-led community housing providers, pro-actively involving Aboriginal-led organisations in the development and implementation of this strategy and recognising through reparation that the land that is the focus of this strategy is stolen land that was never ceded.

Our Recommendations:

- Incorporate plans for genuine consultation and input from Aboriginal-led organisations both in the development and implementation of the NSW Housing Strategy
- Recognise the need for reparations given that the land all of this housing will be delivered on is stolen land
- Ensure adequate resourcing and support for Aboriginal-led homelessness and housing services as well as community housing providers
- Identify housing as a key component of the State's infrastructure priorities
- Establish an integrated Housing portfolio in NSW with a single Minister who has responsibility across private, public, community and rental housing areas, combined with the establishment of a Housing Ombudsman
- Incorporate specific actions to progress protections for renters and advance rental reforms which enable security of tenure, affordability and habitability for renters in to the NSW Housing Strategy
- Commit to large scale government development and provision of public, social and affordable housing as housing options for a range of tenants with varying incomes
- Mandate 30% affordable housing in new private rental housing developments
- Commit to ending homelessness and ensure there are no exits to homelessness from state institutions or as a result of family violence or economic disadvantage
- Recognise the climate crisis as a key driver for strong action in the housing strategy and include actions to progress zero emissions sustainable housing and large scale retrofitting of existing homes.

1) Introduction

The Greens NSW welcome the opportunity to provide comments on 'A Housing Strategy for NSW Discussion Paper' of May 2020. We support a unified and holistic vision for housing in NSW for the next 20 years which will respond effectively to the changing requirements of a diverse and growing population in a period of extreme economic and environmental upheaval.

We note with concern that this discussion paper does not adequately address the urgent challenges and issues that individuals, communities and governments are now facing as a result of the deepening social and economic crisis due to the COVID-19 pandemic.

We see the housing system as it stands as a key driver of inequality, especially in major metropolitan areas but also across regional centres where poverty and wealth are intrinsically tied to access to housing. This will only worsen in the coming years if key assumptions about the role and purpose of housing as shelter, rather than as a financial asset, are not interrogated and challenged.

The NSW Housing Strategy must address the existing and emerging large scale housing affordability crisis in NSW as a priority. Planning for housing for the next 20 years must be based on a new paradigm which recognises that existing housing stress, plus rising rates of unemployment and economic downturn requires a radical new approach. Foremost in this approach is that the provision of social housing is seen as essential government infrastructure.

The strategy must also address the issue of severe climate impacts with extreme weather events, higher temperatures and a reduction in the availability of fresh water as discussed in this [AHURI research paper](#) from July 2020 on "Implementing Environmental Sustainability Objectives in Australian cities now and into the future." We need strict planning standards and retrofitting to address the climate emergency and a clear plan to transition to a zero-carbon built environment.

Planning for housing can no longer premise market forces as a key driver for the provision of shelter as this has been shown to leave a large proportion of individuals in housing stress.

A housing strategy must incorporate expert input from diverse sectors including health and environment. Recent [research](#) has clearly shown the link between safe, secure and affordable housing and positive mental health outcomes. A housing strategy must factor in the link

between housing and mental health and the relatively [high percentages](#) of mental illness in the homeless population. Additionally, the impact of climate change on the health of communities demands planning for housing which mandates comprehensive and wide ranging environmental controls for buildings and infrastructure.

The proposed vision of the 2020 NSW Housing Strategy discussion paper that: *'Housing that supports security, comfort and choice for all people at all stages of their lives, achieved through supply that meets the demand for diverse, affordable and resilient housing and responds to environmental, cultural, social and economic contexts'*, does not include any reference to the responsibility of government in this vision, but is rather based on a market driven formula which has self evidently failed to provide affordable, secure and sustainable housing in NSW for large sections of our community. As in post-war Australia, we need a vision for housing which is based on a clear understanding of the role of government and the function of housing which is to provide people with homes, not to deliver profit.

The Greens NSW support a vision for housing which identifies it as an essential human right and a fundamental necessity for a well functioning society. This right to affordable, secure and environmentally sustainable housing is one which The Greens NSW believe governments have a responsibility to ensure. The provision of housing should not be dependent on the profit imperatives of the market, but rather based on the principle that everyone has the right to access a secure and affordable place to live. The role of government is not just to 'intervene' to provide appropriate housing when the market fails (as noted in relation to refuges and social housing), but to bring housing into the infrastructure framework so that it is planned and built as a key component of the government's responsibility. To this end, we see the need for an integrated Housing portfolio in NSW with a single Minister who has responsibility across private and public housing areas, and also the establishment of a Housing Ombudsman.

With an expanding number of people in rental and housing stress and significant numbers of people waiting for public and social housing or living in insecure housing or homeless, the Housing Strategy for NSW must focus on the largescale provision of long term, sustainable and affordable housing.

The role of government in this scenario is crucial and requires a policy framework that shifts from incentivising investment and wealth accumulation in housing to one which sees housing as a universal right in the same way as education and healthcare provision.

2) A Home For All: The Greens commitment

Housing is essential for every person to be able to live with dignity and participate freely and fully in our society. Having access to adequate housing is a human right.

The [UN Human Rights Office](#) defines adequate housing as including: security of tenure, availability of services, materials, facilities and infrastructure and access to services and affordability. Housing must include the provision of adequate space, safety and accessibility and be located near employment opportunities, health-care services, schools, childcare centres and other social facilities. And finally, housing must respect cultural identity and all the expression of this identity.

As a signatory to the International Covenant on Economic, Social and Cultural Human Rights Reference ([ICESCR](#)), Australia has an obligation to take appropriate steps to realise the 'rights of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions'.

The primary aim of governments when it comes to housing, and a housing strategy, should be to deliver on these obligations for people and the community. The biggest barrier to this has been, and continues to be the prioritisation of profit from housing investments, over the aim of providing an essential need - a home for all.

The financialisation of housing in Australia over many decades has led to a market driven vision which seeks to incentivise the housing market and to privatise public housing at the expense of those who have low or middle incomes. This process means that the economy is more exposed to market shocks like the GFC or the current pandemic as the privatised housing sector is subject to these shocks and cannot operate separately.

The provision of housing must be separate from the market, based on the principle that everyone has the right to access a place to live that's secure, environmentally sustainable and affordable and only the government can ensure this.

We support a housing strategy that is decoupled from market driven parameters so that individuals and families seeking a home are not reliant on a variable and insecure rental market, an unstable profit-centered home ownership market or a public housing regime which is subject

to variable political considerations and degraded to an extent that the housing is substandard in many cases.

To achieve this, a system that delivers housing security and values shelter regardless of tenure or where an individual might be situated along a “housing continuum” is necessary. It is also important to recognise that not everyone would be driven to the ultimate goal of home ownership if the rental system was reformed and geared towards longer term housing options and greater security of tenure.

Efforts should be made to ensure home ownership is accessible and affordable but a housing strategy should not prioritise this over other elements of a functional housing system.

Predictable and reliable private rental arrangements and a well supported, publicly owned rental portfolio should be held in equally high regard. The community housing sector should be supported, but its role within the system should be to drive innovation rather than to assume the burden of growing the social housing sector while pursuing the elusive goal of financial independence.

The Greens offer a number of housing solutions to suit the needs of different communities to have real choices when seeking housing.

Housing should be identified as a key component of the State’s infrastructure priorities - to deliver significant numbers of sustainable homes for the future. We want to see the NSW Government develop innovative housing strategies which promote a range of options including; housing cooperatives, shared equity home ownership, government housing trusts and legislative reforms to build a fairer housing system for all.

The Australian Greens, [‘A Home for All’](#) housing policy would deliver 500,000 social and affordable homes over the next 10 years which would more than meet the gap in low-cost rental housing. The need for a significant increase in social and affordable housing has been identified by many key housing peak bodies including [Shelter NSW](#).

The Greens [‘Invest to Recover Plan’](#) sets out a bold and achievable vision for meeting our country’s housing needs while creating jobs in response to the current pandemic. As we have seen since early this year, there has been a large requirement for emergency housing, but we must now plan to end rent poverty and be ready to address growing housing insecurity in the post Covid-19 period. The plan to build 500,000 public and community homes would also create

some 40,000 jobs plus 4,000 apprenticeships nationally in construction, planning, design and legal services.

Public land, recognising that this is first and foremost Aboriginal Land, must be retained in public hands and housing developments on publicly owned land should be 100% public and social housing.

At a minimum, inclusionary zoning affordable housing targets of 30% should be mandated in private housing developments.

In Redfern and Waterloo, there should be in the order of 10% Aboriginal owned or controlled housing - across the housing spectrum. The displacement of communities from this area is not just a local issue, but a blight on the failures of successive state governments to respect the significance of this area as a site of Aboriginal struggle, resistance, empowerment and self-determination.

The Greens advocate for key changes to the Residential Tenancies Act to ensure security and affordability for renters. We want to see the removal of 'no grounds' evictions and rents capped at 25% of income with options for more flexible rental conditions and more security of tenure. The NSW Housing Policy Strategy must incorporate specific actions to progress protections for renters and rental reforms which enable security of tenure, affordability and habitability.

Tackling homelessness means taking a 'Housing First' approach, by which housing is provided for people who become homeless and additional needs are met with ongoing and professional support. We note that this approach has been used throughout the Covid-19 emergency period and has led to significant positive outcomes. The NSW Housing Strategy should include input from the organisations in the sector who worked collaboratively with government agencies during the emergency period to indicate what actions were most successful in ensuring the safety of rough sleepers by rapid, coordinated and well-resourced housing initiatives.

The NSW Housing Strategy should commit to ending homelessness and must ensure that there are no exits to homelessness from the social housing system, as a result of domestic and family violence, leaving hospital, exiting prison, from out of home care or other circumstances.

The Greens support the Beyond Zero Emissions' Buildings Plan to retrofit 500,000 homes and commercial buildings per year nationally (in line with France and Ireland's similar initiatives) to provide resilience against the impacts of climate change and to significantly reduce energy

costs. Mandating higher Basix requirements in NSW for dwellings and commercial buildings is key to providing resilience in this sphere.

3) Response to Themes

We note in the Minister's introduction to the NSW Housing Strategy that drought, bushfires and flooding are mentioned but that there is no reference to the cause of these events - the climate emergency. The climate crisis facing Australians now and in coming decades must be recognised as a key driver for strong action in the housing strategy. Also missing from the Minister's introduction is any mention of renters, who according to the [2016 Census](#) now make up over 30% of all households in Australia as home ownership decreases. Renters need to be centred in this strategy, as the trend toward rented accommodation is growing and we will see a large increase in this cohort in coming years. The NSW Housing Strategy must acknowledge this fact and look to the provision of adequate housing in this sphere.

A note on the 'Housing continuum'

Ending homelessness should be a goal of the strategy, and not an accepted part of a housing continuum. Secure, long term rental should be included in line with home ownership - it should not be presented as the ultimate goal of housing along a continuum.

We question the idea that 'affordable rental housing' should be included as separate to the need and goal of affordability across the whole housing spectrum. We also note that other forms of housing such as share-houses, cooperatives and student accommodation need to be factored into this continuum.

i) Theme 1 - Housing supply in the right Location

New housing developments should only be progressed if basic infrastructure is funded and in place including access to public transport, public education and health, sport and recreational facilities. This infrastructure should not be dependent on public/private voluntary planning agreements or disparate local and state infrastructure contributions between developers and local councils or state governments. The paucity of basic infrastructure in many new housing development areas in Sydney is evidence of the failure of this process.

We note that the [NSW Productivity Commissioner](#) is conducting a review of Infrastructure Contributions and has released an Issues Paper which questions the suitability of the basis and operation of such contributions by developers and recommends options for reform which may include proposed changes to the *Environmental Planning and Assessment Act 1979* and to other legislation that impacts infrastructure funding.

We are also concerned that while investment is overwhelmingly dependent on private sector finance, a supply-driven strategy will fail to deliver housing of the kind that is most needed or wanted. When the development of new housing is determined by little more than returns for investors and financiers, all efforts to deliver diversity, affordability and sustainability across the system are undermined. The NSW economy is expected to contract by 10 percent with unemployment rising dramatically as a result of the Covid-19 pandemic, and moving housing planning away from dependence on private sector finance will put more resilience into the system.

ii) Theme 2 - Diverse Housing for Diverse Needs

A large increase in social housing stock and affordable rental homes is crucial at this time. We support a [government led delivery of 300,000 social homes](#) in the next 10 years in NSW and a system which supports universal housing similar to how the state supports universal education and health care. The Greens see such a system being underpinned by a Federal Housing Trust and saving from reforms to negative gearing and the CGT discount.

[Peak housing and social service bodies](#) have called for a social and affordable housing boom as a response to the impact of the coronavirus pandemic with increases of 10,000 social and affordable housing premises per year. At a federal level, the [Community Housing Industry Association](#) is calling for an immediate 'social housing acceleration and renovation program' as well as a 'long term recurrent Federal Government incentive mechanism to enable affordable rental housing to be built at the scale Australia needs.'

We note also the [recent study](#) by academics from the University of Sydney which indicates that the chronic shortage of affordable housing in Australia and NSW has forced low income earners to increasingly resort to share housing and other informal arrangements which include makeshift accommodation and/or illegal dwellings. The NSW Housing Strategy needs to focus on the provision of appropriate housing options for those who are unemployed and those on low incomes.

We support the development of Aboriginal owned and managed affordable housing projects on government land in metropolitan and regional areas. We note the Aboriginal Housing Office [Report](#) of 2017 which examines the unacceptable levels of homelessness and insecure housing experienced by Aboriginal people. We support the NSW Aboriginal Housing Office and its work to provide secure, affordable housing which is recognized as a key element towards addressing disadvantage. Aboriginal designed and managed housing should provide long term affordable rentals and other housing options such as transitional housing and shared equity home ownership schemes as part of the NSW Housing Strategy.

Given the predicted 85% increase in those aged 65+ in the next 25 years, the development of appropriate and innovative housing options for older people should be given urgent consideration. We note the [NSW Aging Strategy](#) sought to conduct an action research project of four distinct co-housing models relevant to older people in NSW, including collection of stories and case studies. The German government has supported a number of senior community living projects and in particular, Shared Housing Arrangements (SHAs) which have offered positive options for independent group living and opportunities for care which are also well suited to support the specific needs and preferences of different community groups. The [growing number of older women](#) who are in rental stress, housing stress or at risk of homelessness is an area that also requires urgent attention.

Adequate housing options should be available to non-citizens, so that access for this group which includes international students and various other visa holders is factored into a housing strategy. Affordable, safe and sustainable housing options should be available to all the community and not just to citizens. The inadequate and illegal private international student rental accommodation which has been seen in Sydney indicates that there is an urgent need to ensure that students can find suitable housing. A [joint study](#) by two Sydney universities found that more than half the students surveyed who were living in shared house accommodation encountered 'deceptive and illegal conduct or poor living conditions'.

The NSW Housing Strategy discussion paper does not mention non-government, community sector peak bodies which should be listed as partners in the same way as industry and councils partners are. These organisations include the Tenants Union, Homelessness NSW, Shelter NSW, Community Legal Centres NSW, Aboriginal Community Housing Ltd, and state based Aboriginal housing organisations, among others. Added to this are the range of crisis and temporary accommodation services, tenant representatives from public housing and Neighborhood Advisory Boards, student organisations and university student housing services

iii) Theme 3 - Housing with improved Affordability and Stability

a) Private Renting

The Greens support reforming the NSW Residential Tenancies Act 2010 to end ‘no grounds’ evictions and to broaden the range and type of activities that are allowable. We support additional legislation to facilitate long term leasing as a means to provide security for private residential tenancies. People who rent will no longer be evicted without a reason. A narrow set of legitimate grounds for eviction will be enforced by a tribunal to give renters more stability in their home. To address the real issue of rental affordability, rent rises should be capped in line with the Consumer Price Index. In addition to this, and in keeping with recognising houses as people’s homes, renters must have the right to make reasonable changes to their homes and have pets. There needs to be strengthening of the minimum standards of rental accommodation met by landlords, and publicly available maintenance logs should be kept.

We note that NSW Fair Trading has introduced a [new standard form of agreement](#) which includes an option for a five-year fixed term agreement however we believe that NSW renters should have the option of long term leases as is currently an [option in Victoria](#). This option also allows for the amount and frequency of rent increases to be agreed in advance as part of the rental agreement.

The development of build-to-rent projects by the state government has the potential to yield long term affordable and stable housing in the private rental sector, but such initiatives must not be used as a cover to hand over significant amounts of public money to private developers in the form of tax breaks, and needs to be guaranteed to deliver affordable rents and have mandated provisions for maintenance by the housing developer as well as independent oversight and other protections outlined above for private renters in place.

b) Social housing

[Australian Institute of Health and Welfare research](#) shows that the stock of social housing, which includes both public housing and community housing, has not kept pace with growth in either the overall national dwelling stock or the number of households.

We know that the public housing waiting list in NSW is unacceptably high with some 60,000 applications from individuals who will wait, some with family members, for periods of up to 10

years to be offered a home they can afford to live in. This likely equates to over 100,000 people in NSW currently eligible for public or community housing who are not able to access it.

According to the [Australian Bureau of Statistics' \(ABS\) Census](#) of Population and Housing, the number of homeless persons in Australia increased by 13.7% between 2011 and 2016, and NSW recorded the largest increase in the number of people experiencing homelessness, as well as the largest increase in the number of people living in “other marginal housing” which includes overcrowding. All of this has, and will continue to, worsen given the current pandemic.

The shortage of supply of social housing indicates that the existing mechanisms that exist via local and state government legislation have failed to meet demand.

This Housing Strategy for NSW discussion paper suggests that the NSW Housing Strategy should both ‘match social housing to current need while also looking at how the housing system can reduce the demand for social housing.’ The Greens do not support reducing the demand for social housing but rather expanding the social housing offer to allow this as an option for a range of tenants with varying incomes. This is how we make this housing option sustainable in to the future.

The NSW Government’s ongoing privatisation of social housing is not supported. The Greens plan for universal housing posits a significant increase in high quality social housing so that long term affordable, secure and environmentally sustainable housing is available as an option to a larger cohort of people.

We also do not support the current “asset recycling” schemes under Communities Plus as they introduce instability and upheaval for many social housing tenants. The NSW Housing Strategy should be predicated on doing the very opposite of this - we should not be dismantling existing communities, or relying on increasing densities while manufacturing new “mixed estates”, in order to deliver more social and affordable housing.

We would also like to see the government moving away from the financialisation of affordable housing through schemes such as the Social and Affordable Housing Fund. Rather than provide meagre revenue streams against which small housing providers can borrow to increase their portfolios, the government should shoulder this investment directly. The community housing sector should be called upon to help deliver new social and affordable housing, but the government should maintain its responsibilities and not seek to shift responsibility to these NGOs.

iv) Theme 4 - Responsive and Resilient Housing

Under the Paris Agreement, Australia and 196 other countries committed to reducing greenhouse gas emissions to prevent the most extreme temperature increases and maintain a climate suitable for humans. All levels of government and industry will need to play a role in this. Key issues for a responsive and resilient housing strategy will be how well it responds to the climate emergency, and how it contributes to climate solutions.

The [Intergovernmental Panel on Climate Change](#) reports show limiting global warming to 1.5 degrees Celsius will require rapid and far-reaching changes in energy use, land use, transport, industrial systems, and infrastructure. In short, the way we build and live in our cities needs to become more sustainable, while building resilience into our neighbourhoods.

There are opportunities for reform in the planning and assessments frameworks for improved performance of housing when it comes to energy efficiency and thermal performance - in fact these are long overdue. This includes a commitment to regular reviews and updates of BASIX benchmarks, and requiring new buildings to maximise passive heating and cooling to draw on the minimum energy needed to make homes comfortable. We recommend expanding on the definition of *sustainability* in BASIX so that the embedded energy within construction materials is also captured and benchmarked. We should be driving innovation and technological advances in the supply chain by requiring new buildings to become carbon neutral as soon as possible after construction.

Energy ratings and thermal performance benchmarks should also be applied when renovating and changing homes that have already been constructed. Any major alteration or renovations should be required to improve the overall performance of a home, and it should be mandatory for information about the performance of a home to be shared with potential new households when listed for sale or rent.

In considering such issues, a housing strategy should acknowledge that conditions vary across NSW and local authorities should be empowered to set their own benchmarks provided they are an improvement on what is required at the state level.

4. Conclusion

The crisis in housing in NSW extends to all sectors - private home ownership, private rental accommodation and community and public social housing. Current economic forecasts show clearly that this situation will become more severe in coming years. Now is the time to radically re-envision how housing in NSW is planned and delivered.

Key stakeholders including NCOSS, Shelter NSW, Homelessness NSW, the City of Sydney and other major councils across the state, the Community Housing Industry Association NSW, NSW Tenants Union and the many partners of the 'Everybody's Home' campaign are strongly calling for urgent action on the provision of affordable and social housing in NSW. This call is underpinned by the understanding that adequate shelter is a fundamental need in the same way as health and education and its provision is crucial to give everyone an equal opportunity to develop and flourish.

The Greens support large government investment in housing to guarantee affordable, stable and sustainable housing for everyone which we see as one of the most important things we can do as a society. State and federal governments already spend very large amounts on infrastructure and tax incentives to assist and build investment in infrastructure. But governments spend far less on social housing than they do on infrastructure or the generous subsidies given to the private housing market.

Large scale investment in affordable and social housing which is government owned and controlled will both stimulate the economy and house those in our community who are already unable to find safe and affordable housing. It will also provide housing for those who are impacted by the pandemic and are facing significant housing issues now and into the future.

A 20-year Housing Strategy for NSW must have at its heart a goal to ensure everyone in NSW has a home.