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Personal and Indirect Tax, Charities and Housing Division
Treasury
By email only: housing@treasury.gov.au

10 January 2023

Dear Team

Re: Housing Legislative Package exposure drafts

Thank you for providing an opportunity to comment on exposure drafts of the:

- Housing Australia Future Fund Bill 2023,
- National Housing Supply and Affordability Council Bill 2023, and
- Treasury Laws Amendment (Housing Measures No. 1) Bill 2023.

The Victorian Public Tenants Association (VPTA) is the peak body representing people who live in public housing as well as those waiting for access to housing assistance in Victoria. Although not a formal part of our role, we also provide advice and assistance to community housing renters.

We commend the Government's ambition, and willingness to substantially increase Federal involvement in the provision of safe, secure, affordable housing.

We have limited our comments regarding the legislative package to the importance of ensuring the final legislation is tenure neutral in terms of what type of social housing is delivered.

A definition for 'social housing'

'Social housing' is an umbrella term which technically refers to both public and community housing, but in practise is often thought of as a synonym of community housing.

There is growing concern among those who live in both social housing tenures, as well as academics and the sector about the conflation of the terms 'public housing', 'community housing' and 'social housing.'

This concern stems from key differences allocation processes, rent calculation methods, rights and protections that are in place for public housing renters compared to community housing renters. These differences are frequently minimised but can have substantial impacts on renter households particularly in terms of avenues for redress if something goes wrong, for rental affordability, and for those not yet in secure, long term affordable housing – their likelihood of receiving an offer of housing at all.

Though policies do differ across Australia and between providers, state managed public housing properties are generally more affordable than community housing properties in terms of rent, and

policies and procedures of Departments tend to be more transparent than in the community housing industry.

To ensure the possibility of investment in both social tenure types remains front of mind and for the avoidance of doubt, we recommend that a definition be inserted into each Bill for the term 'social housing', which explicitly states that both public housing and community housing are considered social housing.

We are not aware of a definition for this term existing in Commonwealth legislation.

Housing Supply and Affordability Council

We recommend that further requirements be introduced regarding membership of the Housing Supply and Affordability Council, to ensure a balanced representation of the benefits of public housing and community housing. We acknowledge that this may require the size of the Council to be increased.

There is a strong public interest in ensuring both social housing tenure types are considered for investment, particularly where new State-owned and managed public housing properties create an asset for taxpayers, where community housing developments often require the sale of public land at a concessional rate.

Despite this, recent State Governments nationwide have had a preference for growing the community housing stock portfolio rather than their own public housing stock. It is therefore likely that in the absence of a requirement to ensure advocates for both social tenure types are represented on the Council, that only community housing options will be considered.

Alternatively, section 9 could be amended to include a requirement that the Council actively consider all types of social housing.

We look forward to following the progress of this legislative package through the Parliament. Please do not hesitate to contact us via return email should you wish to discuss any of these matters further.

Yours sincerely



Katelyn Butters

Chief Executive Officer

Victorian Public Tenants Association

CC

Jim Chalmers MP, Treasurer

Amanda Rishworth MP, Minister for Social Services

Julie Collins MP, Minister for Housing, Minister for Homelessness and Minister for Small Business