

Shelter Tasmania

Submission to the
Tasmanian Government's
State Budget Process

2007-2008

Shelter Tasmania is an independent community organisation
committed to the principle of accessible, affordable,
appropriate and secure housing for every person and
the elimination of homelessness



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Introduction

Shelter Tasmania is pleased to participate in the State Government's community consultation and presents its 7th successive State Budget Submission. Shelter's submission for 2007-8 reflects the issues raised by the membership and endorsed by the Shelter Management Committee with recommendations on both housing and homelessness.

The right to affordable and appropriate housing is essential in laying the foundations for a fairer, more just Tasmania. Shelter welcomes the goal of Tasmania Together to '*ensure all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communications, and health and community services*'. Shelter looks forward to the 2 new housing affordability *benchmarks* recommendations for inclusion in Tasmania Together. They relate to the proportion of Tasmanians living in housing stress (that is those receiving Commonwealth Rent Assistance and spending more than 30% on housing in private rental market) and home ownership affordability to income.

These benchmarks, when adopted, will give clearer guidance for structuring future budget submissions from Shelter and other housing related bodies. For the majority of Tasmanians a secure and affordable home is a given. Shelter is concerned about those Tasmanians who don't have such security and find that on low incomes they live in "after housing cost poverty" or cannot access housing of their own at all.

The importance of health and well-being for Tasmanians is a dominant and supported theme throughout Tasmania Together. Housing is fundamental to people's health and well-being, and ability to participate in the economic and social life of the community. Public policies and programs that seek to ensure adequate and equitable access to affordable, appropriate and secure housing are a critical part of broader strategies to reduce poverty, improve living standards, and create sustainable communities. Improved economic and social outcomes for people cannot be realised without a solid performance in the area of housing.

As the private rental sector continues to be a very competitive market with increases in rent and very low vacancy rates it is not an affordable option for many low income people. The importance of public and community housing continues. Social housing is one of the few structural mechanisms, or levers, that governments can utilise to reduce poverty and broader social and economic inequalities. One consequence of inequality and high housing costs is a noticeable increase in the number of homeless people.

Housing also plays an important role in facilitating access to employment, social, and other services. It is vital that the State Government continues to pursue a range of measures to increase the supply of affordable housing across the state, while providing improved mechanisms to protect low-income housing consumers and build the capacity of the community sector to enable it to take a greater role in the provision of affordable housing.

Shelter calls on the State Government to consider the recommendations put forward in this document. Shelter would like the opportunity to speak to the Budget Sub-Committee regarding the issues raised and recommendations made in this submission.

About Shelter

Shelter Tasmania is an independent not-for-profit housing peak organisation funded by the Department of Health and Human Services. Shelter represents the interest of housing consumers on low incomes and housing providers across Tasmania.

Shelter's membership consists of a wide range of housing and supported accommodation services, tenant groups, local government, community organisations and individuals interested in housing. The Council of Homeless Persons Tasmania is a subcommittee of Shelter.

Shelter aims to provide an effective Tasmanian voice on housing and related issues by fulfilling the following objectives:

- To promote and maintain the right of every person to access affordable, safe and secure long term housing that they identify as appropriate to their needs.
- To promote and maintain the right of every person to housing of a quality which enhances people's health, well-being, dignity and life opportunities.
- To promote the benefits of public and community housing in the community and across all levels of government.
- To publish, research, collect and disseminate information on matters relating to the provision of housing, particularly for people on low to moderate incomes.
- To create opportunities to support, establish, resource and co-ordinate non-government organisations and agencies with similar interests and objectives to the Association.
- To promote opportunities for members of the community to access housing provision free from discrimination due to age, gender, ethnicity, health status or disability.
- To promote and support consumer and community participation in decision making in relation to their housing and to promote access to avenues of appeal across all housing tenures.
- To provide a structure that enables the members to inform policy development in a manner that is consistent with the objectives and visions of the association and also reflects the needs of homeless people and people who live in poverty or on low incomes.
- To provide a structure that enables the members to inform policy development in a manner that is consistent with the objectives and visions of the Association and also reflects the needs of homeless people and people who live in poverty and on low incomes.

Summary of Recommendations

1. Affordable Housing - Social Housing

Recommendation 1.1

That the Tasmania Government allocate additional resources in the State Budget 2007/08 to Housing Tasmania's capital investment program to facilitate the purchase and/or construction of an additional 500 properties over the next 4 years, to be owned and managed by Housing Tasmania.

Recommendation 1.2

That the Tasmanian Government increase the level of funding to Housing Tasmania in 2007/08 in order to negate the loss of Commonwealth State Housing Agreement fund used to retire the public housing debt to the Commonwealth.

Recommendation 1.3

That the State Government fund research into the issues of concentrated disadvantage and unemployment in our broad acre public housing, that will identify what structural changes are required to make these successful, sustainable mixed communities.

Recommendation 1.4

That a 3 month rent increase freeze policy be implemented by Housing Tasmania for public housing tenants who gain regular employment AND that a tenants' awareness campaign be launched in partnership with this change.

Recommendation 1.5

The rent freeze increase should be extended to community housing tenants in consultation with community housing providers.

2. Private Rental Programs

Recommendation 2.1

That the Tasmanian Government retain the funding initiatives as per the first stage of the Affordable Housing Strategy regarding resources for private rental tenancy support services aimed at assisting low-income Tasmanians to either seek or maintain private rental market.

Recommendation 2.2

That the Private Rental Tenancy Support Scheme be extended to work statewide with public housing tenants.

Recommendation 2.3

That the Private Rental Support Scheme be extended to cover community housing tenants on low incomes.

3. Enhanced Capacity of the Community Sector

Recommendation 3.1

That a Community Development Officer be funded in the office of Shelter Tasmania.

4. Consumer Protection in the Private Rental System

Recommendation 4.1.1

That a state-wide housing standards code be developed in consultation with building industry bodies, local government and non-government tenant organisations, and that these standards be incorporated into Tasmanian legislation.

Recommendation 4.1.2

That the standards code covers heating, fixtures, power, water, fire regulations, plumbing, security, mold and other concerns essential to habitable living standards.

Recommendation 4.1.3

That the Residential Commission is empowered to:
issue orders to landlords to comply with these standards, and to specify a time period; and
Order that a landlord be liable for relocation costs if these are incurred by a tenant whilst the housing standard code is enforced.

Recommendation 4.1.4

That it be a criminal offence to offer a sub-standard dwelling for rental.

Recommendation 4.2

That a single tribunal is established to hear all disputes arising from tenancies, be it for public or private rental; and that the tribunal is mindful and accepting of procedures consistent with natural justice, not simply reliant on paper-based arguments.

5. Home Ownership

Recommendation 5.1

That the Tasmanian Government continue to fund a range of Housing Tasmania strategies with appropriate financial and consumer safeguards to assist people on low incomes to access and maintain home ownership.

Recommendation 5.2

That existing homeownership schemes be extended to low income community housing tenants.

6. An Improved Planning System

Recommendation 6.1

That the State Government prioritises the implementation of the proposed statewide planning scheme for promoting affordable housing.

7. Responses to Homelessness

Recommendation 7.1:

That Tasmania develops a comprehensive Homelessness Strategy.

Recommendation 7.2

That the State Government funds the gap in service delivery for children accompanying adults into SAAP Services, including appropriate exit strategies to long term housing.

Recommendation 7.3

That SAAP Services are appropriately funded to meet the needs of children

Recommendation 7.4

That the State Government initiate a consultative mechanism for SAAP services and community housing providers to look at long term supported housing.

Recommendation 7.5

That appropriate resources be allocated to continue the three SAAP Regional Forums on a regular basis.

8. Migrant and Refugee Housing

Recommendation 8.1

That funding is provided to existing services that work with refugees, asylum seekers and migrants to fund programs that develop skills for refugees and migrants to find housing and maintaining tenancies in the private rental market.

Recommendation 8.2

That funding is provided for bi-cultural staff from the main refugee communities to be employed by existing SAAP support services on an 'on call' basis.

Recommendation 8.3

That public housing and, where possible, community housing providers build or purchase more 4 and 5 bedroom houses, with emphasis on larger bedrooms.

Creeping Crisis in Affordable Housing

The context

Shelter and its members are concerned that the lack of access to affordable housing is a deep and significant problem facing Tasmania. We need comprehensible and sustained action by Government, as well as in the business and not-for-profit sector, essential to reduce the ongoing economic and social damage that is being caused.

Shelter's members main concern is that lack of secure long term housing for low-income Tasmanians is reaching a crisis. The Housing and Supported Accommodation Service System (SAAP) is based on a continuum of support from homelessness to housing. This is not longer effective: the system is blocked due to the lack of affordable housing. This is reinforced by statistical evidence of increasing housing costs in Tasmania.

Housing affordability in Tasmania has declined at a faster rate than in other States and Territories. Tasmania is the third least affordable State, behind only NSW and Qld.¹ Median house prices in Hobart have increased dramatically over the past 4 years, increasing by some 233%.² The stress this is placing on many Tasmanians - in particular, those who are low-income and disadvantaged - is huge, as income levels have not increased accordingly. Clearly, the benefits of a growing economy do not extend to all sectors of society, and the boom in the

¹ (2005) *Sectors of the Tasmanian Economy: Building and Construction*

² (2005) *Affordable Housing Strategy Review: Background Paper 2*, Housing Tasmania

housing market, for many, has simply intensified existing inequalities.

21,370 low income Tasmanian households (in private housing) are in housing stress; meaning that more than 30% of their income is being spent on housing.³ Since March 2004, rental prices in Hobart have increased more than in any other Australian capital city.⁴ These figures and trends exemplify the need for a strong social housing system in Tasmania. Housing stress is not just 'housing' related; the result of so many Tasmanians having to spend such a large portion of their income on housing means that they have less money to spend on goods and services which in turn negatively impacts on the economy at large.

While the housing market may be slowing, rental prices are increasing and interest rates are predicted to rise. The market will not fix the problem, but good policy can.

Shelter is supportive of the Government's funding of the Affordable Housing Organisation and its goal of building 700 homes, and is interested in monitoring its progress. Yet this is not sufficient and only one initiative of many that the Government can support.

With the Commonwealth State Housing Agreement due to expire in mid 2008 it is crucial that the State Government now prepares Tasmania what may happen post 2008 and have strategies in place to sustain the social housing system.

Shelter's members call on the Government to continue the strong Labor tradition of investing in a robust and sustainable public housing system. The public housing system is the base needed for a Tasmanian affordable housing system.

1. Affordable Housing - Social Housing

Public Housing

Recommendation 1.1

That the Tasmania Government allocate additional resources in the State Budget 2007/08 to Housing Tasmania's capital investment program to facilitate the purchase and/or construction of an additional 500 properties over the next 4 years, to be owned and managed by Housing Tasmania.

Estimated Cost:

\$25 Million in the 2007/8 State Budget as part of a \$100 million, four year capital investment program.

Recommendation 1.2

That the Tasmanian Government increase the level of funding to Housing Tasmania in 2007/08 in order to negate the loss of Commonwealth State Housing Agreement fund used to retire the public housing debt to the Commonwealth.

Lead Department:

Department of Health and Human Services: Housing Tasmania

³ (2005) *Affordable Housing Strategy Review: Background Paper 2*, Housing Tasmania

⁴ (2005) Report from the National Manufacturers Council of Housing Industry of Australia A

Summary:

According to the Tasmanian Bilateral Agreement 2004-8, there are currently 11,500 public housing stocks housing around 30,000 Tasmanians. This is close to 6% of the Tasmanian housing stock. Importantly, it provided affordable and secure housing for its tenants with most paying 25% of their income. There are, however, still 3,000 people on the waiting list.

Shelter submits that the retention and expansion of public housing stock is crucial to addressing the affordable housing crisis in Tasmania. Social housing stock levels need to be maintained and resourced at a sustainable level. Currently public housing is sold, as well as transferred to the not-for-profit sector for crisis and community housing. The State Government needs to invest more in the public housing system to keep it viable, to replace lost stock by spot purchasing or building new stock.

Improving Public Housing Areas

Recommendation 1.3

That the State Government fund research into the issues of concentrated disadvantage and unemployment in our broad acre public housing, that will identify what structural changes are required to make these successful, sustainable mixed communities.

Lead Department:

Department of Health and Human Services: Housing Tasmania

Summary

Due to Housing Tasmania's policy of increasingly targeting public housing to those with the highest needs, very few people access public housing now unless they are on very low incomes or have other major problems. This has severely adverse impacts on the quality of life and opportunity in many public housing areas throughout the state. The cost of managing tenancies, and the rent which public housing authorities can charge, creates real problems for sustaining public housing. Most public housing authorities are incurring substantial operating deficits and owe very large amounts on previous loans from the Commonwealth. The outcomes of housing policies have created many areas now occupied only by people on low incomes. Shelter's members are increasingly concerned about the economic and social impact this it is having on those communities.

Change is needed. We need to know what are the key factors which make sustainable and successful communities where people want to live, and how that can be applied to Tasmanian public housing estates. Urban renewal and social mix for public housing estates was thoroughly researched for stage 2 of the Affordable Housing Strategy under the Master Partner Project which Shelter participated in. Even though stage 2 is no longer proceeding there is valuable data that can be built on that was generated from that project.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 2: To have a community where people feel safe and are safe in all aspects of their lives.

Goal 6: Improve the health and wellbeing of the Tasmanian community through the delivery of coordinated services.

Goal 12: Provide all Tasmanians with the opportunity to participate in decisions

that affect their lives.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

Incentives for Public Housing Tenants

Summary

Shelter is aware that the Tasmanian Bilateral Commonwealth State Housing Agreement 2002-2008 states the need to develop strategies to reduce workforce disincentives for social housing tenants. On this topic Shelter has consulted with members, public housing tenant groups and interstate public housing bodies. It was agreed that the current policy of increasing rent when tenants enter employment is a disincentive to work. Tenants commented on the need to have a catch up time to pay debts and that often work is casual and part time only. In NSW the Department of Housing have adopted a policy of freezing rent when people first enter employment for 3 months. NSW tenant groups also noted that this policy needs to be advertised more widely so all tenants are aware of it.

Recommendation 1.4

That a 3 month rent increase freeze policy be implemented by Housing Tasmania for public housing tenants who gain regular employment AND that a tenants' awareness campaign be launched in partnership with this change.

Recommendation 1.5

The rent increase freeze should be extended to community housing tenants in consultation with community housing providers.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

Goal 16: Increase job and meaningful work opportunities in Tasmania.

2. Private Rental Assistance

Recommendation 2.1

That the Tasmanian Government retain the funding initiatives as per the first stage of the AHS regarding resources for private rental tenancy support services aimed at assisting low-income Tasmanians to either seek or maintain private rental market.

Summary

Tenants on low incomes within the private rental market are finding it increasingly difficult to find or maintain housing, particularly within the current climate of high rents and low vacancy rates, (latest data from the Real Estate Institute of Tasmania show the current vacancy rate is 2.2% statewide). High rents are placing increased financial stress on households, and the low vacancy rates are causing tenants to have to work harder to ensure their tenancies are maintained. These households are at greater risk of entering homelessness.

The State Government has recognised the importance of supporting a range of initiatives to assist low income people to access and maintain private housing. As part of the Affordable Housing Strategy (AHS) Stage 1 additional funding was proved for:

- Enhancement of the Private Rental Support Scheme targeted to assist 2,560 applicants by December 2005, as noted by the Auditor-General. Normally this assistance is a one off payment towards a bond, rent or the cost of moving house. The Affordable Housing strategy allocated additional

- funding to expand eligibility for the PRSS.
- The AHS also provided funding for the Private Rental Tenancy Support Scheme (PRTSS). This program employs tenancy support workers around the State to provide advice to tenants to help them maintain their accommodation.

The funding for these schemes expires in 2008, Shelter call on the Government to maintain these programs which have now become an indispensable part of delivering essential housing assistance for low incomes Tasmanian.

Recommendation 2.2

That the Private Rental Tenancy Support Service be extended to work with public housing tenants statewide.

Estimated Cost:

\$120,000 pa

Summary:

The Private Rental Tenancy Support Service (PRTSS), funded through the Affordable Housing Strategy until 2008, provides education and support to Tasmanians on low incomes within the private rental market. The support provided by PRTSS is aimed at increasing the ability of tenants to maintain successful tenancies and security of tenure.

Public housing tenants are currently excluded from accessing the support of PRTSS. Shelter members are concerned about the public housing debt many tenants incur. Often they are suspended from reapplying for public housing but cannot access private rental, so end up homeless. Should the PRTSS target group be broadened to include public tenants the support and tenancy education provided would assist these tenants in developing living skills, stabilising at risk'' tenancies, increasing the tenant's ability to access the private rental market, and decrease the risk to Housing Tasmania's revenue.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 2: To have a community where people feel safe and are safe in all aspects of their lives.

Goal 6: Improve the health and wellbeing of the Tasmanian community through the delivery of coordinated services.

References:

Real Estate Institute of Tasmania, Tasmanian Property Market, August 2006
www.reit.com.au

Auditor-General Special Report No 57, Public Housing: Meeting the Need? Tasmanian Government Printer, August 2005 www.audit.tas.gov.au

Bond Assistance for Community Housing Tenants

Recommendation 2.3.

That the Private Rental Support Scheme (PRSS) be extended to cover community housing tenants on low incomes.

This is the third year Shelter has put this recommendation to the State Government. We have been informed this will be introduced but to date there has been no official notification.

Currently community housing tenants are excluded from accessing the PRSS scheme. Shelter has consistently lobbied Housing Tasmania to change the PRSS eligibility guidelines to include low income community housing tenants. This policy

change has wide support from members, including tenants, community housing providers and the Private Rental Support Services (PRSS). This would be a cost neutral policy change in light of the PRSS service handing back a surplus of unexpected funds in the previous financial year. Extending the service to community housing tenants would be an effective and equitable use of those unexpended funds.

Pressure to expand bond assistance to community housing tenants will increase as more community housing and alternative housing model options become available, such as the Affordable Housing Organisation. Shelter aims to foster the development of community housing as a viable, affordable and secure option for people in housing need, and therefore resubmits this recommendation.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

3. Enhanced Capacity of the Community Sector

Lead Department:

Department of Health and Community Services: Housing Tasmania

Summary:

Shelter advocates that it is crucial to develop and sustain a strong community housing sector in Tasmania. But first, the Tasmanian community sector needs to have in place the necessary infrastructure to build that capacity, so it can realistically increase the housing options for Tasmanians. This includes increasing the funding of Shelter to expand its role as the peak housing body for affordable housing providers and low income housing consumers.

Shelter is well placed to work collaboratively with Housing Tasmania to build the necessary capacity across the community sector to develop and maintain community housing options. Shelter has strong links and is recognised by the national community housing bodies as the community housing peak body for Tasmania. Our membership covers the range of community housing providers in Tasmania. They include Housing Associations, Housing Co-ops and a range of community tenancy providers. Shelter has hosted community-housing consultations for both the Community Housing Federation of Australia and the National Community Housing Forum, including the Roundtable on Public Private Partnerships and Risk Management for Community Housing Providers.

Shelter has developed - through our governance, membership, office facilities and communication system - a solid base to now expand our role into a community housing resourcing body.

Shelter sees the training of the community sector to be a priority. We need to assess what skills are already in the sector and then determine the process to improve skills. Shelter has had preliminary talks with TAFE Tasmania regarding improving skills in tenancy, asset and financial management, legislation, governance and strategic management.

Shelter Tasmania has also worked in partnership with the National Community Housing Forum on National Community Housing Standards to promote the importance of the standards and accreditation for community housing. We now need extra resources to take this work forward. Shelter is the only housing peak in Tasmania. Our representative role encompasses a wide range of housing and

homelessness services and consumers.

To create and sustain more affordable housing we need comprehensive and sustained action by government, as well as in the business and not-for-profit sector. However, in order for the community sector to play a significant role, the peak body, Shelter Tasmania, requires a Community Development Officer to liaise with the sector and to ensure that the knowledge, expertise and capacity of the sector is fully captured and built upon. This would add value to the establishment and implementation of the Trust. Funding Shelter to employ a Community Development office would give Shelter the capacity to work on the following:

- Risk management for community housing providers.
- Skills audit of the community sector.
- Shelter to consult and compile the training needs of the community sector in relation to tenancy management.
- Build on the Shelter web site comprehensive information on community housing in Tasmania.
- Introduce standards and accreditation.
- Develop appropriate learning materials.
- Work with TAFE to deliver an accredited training module.

Recommendation 3.1

That a Community Development Officer be funded in the office of Shelter Tasmania.

Estimated Cost:

\$85,000

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 14: Ensure there are greater cooperation at all levels of government and among political parties to improve the lives of Tasmanians.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels

4. Consumer Protection in the Private Rental System

In 2001 private rental properties housed 17.3% of all households in Tasmania⁵, and two-thirds of households living in housing stress were private renters.⁶ This number has increased in the past 4 years.

While private rental housing has historically been a transitional tenure – a stepping stone towards home ownership - this is changing. As housing prices have soared, the opportunity for many Tasmanians to become home owners has diminished. Vacancy rates in rental properties are consistently low, and low cost rentals are increasingly hard to come by. As the rental market tightens, and the demand for properties increases, so does the opportunity to offer poor and sub-standard housing.

Clearly, strong emphasis needs to be given to the private rental sector. In particular, Shelter believes it is crucial that there is a policy system which protects and supports low-income and disadvantaged Tasmanians.

⁵ (2003) *Towards an affordable Housing Strategy, Background Paper 2*, Housing Tasmania.

⁶ (2005) *Show me the Money: Financing More Affordable Housing* RMIT – AHURI/NATSEM Research Centre, Melbourne.

The Need for Minimum Standards

Lead Department:

Department of Justice: Consumer Affairs and Fair Trading

Summary:

The absence of minimum standards of accommodation in the private rental sector poses a real risk to the health and safety of a significant number of tenants, particularly those on lower incomes. Many tenants live in premises that are in a state of disrepair, and tenant workers around the state commonly deal with premises that are substandard. Too often "cheap" rent and substandard conditions go hand in hand, and it is unacceptable that the already inadequate supply of accommodation at the lower end of the market should be particularly subject to such conditions.

Shelter Tasmania believes that specific minimum standards regarding both tenancy management and the physical condition of rental properties should be developed to protect tenants. Uniform provisions would help to enable a stricter enforcement of standards, and would contribute towards improved living conditions for tenants. The basic right of tenants to appropriate living standards must not be ignored.

Ability to enforce such standards is also crucial if they are to be successfully converted from legislation to practice. Consumer Affairs and Fair Trading must be empowered to enforce standards through specific legislative provisions.

Recommendation 4.1.1

That a state-wide housing standards code be developed in consultation with building industry bodies, local government and non-government tenant organisations, and that these standards be incorporated into Tasmanian legislation.

Recommendation 4.1.2

That the standards code covers heating, fixtures, power, water, fire regulations, plumbing, security, mold and other concerns essential to habitable living standards.

Recommendation 4.1.3

That the Residential Commission is empowered to:

issue orders to landlords to comply with these standards, and to specify a time period; and

Order that a landlord be liable for relocation costs if these are incurred by a tenant whilst the housing standard code is enforced.

Recommendation 4.1.4

That it be a criminal offence to offer a sub-standard dwelling for rental.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 2: To have a community where people feel safe and are safe in all aspects of their lives.

Goal 6: Improve the health and wellbeing of the Tasmanian community through the delivery of coordinated services.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

References:

Blunden, H & Martin, C. 2004 Leaking Roofs Australian Tenancy Law: A Report by the National Association of Tenant Organisations 2004, Tenant's Union of New South Wales, Sydney

Establishment of an Independent Housing Tribunal**Lead Department:**

Department of Justice: Consumer Affairs and Fair Trading

Summary:

Currently in Tasmania we have a variety of mechanisms that have been established to deal with different areas of dispute concerning tenancies. These include the Housing Review Committee, the Residential Tenancy Commissioner and the Magistrate's Court.

The Housing Review Committee only concerns itself with Housing Division tenants. Its role is to review decisions made by housing staff with a view to ensuring that correct policies and procedures have been followed. This panel does not consider any other issue. The tenant is required to complete a written form, and any member of the committee may contact the tenant for further information only if it is required.

The Residential Tenancy Commissioner makes determinations with respect to disputes over the non-return of tenants' bond monies. This is again a paper-based argument. Tenants who dispute the amount of bond returned must complete a form and forward a fee.

Both of these approaches fail to provide tenants with the ability to discuss their case, and they do not afford natural justice. The Magistrates Court Small Claims Division hears all other disputes, from requests for repairs to Notices to Terminate Agreements.

Recommendation 4.2

That a single tribunal is established to hear all disputes arising from tenancies, be it for public or private rentals; and that the tribunal is mindful and accepting of procedures consistent with natural justice, not simply reliant on paper-based arguments.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 12: Provide all Tasmanians with the opportunity to participate in decisions that affect their lives.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

References:

Blunden, H & Martin, C. 2004 Leaking Roofs Australian Tenancy Law: A Report by the National Association of Tenant Organisations 2004, Tenant's Union of New South Wales, Sydney

Cameron, P. 2002 Condition Report: Low income earners in the Tasmanian Private Rental Market, Anglicare Tasmania, Hobart.

Department of Health and Human Services 2003 Affordable Housing Strategy Tasmanian Framework 2004-8: Stage 1 Summary, DHHS, Hobart

5. Home Ownership

Lead Department:

Department of Health and Human Services: Housing Tasmania

Summary:

Shelter Tasmania believes that many people on low incomes, like society as a whole, aspire, to own their own home; therefore, it should be a realistically achievable goal. As mentioned previously, the increase in house prices in Tasmania, especially as a proportion of household incomes, has placed home ownership for many low income people out of reach.

Shelter supports the Government's schemes to help those on low incomes purchase a home and, in doing so, ensures they have appropriate protection as a buyer. Shelter and its members recommend that existing homeownership government schemes be extended to community housing tenant who wish to purchase their home, with the proviso that the community housing provider can replace stock.

Members have concerns about the capacity for the low income owner to keep up payments and understand the contractual obligation of a mortgage. Therefore Shelter supports the retention of the Streets Ahead Program and Home Ownership Assistance Program (HOAP) with funding to the community sector to provide appropriate support and advice to new and existing clients of these programs. This would assist in managing the risk that many low income households experience with a long term mortgage.

Recommendation 5.1

That the Tasmanian Government continue to fund a range of Housing Tasmania strategies with appropriate financial and consumer safeguards to assist people on low incomes to access and maintain home ownership.

Recommendation 5.2

That existing homeownership schemes be extended to low income community housing tenants.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 2: To have a community where people feel safe and are safe in all aspects of their lives.

Goal 12: Provide all Tasmanians with the opportunity to participate in decisions that affect their lives.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

6. An Improved Planning System

Statewide Planning Scheme to Promote Affordable Housing.

Lead Department:

Department of Primary Industries Water and Environment
Department of Health and Human Services: Housing Tasmania

Summary:

Shelter supports the need to link planning and development policies and processes to affordable housing targets. The framework for National Action on Affordable Housing (NAAH) released in August 2005 states in commitment 2, to be fulfilled by June 2006, *that a national approach be developed for defining affordable housing need at geographical levels and how it can be reflected in planning policy and regulation.*⁷ The Review of the Affordable Housing Strategy identified planning as an area that has yet to show any progress.

Affordability of housing is affected by special planning and supply in the form of zoning in planning schemes, which in turn impacts on housing prices. Research, overseas, and in Australia, suggests there are planning regulations that assist in increasing affordable housing. Developer contributions and zoning requirements have been implemented to compel developers to contribute to affordable housing. Shelter also believes that Governments - especially State and Local - should have clear policies around the sale of Government land and buildings, to ensure that developers contribute to affordable housing. This can be by requiring that new residential developments contain a proportion of affordable housing or contribute to an affordable housing fund.

The recent Housing Plan for South Australia has committed to developing initiatives across the planning system, in partnership with the Minister for Urban Development and Planning, to ensure affordable housing forms part of all substantial new housing developments. The Government has targeted a minimum of 10% affordable housing and 5% high need housing in all significant new development. This has fostered the environment of the private and community housing sector to work together on new partnerships.⁸

It was also identified by the Planning Institute of Australia (Tasmania) 2005⁹ that the relation between State, regional and local planning is critical to increasing the supply of affordable housing and creating livable communities, not just housing. It is not only the planning system which hinders the promotion of affordable housing, but a combination of the stakeholders across the system. This is not to deny there is a vacuum at the regional planning level. It was recommended that a regional plan provide a framework for implementing Government policy and delivery of Public Private Partnerships that can give a buffer from the vagaries of a simple market-led development approach by individual council areas.

Recommendation 6.1

That the State Government prioritises the implementation of the proposed statewide planning scheme for promoting affordable housing.

⁷ Framework for National Action on Affordable Housing, approved 4 August 2005 Joint Meeting of Housing, Local Government and Planning Ministers

⁸ Framework for National Action on Affordable Housing, approved 4 August 2005 Joint Meeting of Housing, Local Government and Planning:

Housing Plan for South Australia, Government of South Australia, March 2005

⁹ Roundtable on Public Private Partnerships, Hosted by Shelter Tasmania and National Community Housing Forum (to be published on www.shelertas.org.au)

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 14: Ensure there are greater cooperation at all levels of government and among political parties to improve the lives of Tasmanians.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

References:

Affordable Housing Strategy Review: Focus Group Report, DHHS Housing Tasmania, August 2005

7. Responses to Homelessness

Shelter aims to provide a structure that enables members to inform policy development that is consistent with the organisation's objectives and also reflects the needs of homeless people and people who live in poverty or on low incomes. Our membership consists of a range of homelessness services, including crisis accommodation, transition housing and support services.

Lead Department:

Department of Health and Human Services, Family and Community Services

Summary:

At the time of the 2001 census, it was estimated that 2,415 people were homeless in Tasmania. This figure was up by 400 from the 1996 census. Another way to measure homelessness is expressed as a rate per 10,000 of the population. In 2001 the rate for Tasmania was 52 per 10,000; in 1996 it was 43 per 10,000.

Of the 2,415 people homeless in Tasmania on census night in 2001, only 314 people (13%) were staying in services funded through the Supported Accommodation Assistance Program (SAAP). SAAP is jointly funded by Commonwealth and State Governments to provide funds for crisis services to homeless people around the country. A further 11% were in boarding houses, 66% staying with friends/relatives and 10% in impoverished dwellings. It is estimated that up to 1,200 requests for SAAP services in Tasmania could not be met during 2002-2003. (source www.sheltertass.org.au/homelessness)

The Supported Accommodation Assistance Program (SAAP) is the major National and State program responsible for homelessness and is jointly funded. There are currently 37 SAAP services in Tasmania.

Need for a Homelessness Strategy

The National Evaluation of the Supported Accommodation Assistance Program 1V was tabled to Community Services Ministers in June 2004. The Evaluation collated the results from consultations with key stakeholders, data and other key reports. In challenges for the future the central issue was that SAAP, on its own, could or should not be expected to do it all, with the vast array of issues that make up homelessness.

It is important, therefore, that in identifying drivers of homelessness, both ends of the continuum must be considered. Not only is it imperative to examine the paths to homelessness, but also the ways in which factors inhibiting the path out of homelessness can be addressed. The evaluation highlighted the lack of a

coherent whole-of-government approach to addressing the structural factors that contribute to homelessness, at the policy and programmatic level, and of addressing the complex needs of individuals.

To this end, several States and Territories are developing, or have developed, a Homelessness Strategy to address the complexity of issues. Tasmania is yet to develop such a strategy.

Gaps in Service Delivery

Shelter's members identified several gaps across the state in services, including a lack of support and housing options for people with complex needs. This ranged from short term to especially long term supported housing. They also identified certain household types that, when they are not adequately catered for, are more likely to lead directly to homelessness. High priority needs should be given to children and carers, and people with severe mental illness. Service members also noted the need for clear direction on who is responsible for these individuals and families, and for clear responses to be put in place. Research released this year by the Council of Homeless Persons *Shining the Light: Children in SAAP Family Agencies* key recommendation was that all SAAP family agencies need to be capable or working with children in an appropriate level, even where this may be an exceptional case. All SAAP agencies should be supported and resourced to do this.

People who may be the responsibility of several departments, due to the complexity of their needs, slip through the silos of departmental responsibility with an outcome of homelessness.

Consultation with the Sector

It is vital for the community sector to work in effective cooperation with all tiers of government. The recent Department of Health and Human Services reforms set out within the 'Get Fit' program are now being implemented. Part of these changes saw SAAP move to Housing Tasmania with the aim to provide closer alignment to the Crisis Accommodation Program and consolidate as a range of tenancy programs. It provides the opportunity to develop a continuum of services from homelessness, through emergency accommodation, transitioning into more long term secure accommodation.

Shelter members - many who are SAAP service providers - note the need for not only short term accommodation but also the crucial importance of long term secure housing for their clients. Shelter believes better outcomes can be achieved if Housing Tasmania has a structured and regular consultation mechanism with the community sector, to work on strategies for exit points for SAAP clients. In light of the DHHS Reforms members seek the continuation and ongoing resourcing of the 3 SAAP Region Forums. Shelter is well placed to assist with these consultation requirements.

Recommendation 7.1

That Tasmania develops a comprehensive Homelessness Strategy.

Recommendation 7.2

That the State Government funds the gap in service delivery for children accompanying adults into SAAP Services, including appropriate exit strategies to long term housing.

Recommendation 7.3

That SAAP Services are appropriately funded to meet the needs of children

Recommendation 7.4

That the State Government initiates a consultative mechanism for SAAP services and community housing providers to look at long term supported housing.

Recommendation 7.5

That appropriate resources be allocated to continue the three SAAP Regional Forums on a regular basis.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 2: To have a community where people feel safe and are safe in all aspects of their lives.

Goal 6: Improve the health and wellbeing of the Tasmanian community through the delivery of coordinated services.

Goal 12: Provide all Tasmanians with the opportunity to participate in decisions that affect their lives.

Goal 15: Have a system of government that is accountable to the people and plans for the future at all levels.

References:

Affordable Housing Strategy Review: Focus Group Report, DHHS Housing Tasmania, August 2005

DHHS Reforms for Shelter members, Notes from Housing Tasmania, July 2006, www.shelertas.org.au

National Evaluation of the Supported Accommodation Assistance Program (SAAP 1V), Erebus Consulting Partners, Commonwealth of Australia, May 2004

Shining the Light: Children in SAAP Family Agencies, Council for Homeless Persons Australia, February 2006 www.shelertas.org.au

8. Improve Migrant and Refugee Housing Services

Lead Department:

Department of Health and Human Services: Housing Tasmania

Summary

A range of Shelter members and services provide a range of services for people from different cultural and linguist backgrounds. The chronic shortage of affordable and appropriate housing is partially experienced by migrants and refugees in our community. While representing a small group, the unique circumstances, especially of homeless refugees, place additional pressures on service resources compared to the general homeless group. Refugees and migrants have difficulty accessing affordable housing and support needs. Service providers have difficulty assisting this group due to cultural and language barriers as well as what service providers describe as 'government policy restraint'. Even though migrants and refugees can access mainstream services Shelter members highlight the need for more specialist services for migrant and refugee needs.

Shelter members working with migrant and refugees noted the importance of specialised education services that empower refugees to settle in Tasmania and gain house hunting and independent living skills. There are gaps in the current mainstream services to provide such a service. Shelter members noted the need for more bi-lingual workers to work with mainstream service providers, rather

than using interpreters to foster personal trust to be developed between the client and the bi-cultural worker, or between the service provider and the bi-cultural worker.

There is a chronic shortage of housing for migrants and refugees, especially larger homes. Many refugee families have many children. Some of them prefer to share bigger bedrooms amongst several people rather than have one small bedroom per person. Yet, as noted last year by the Auditor General, Housing Tasmania is realigning its stock because demand for 3 bedroom houses has reduced and demand for 2 bedroom properties has increased. The realignment is based on a break up of current stock and to the waiting list, by bedroom requirement. Currently community housing providers have very few larger houses. Due to the difficulty of migrants and refugees accessing housing in the private rental market there needs to be an increase in the supply of culturally appropriate housing from both public and community housing providers.

Recommendation 8.1

That funding is provided to existing services that work with refugees, asylum seekers and migrants to fund programs that develop skills for refugees and migrants to find housing and maintaining tenancies in the private rental market.

Recommendation 8.2

That funding is provided for bi-cultural staff from the main refugee communities to be employed by existing SAAP support services on an 'on call' basis.

Recommendation 8.3

That public housing and, where possible, community housing providers build or purchase more 4 and 5 bedroom houses, with emphasis on larger bedrooms.

Links to Tasmania Together:

Goal 1: Ensure that all Tasmanians have a reasonable standard of living with regard to food, shelter, transport, justice, education, communication, health and community services.

Goal 2: To have a community where people feel safe and are safe in all aspects of their lives.

Goal 9: Foster an inclusive society that acknowledges and respects our multicultural heritage, values diversity and treats everyone with compassion and respect.

References:

Auditor-General Special Report No 57, Public Housing: Meeting the Need? Tasmanian Government Printer, August 2005 www.audit.tas.gov.au

Hanover Welfare Services, A New Country But No Place to Call Home: The experiences of refugees and asylum seekers in housing crisis and strategies for improving housing outcomes, Melbourne 2004