

Submission to the Senate Economics Legislation Committee on the National Housing and Homelessness Plan Bill 2024 (No. 2)

9 August 2024

About ACOSS

The Australian Council of Social Service (ACOSS) is a national voice in support of people affected by poverty, disadvantage and inequality and the peak body for the community services and civil society sector.

ACOSS consists of a network of approximately 4000 organisations and individuals across Australia in metro, regional and remote areas.

Our vision is an end to poverty in all its forms; economies that are fair, sustainable and resilient; and communities that are just, peaceful and inclusive.

Summary

To effectively addressing housing need and homelessness, the Australian government needs to develop and implement a long-term plan which coordinates the many government agencies and policy levers that engage with housing matters, and ensure the participation of people directly affected in relevant policy-making. The government is currently developing but is yet to release a National Housing and Homelessness Plan.

ACOSS is supportive of this bill because it would require the government of the day to develop, implement and evaluate a 10-year National Housing and Homelessness Plan (Plan), in collaboration with civil society and people directly affected. ACOSS is one of over 100 signatories to an [open letter](#) calling on the government to legislate a statutory basis for the National Housing and Homelessness Plan.

We also reiterate our other key policy asks in this area, including to increase social housing to 10% of all housing, increase homelessness services funding to address unmet need, to raise JobSeeker, Youth Allowance and related payments as a first priority and increase supplements (including Commonwealth Rent Assistance), accelerate home energy upgrades to low-income housing, significantly curb negative gearing and capital gains tax discounts, and coordinate stronger rental protections across states and territories (in line with the National Association of Renters' Organisations [nine principles](#)). See our recent submissions to the [People's Commission into the Housing Crisis](#), [Budget Priorities Statement](#), and the [Electricity and Energy](#)

[Sector Net Zero Plan](#) for more details. We consider that this bill to legislate a National Housing and Homelessness Plan is an important step and provides a useful policy framework within which to achieve these policy changes.

Need for coordinated government action

Coordination across government levels and policy areas

Unmet housing need and homelessness are complex problems affected by policy levers across several levels of government and policy areas, including:

- at the federal government level – taxation (especially tax concessions related to property investment), migration, social security, monetary policy, prudential and business regulation, and employment policy;
- at the state/territory government level – rental regulation, taxation (especially the role of stamp duty), land use and planning policy, building quality regulation, and transport policy;
- at both the federal and state/territory government levels – funding for housing, supporting infrastructure, and relevant services;
- at the local government level – local infrastructure, planning administration, and council rates.¹

The main existing, formal mechanism for intergovernmental collaboration is meetings of National Cabinet and the Ministerial Council of Housing and Homelessness, which reports to National Cabinet. However, the National Cabinet and Ministerial Council is not required to and often do not engage in sustained deliberation and pursuit of a joint long-term plan to address core elements of unmet housing need and homelessness.² Before the Albanese government, Housing Ministers from across the country had not met in almost five years.³ Australian governments need an overarching long-term plan to guide coordination across the different levels of government, which this bill could help provide.

Coordination across government agencies

There is currently no lead Australian government agency to coordinate the housing-related activities carried out by many different government agencies. At the federal government level, these agencies include:

¹ Australian Parliamentary Library, *Housing market interventions*, available [online](#), accessed 2 August 2024; Australian Housing and Urban Research Institute, *Understanding the housing policy levers of Commonwealth, state and territory, and local government*, available [online](#), accessed 2 August 2024.

² See eg Department of the Prime Minister and Cabinet, *Guidance for Intergovernmental Meetings*, available [online](#), accessed 2 August 2024; Department of the Prime Minister and Cabinet, *National Cabinet Terms of Reference*, available [online](#), accessed 2 August 2024.

³ The Hon Julie Collins MP, *Address to CEDA*, 11 October 2023, available [online](#), accessed 2 August 2024.

- Department of Social Services – administering schemes like the National Agreement on Social Housing & Homelessness, Commonwealth Rent Assistance, and the previous National Rental Affordability Scheme;
- Housing Australia – administering schemes including the National Housing Infrastructure Facility, Affordable Bond Aggregator, and Housing Australia Future Fund;
- Treasury – administering the National Housing Accord, supporting the National Housing Supply and Affordability Council, and carrying out policy work within the Revenue, Small Business and Housing Group (Housing Division);
- Other agencies – including the Reserve Bank of Australia and Australian Prudential Regulation Authority (which formally report to Treasury), the Clean Energy Finance Corporation, Defence Housing Australia, and Indigenous Business Australia.⁴

This bill would require the government to have a Plan that could help clarify how these agencies should collaborate and collectively achieve shared objectives. It would also clearly nominate Housing Australia as the key agency to lead this coordination and assist the Minister in preparation, implementation and review of the Plan.⁵

Accountability for a timely, comprehensive Plan

There has been little articulation from the Albanese government of its overall objectives towards addressing unmet housing need and homelessness, other than in selected areas such as housing supply targets. Nor has the government articulated how the many initiatives it has announced⁶ are intended to work together to achieve those objectives. While the Albanese government promised the release of a National Housing and Homelessness Plan by the middle of 2024,⁷ the plan has still not been released. There are also concerns that the Plan that is being developed may not be comprehensive or meaningfully supported for implementation, including through additional investment. For example, the Issues Paper of July 2023 avoided discussion of key issues related to housing need, such as reforming negative gearing and capital gains tax discounts,⁸ and the government's key response to date – the Consultation

⁴ Australian Housing and Urban Research Institute, *Towards an Australian Housing and Homelessness Strategy: understanding national approaches in contemporary policy*, available [online](#), accessed 2 August 2024, pp. 26-27.

⁵ National Housing and Homelessness Plan Bill 2024 (No. 2) s 11.

⁶ See eg, Hon Julie Collins MP, *Homes for Australia Plan: delivering more homes for Australians*, available [online](#), 14 May 2024, accessed 2 August 2024.

⁷ Australian Labor Party, *Labor's Commitment to Affordable Housing*, 29 June 2023, available [online](#), accessed 2 August 2024.

⁸ Department of Social Services, *National Housing and Homelessness Plan Issues Paper*, August 2023, available [online](#), accessed 2 August 2024.

Summary of January 2024 – did not provide any government views or assessments of the reforms proposed by stakeholders.⁹

This bill would help address delays in developing a National Housing and Homelessness Plan by requiring the government to develop and maintain the Plan in a timely and ongoing way – no later than 1 year after the Act commences, and no later than 10 years after the previous Plan.¹⁰ The bill could also help address glaring omissions in the Plan by requiring the government to address core matters set out in the bill,¹¹ while also establishing an independent National Housing and Homelessness Advocate (Advocate) which can initiate its own reviews of systemic housing issues and provide advice to the Minister.¹² The bill could also improve government accountability for implementing the Plan, by requiring the Minister to table triennial reports on the effectiveness of the Plan,¹³ requiring the Advocate to monitor progress in achieving desired outcomes under the Plan,¹⁴ and requiring Housing Australia to conduct a review and consultation process to prepare any new Plan.¹⁵

Participation of people directly affected

The Australian government currently lacks an ongoing, dedicated mechanism for people directly affected by housing need and homelessness to participate in housing and homelessness policy-making. The National Housing Affordability and Supply Council, for example, mostly comprises government, industry, and academic representatives who are not explicitly required to possess or draw on perspectives of consumers and people directly affected by housing and homelessness challenges.¹⁶ While it is important the government receive high quality technocratic expertise to inform its policy-making, this must be complemented by participation of people directly affected by those policies. This is especially important in the context of high public dissatisfaction and disengagement with democratic processes in Australia¹⁷ and a broader need to

⁹ Department of Social Services, *Summary Report: Consultations on the National Housing and Homelessness Plan*, January 2024, available [online](#), accessed 2 August 2024.

¹⁰ National Housing and Homelessness Plan Bill 2024 (No. 2) s 7.

¹¹ Ibid s 8.

¹² Ibid Part 4 Divisions 2 and 3.

¹³ Ibid s 12.

¹⁴ Ibid s 33.

¹⁵ Ibid s 13.

¹⁶ National Housing Supply and Affordability Council, *Council Members*, available [online](#), accessed 2 August 2024.

¹⁷ Australian Public Service Commission, *Trust and Satisfaction in Australian Democracy: 2023 National Survey*, 14 March 2024, available [online](#), accessed 2 August 2024.

improve democratic participation in policy-making, including facilitating this participation through civil society organisations.¹⁸

This bill could improve participation of people directly affected in housing and homelessness policy-making, if implemented well, by establishing an independent National Housing Consumer Council (Council), which is to advise the Minister on the effectiveness of the Plan and other current issues relating to housing and homelessness, from the perspective of consumers.¹⁹ The Council would consist in people with relevant lived experience and its members would be selected having regard to a diversity of consumer perspectives.²⁰ The bill, if implemented well, could also improve participation of people directly affected by requiring the government, in preparing and implementing the Plan, to collaborate with civil society organisations, members of groups who face special disadvantage in the housing system, people with lived experience of housing need, and people with lived experience of homelessness.²¹

Finally, ACOSS also supports the bill's recognition that the right to adequate housing is a fundamental human right,²² and we join with many organisations to call on the government to implement a federal Human Rights Act as recommended by the Parliamentary Joint Committee on Human Rights.²³ A federal Human Rights Act would require the parliament and federal government to consider the impact on human rights in making policies, laws and decisions, and it would provide people whose human rights have been breached to pursue legal remedies. See the [Human Rights Act Campaign](#) for more information.

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¹⁸ Department of Home Affairs, *Strengthening Australian democracy: A practical agenda for democratic resilience*, 2 July 2024, available [online](#), accessed 2 August 2024, pp. 3, 15-16, 45-49.

¹⁹ National Housing and Homelessness Plan Bill 2024 (No. 2) Part 3 Division 2.

²⁰ Ibid s 20.

²¹ Ibid ss 9-10.

²² Ibid s 3.

²³ Parliamentary Joint Committee on Human Rights, *Inquiry into Australia's Human Rights Framework Final Report*, May 2024, available [online](#), accessed 2 August 2024.