

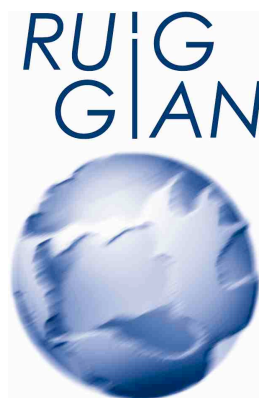
Centre on
Housing Rights
and Evictions



THE IMPACTS OF THE SYDNEY OLYMPIC GAMES ON HOUSING RIGHTS

Background Paper

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Background

This background research paper is part of the COHRE Mega-Events, Olympic Games and Housing Rights Project. It was prepared as a preliminary independent study of the impact of the Sydney Olympics on housing rights. Similar studies were done for the cities of Atlanta, Athens, Barcelona, Beijing, London, and Seoul. The background research papers were used in the preparation of COHRE's *Fair Play for Housing Rights: Mega-Events, Olympic Games and Housing Rights* report, launched in Geneva on 5 June 2007. The contents and opinions of the material available in this paper are those of the author and do not necessarily correspond with those of COHRE. All documents published as part of this project are available at: www.cohre.org/mega-events/.

About the Author

Hazel Blunden was a housing activist and member of Rentwatchers during the 2000 Olympics. She has worked tenancy advice services, for Shelter New South Wales, as a tutor at Macquarie and Sydney Universities, and currently works as an advisor for The Greens in the New South Wales Parliament in Sydney, Australia. She can be contacted at hazel_blunden@yahoo.com.au.

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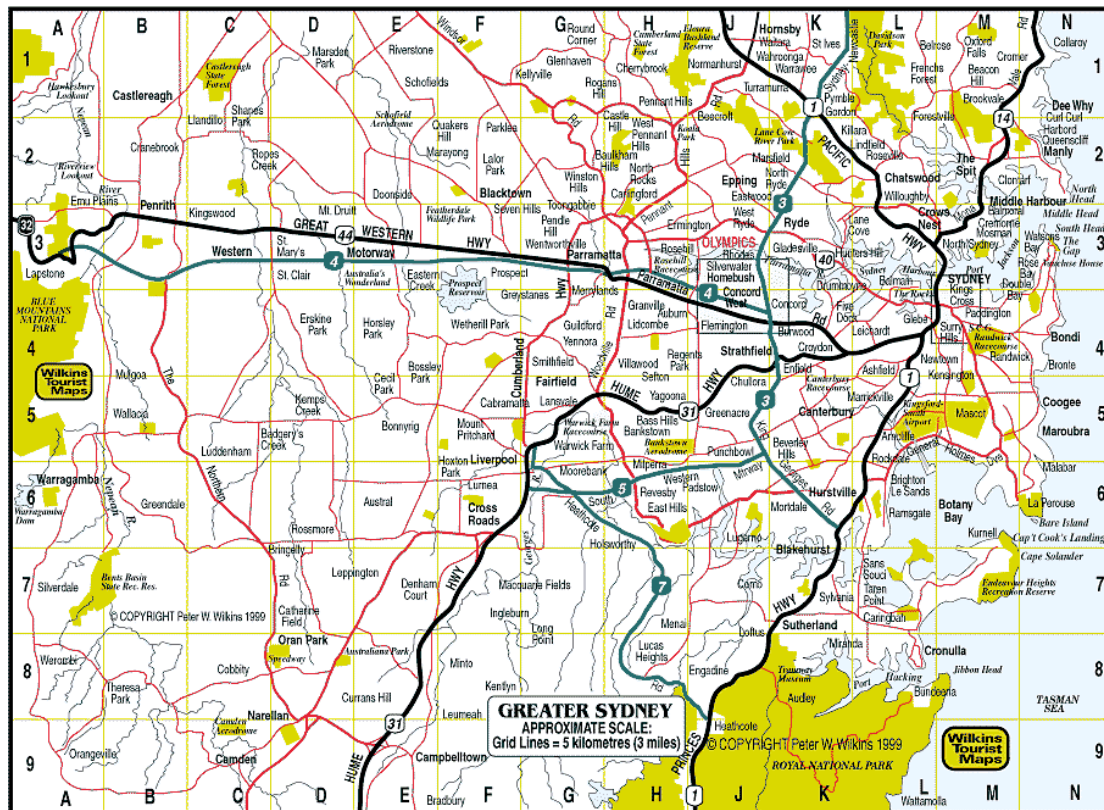
Executive Summary

About the report

This study focuses on Sydney, Australia. The Olympic Games were held in Sydney in September 2000. This report will examine the staging of the Games and also the period from when Sydney won the bid in 1993 through to 2005.

The sources used for this report are government documents such as the candidature or 'bid' documents, official Olympic documents and websites, minutes from meetings, and reports by consultants working for the government. Other sources include the archived material held by various NGOs and activist groups, websites, leaflets, reports and interviews with activists, police, lawyers, and people in the community and welfare sector. Statistical data has been collected from government sources such as the Australian Bureau of Statistics and Rental Bond Board; and non-government sources such as Tenants Advice and Advocacy Services and the Homeless Persons Information Centre.

Figure 1: Sydney, Australia



© Wilkins tourist maps

The Olympic stadium is located at Homebush. Other venues were at Penrith, Holdsworthy, Bankstown, Bondi, and Darling Harbour.

Main findings for Sydney, Australia

The housing rights impacts in Sydney as a result of the staging of the Summer Olympic Games in 2000 can be summarised as follows.

1. The staging of the Olympic Games exacerbated or brought forward the escalation of housing costs in Sydney. However it is hard to say that the Olympic Games were the sole cause since statistics show a doubling of house prices between 1996 and 2003 and a general upward trend in rents 1997-2005. There is some evidence of 'peaking' of rents or house prices around 2000 especially although not exclusively in suburbs close to the Olympic sites.
2. Despite lobbying by NGOs and The Greens moving an amendment to tenancy law in Parliament, the New South Wales Government did nothing to intervene to temporarily control rents or prevent tenants from being evicted prior to or during the Olympic Games.
3. There was a loss of low income housing stock such as boarding houses. However this process has been an ongoing one. Some low-end Olympic visitors may have been accommodated in boarding houses or former boarding houses, leading to evictions of residents. Given the demand for visitor accommodation, it is likely that some boarding house stock was used for this purpose.
4. There were no forced evictions relating to construction or upgrading of facilities for the Olympic Games.
5. A raft of legislation was enacted to control people's behaviour in public space. This legislation could be used against homeless people to 'move them on' to prevent them from sleeping in public places; and to repress protests or dissent.
6. There was a high level of activity related to housing and homelessness amongst activists and NGOs prior to, and during, the Olympic Games. Activist groups and NGOs educated themselves about the effects of the Olympic Games in other cities (in particular, Atlanta and Barcelona) well in advance. Coalitions were formed (the Olympic Games Impact Alliance and Anti-Olympics Alliance).

Introduction

Government in Australia

There are three levels of government in Australia: the Commonwealth or Federal Government, the State and Territory Governments, and local government.

The Commonwealth or Federal Government is the national government of Australia. It has the power to impose taxation, is responsible for national defence, issuing currency, and providing grants to the States and Territories for the purpose of providing services. It makes social security payments to those who cannot work (pensions or unemployment allowances).

The State and Territory Governments receive payments from the Commonwealth or Federal Government which allows these Governments to provide services such as health care, social housing, and education. The States and Territories each have their own residential tenancy and social housing legislation. The State Government of New South Wales was the main level of government presiding over the 2000 Sydney Olympic Games (Sydney being located in the state of New South Wales).

Local governments (Councils) cover smaller subsections of a State or Territory. Councils can raise revenue by charging land owners rates, and charging fees. Councils provide services such as rubbish collection and recycling, sporting facilities, childcare centres and community centres. The local governments relevant to this study are those covering the Olympic Games sites, such as the City of Sydney Council, Concord Council, Waverley Council, Auburn Council, and Parramatta Council.

All Australian citizens are required to vote in Federal, State or Territory and Local Government elections. There are financial penalties for failing to vote.

There are two major political parties in Australia: The Australian Labor Party ('Labor' or 'the ALP') and a coalition of the Liberal Party and the National Party ('the Coalition'). Significant minor parties are The Greens and The Democrats.

The staging of the Games had support from all levels of government and both major parties.

Housing in Australia

Australia is a relatively affluent nation of home owners. About two thirds of people in Australia are owner-occupiers. However a significant proportion of Australians are renters (26.3 per cent). Of these, 21 per cent rent privately and 5.6 per cent rent social housing¹. In Sydney, the proportion of renters is higher than average and particularly high in inner city local government areas such as the City of Sydney where 53 per cent of all residents rent².

4.2³ million people live in Sydney, Australia's most populous city. Sydney was and is Australia's most expensive city. In early 1998 the Real Estate Institute of Australia published figures which showed that Sydney tenants paid almost double the rent for a 3 bedroom home than tenants of Melbourne and Canberra⁴. Between 1996 and 2003, house prices in Sydney doubled. Between 1993 and 1998 Sydney's rents increased by 40 per cent whereas Melbourne, the capital city with the next biggest rise in rents, experienced an increase of only 9.6 per cent⁵. For Sydneysiders wanting to buy a home, in 2004 a median priced dwelling was nine times the median household income, whereas in the 1970s it was approximately three or four times⁶. On a world scale, in 2004 Sydney

¹ Australian Bureau of Statistics, 2001 Census data.

² Australian Bureau of Statistics, 2001 Census data.

³ Australian Bureau of Statistics, Sydney Statistical Division population, June 2002.

⁴ *Sydney Morning Herald* 27/1/98

⁵ Rentwatchers Report 3 March 1999.

⁶ 'Scoping the Affordable Housing Task', a presentation by Stewart Crawford Moderate Income Housing Programme Landcom New South Wales http://www.shelterNew_South_Wales.infoxchange.net.au/ahn/ahn-post040130landcom.pdf. Accessed 30/5/05

was ranked the twentieth most expensive city to live in, and the most expensive in the Australasian region⁷. By 2006, Sydney had jumped into 7th place⁸.

There is an increasing level of housing stress⁹ in Sydney. The 2001 census revealed that 58.9 per cent of low-to-moderate income private renters and purchasers in New South Wales, nearly 220,000 households, were in housing stress. The large majority of these households live in Sydney or other coastal areas and are single people or single parent families¹⁰.

Boarding houses provide relatively cheap accommodation for people on low incomes. Boarders are not covered by any law and are excluded from the New South Wales Residential Tenancies Act. This means they have no tenancy rights and can be evicted with no notice whatsoever.

In 2001, 99,900 Australians were classed as homeless while at least 14,200 people were sleeping rough. Of the total, 26,676 were in New South Wales¹¹. The Homeless Persons Information Service, which is an advice and accommodation brokerage telephone service covering all of New South Wales, responded to over 47,000 calls from individuals and government and community agencies in 2002. In that year HPIC successfully referred 93 per cent of clients to accommodation¹².

Indigenous Australians have only half the home ownership rates of non-Indigenous Australians¹³. Many indigenous people especially those in rural and remote parts of Australia live in sub-standard housing and suffer from poorer health and higher than average rates of mortality.

Australia's housing stock is largely unregulated. A neo-liberal or 'economic-rationalist' economic philosophy is dominant in Australia, and especially in New South Wales. There are few regulations controlling housing price or rent levels.

Housing rights in Australia

Like all rights, these only exist where they have been won and accepted. The core of Australia's post-war social settlement was access to affordable home ownership and access to a social housing system. This settlement is being rapidly eroded: housing has become increasingly unaffordable to buy and social housing supply has stagnated. There

⁷Mercer Human Resources Consulting Cost of Living Survey ranked Sydney 20th most expensive city in the world in 2004 and the most expensive in the Australasian region.

<http://www.finfacts.com/costofliving.htm> accessed 30.5.05

⁸The 3rd Annual Demographia International Housing Affordability Survey ranked Sydney 7th most expensive city in the world in 2007. <http://www.demographia.com/dhi-ix2005q3.pdf>

⁹Housing stress is a term commonly applied to households in the lowest two quintiles of income distribution paying more than 30per cent of their income on rent or mortgage repayments.

¹⁰New South Wales Department of Housing Annual Report 2002-2003.

http://www.housing.New South Wales.gov.au/DOH_AR/2002-2003/section4.htm Accessed 30/5/05.

¹¹Australian Bureau of Statistics, 2001 Census data

<http://www.abs.gov.au/Ausstats/abs@.nsf/0/ddc8dc3787e2d9fcca256e9e0028f91e?OpenDocument> Accessed 30/5/05

¹²City of Sydney: Homeless Persons Information Centre,

http://www.cityofsydney.New South Wales.gov.au/cat_z_h_shs_hplic.asp Accessed 30/5/05

¹³However in some areas, collective forms of 'ownership' prevail. Private property ownership (in the sense of holding a title or deed to land) is not commonly part of traditional Indigenous cultural practice; there are traditional rights to land.

is no legislative provision that reflects the principles of Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) which provides for the right to adequate housing. For example, in four key housing acts, there is no language of entitlement or right to housing as such. These Acts have the following objects:

to provide housing assistance by which people can obtain affordable, secure and appropriate housing¹⁴.

to maintain a core Social Housing sector to assist people unable to access alternative suitable housing options¹⁵.

to provide transitional supported accommodation and related support services, in order to help people who are homeless to achieve the maximum possible degree of self-reliance and independence¹⁶.

to maximise the opportunities for all people in New South Wales to have access to secure, appropriate and affordable housing¹⁷.

The language employed means that assistance, while offered, is contingent on need and inability to access other forms of housing (private rental or home ownership); and geared towards maximising opportunity for self-reliance rather than guaranteeing secure, safe and affordable housing for all those who need it.

In regards to forced evictions, Government has power to resume an area and evict people. Compensation is payable for home owners. In the past, governments have resumed areas as part of 'slum clearance' programs, or to build roads. However this was not necessary in the case of the 2000 Olympic Games.

Housing policy in Australia

Australia has no official national housing policy. There is currently no Federal Housing Minister; however there are State and Territory Housing Ministers and Departments. There is a social housing system which represents 5.6 per cent of total Australian housing stock. This is funded by a Commonwealth grant regulated through the Commonwealth-State Housing Agreement.

In New South Wales, the Department of Housing is the State Government agency that owns and manages over 140,000 units of social housing. There are long waiting lists for this housing and it is heavily rationed.

In the private market, the landlord's right to their premises is more valued than a tenant's security of tenure and ability to pay. Legislation reflects this, for example, a 'no grounds' termination of a Residential Tenancy Agreement is allowable if the correct notice is given (60 days notice in New South Wales). Leases are generally short, with the fixed term ordinarily being 6 or 12 months. A fixed term lease can be terminated within 14 days of its expiration date. The amount that rent can be increased is uncapped, as long as the

¹⁴ Commonwealth Housing Assistance Act 1996.

¹⁵ Commonwealth-State Housing Agreement 2003.

¹⁶ Commonwealth Supported Accommodation and Assistance Act 1994

¹⁷ New South Wales Housing Act 2001.

correct notice period is given (60 days notice in New South Wales). There is no linking of rent to the Consumer Price Index.

Social housing¹⁸ tenants have more security of tenure. As long as they do not breach the terms of the agreement they can stay in social housing for as long as they like (if they are still eligible). However recent changes were announced to make social housing leases shorter or 'renewable'. Social housing tenants have their rents fixed at an affordable level (25 per cent of gross income). However this may be changing too as recent announcements sought to increase some tenants' rents to 30 per cent of income, and require those on moderate incomes to leave social housing and move into the private rental sector¹⁹. As at 30 June 2004, there were 73,289 households on the social housing register in New South Wales²⁰. Those eligible are often subject to long waiting periods. In Sydney this can mean a wait of over 10 years for those on the 'wait turn' list.

Vulnerable people

Certain people are more vulnerable to others to eviction and homelessness. They are more likely to move house often, be evicted and/or come into contact with the police on the streets.

Indigenous Australians are more likely to be homeless or sleep out of doors. Indigenous Australians are less likely to be home owners (however some have some form of collective connection or rights to land). In remote and rural areas, Aboriginal people may live on the land in a collective manner and continue to practice traditional culture. The government provides housing (some of it very poor quality) to Indigenous Australians. In Sydney, by contrast, many Indigenous people are renting from a private landlord, or are tenants in social or Aboriginal housing. Indigenous people are more likely to experience discrimination from real estate agents or landlords when trying to access private rental housing. There are significant numbers of Indigenous people amongst Sydney's homeless population.

People on low incomes. Those who are unemployed, single parents on a disability pension or other government benefits, or who have recently arrived in Australia, have great difficulty in accessing private rental housing, due to cost and discrimination by real estate agents and landlords. There are a dwindling number of boarding houses left in Sydney. Since 1988, 76.05 per cent of South Sydney's boarding houses disappeared²¹. Whilst these are a cheaper form of accommodation, boarders and lodgers have no tenancy rights, can be evicted with no notice and cannot make their landlord to carry out repairs or maintenance. Others live in residential parks in moveable structures. Many Sydney-based and coastal residential parks have been closing down as owners apply to have their park rezoned and redeveloped. There is an inadequate supply of social housing

¹⁸ Social housing refers to housing owned by the Department of Housing. There are four managers of this housing: the Department of Housing, community housing associations, Aboriginal housing organisations and co-ops. However the title for all of these forms of social housing is held by the Department of Housing. The total number of properties under management by social housing providers as at 30 June 2003 was 145,933. New South Wales Department of Housing Annual report 2002-2003 http://www.housing.nsw.gov.au/DOH_AR/2002-2003/section4.htm Accessed 30/5/05.

¹⁹ Announcement by the Minister for Housing, Joe Tripodi, and the New South Wales Premier, Bob Carr, on 27 April 2005.

²⁰ New South Wales Department of Housing Annual report 2003-2004 <http://www.housing.nsw.gov.au/> Accessed 30/5/05.

²¹ University of Sydney, Inner Sydney Boarding House Report, 1998

in Sydney with waiting lists of over 10 years for many metropolitan areas. Those who cannot access any of these housing options can become homeless, moving between friend's couches, from refuge to refuge, or sleeping on the streets. Some on low incomes, particularly those on pensions tend to move away from expensive cities to lower cost housing areas in regional towns or rural areas²².

People with a mental illness make up the majority of Sydney's street homeless population. Following deinstitutionalisation, people with a mental illness have not been able to access care in a community setting and many end up in temporary accommodation or on the streets. New South Wales's prisons and hospital emergency wards are full of people with mental illnesses.

Young people who have had to leave home have difficulty accessing private rental because of discrimination or lack of rental history. They are often on a lower income than adults. Family breakdown is often the cause of homelessness.

Sydney's Bid and Candidature for the Olympic Games

Australia has a strong association with the Olympic Games. The Olympic Games was hosted by Melbourne in 1956. Brisbane bid for the 1996 Olympic Games, but was not successful. The New South Wales and Federal Governments put in a bid in for Sydney to host the 2000 Olympic Games, along with Beijing, Manchester, Istanbul, Berlin, and Brasilia. The bid garnered bipartisan support from the two major parties, from the Commonwealth and State Governments, and from the City of Sydney. Trade unions were also in favour of the bid.

The bidding vehicle was formed as a company (Sydney Olympic Games 2000 Bid Ltd). The company was incorporated in New South Wales and drew on funds from the public and private sectors²³. The Premier of New South Wales was the company's president. Other members were drawn from government, local government, the IOC and AOC, and the private sector. Some of the people who promoted the Brisbane bid became involved in the Sydney bid. The bid was described by Rod McGeoch, one of the directors of the company, as a "sophisticated international marketing exercise" and the IOC members as "our customers". Sydney was a 'brand'. An advertising agency came up with a slogan for the campaign: "Share the Spirit". As well as all the corporate language, the bid company espoused 'worthy principles' proper to the Games – "friendship, solidarity and fair-play"²⁴. The bid emphasised that Sydney was ready to host the Games and had the requisite infrastructure for the staging of the mega-event. The bid company set itself the task of luring every member of the IOC to Sydney within the years leading up to the decision on the candidatures. The elements of the 'pitch' were in essence that: Sydney was a city in a developed country; Sydney had the necessary infrastructure (or could build it); Sydney had a beautiful harbour; and that Australians were sports-mad and would therefore welcome the Olympic Games with open arms. As the Premier-to-be, Bob Carr, confidently said, "The IOC will go for gold. It will go for Australia"²⁵.

²² Bradbury B. and Chalmers, J. 2003 *Housing Location and Employment* AHURI: UNSW-UWS Research Centre.

²³ Sydney Olympic 2000 Bid Ltd. Fact Sheets, p.3.

²⁴ Sydney Bid Document Vol. 1 p.10.

²⁵ New South Wales State Parliament Legislative Assembly Hansard, 16 September 1993, <http://www.parliament.New South Wales.gov.au/prod/parlament/hansart.nsf/V3Key/LA19930916011>

Sydney's three-volume bid document gave background information about Australian society, economic history and culture.

Australia is presented as an open, tolerant multicultural society. In a clear attempt to differentiate itself from Beijing, Australia is presented as having "an outstanding record in human rights on the foundation of a Constitution which underpins freedom of speech, religion and political allegiance"²⁶.

The bid documents highlight Sydney's physical characteristics and the beauty of Sydney Harbour. The clean/green environment is presented as a drawcard and the bid document makes much of Sydney's lack of pollution, 'stringent' environmental controls, and lack of acid rain.

In regards to housing, the bid documents reassure the reader that there would be "no resumption of land" involved in the staging of the Games because the main stadium area at Homebush was surplus government land²⁷, and therefore no evictions would be required as the land was already vacant. However, the document fails to make mention of the significant pollution at the site.

The bid documents outlines the plans to set aside some of the Homebush Bay site for the construction of the Athlete's Village and retail outlets. The bid document claims that "Sydney's Olympic Village will be exceptional", reaching international standards for contemporary urban design and that it would function as a prototype for future medium-density developments in Australia²⁸. The housing was to be built to high environmental standards as part of the green emphasis of the Sydney Olympic Games. After the Games, the Athlete's Village would become a new suburb; however there was no commitment in the bid document to reserve any part of it for social or affordable housing purposes²⁹. The housing would be rented, and then sold, "according to prevailing market conditions"³⁰.

The third volume of the bid documents present information about all the Olympic sports and venues.

Evidently Sydney's pitch to the IOC and years of concerted lobbying worked. Sydney (or 'Syd-en-ee' as Juan Antonio Samaranch, the President of the IOC mispronounced it) was announced as the host city for the 2000 Summer Olympic Games on September 23, 1993.

Olympic Authorities

The specific structures created to deal with the urban planning, development, construction in relation to the Games were as follows:

²⁶ Sydney Bid Document Vol. 1 p.18.

²⁷ Sydney Bid Document Vol. 2 p. 14.

²⁸ Sydney Bid Document Vol. 2 p. 6.

²⁹ This is in contrast with Melbourne's housing built for the Commonwealth Games in 2006, which will include a proportion of affordable housing.

³⁰ Sydney Bid Document Vol. 2 p. 20.

The Federal Government had the role of backing the bid and providing some funding for the staging of the Olympic Games.

The New South Wales Government was the driving force behind the Olympic Games. It provided much of the funding, government staff and resources, and organised the construction of the stadium, other sporting venues, athlete's village and related infrastructure such as a new train line. The New South Wales Government set up some specific instrumentalities to assist in the staging of the Olympic Games.

- **The Sydney Organising Committee for the Olympic Games (SOCOG)** was the central point for coordinating the staging of the Games.
- **The Olympic Coordination Authority (OCA)** was a cross-department body set up to ensure a coherent approach to infrastructure, transport, etc.
- **The Olympic Road and Transport Authority** coordinated transport to and from the main stadium the other venues and throughout Sydney, especially between the Airport, the City and the venues.

There was mass co-option of public servants to SOCOG, OCA and ORTA.

There was national/state representation through the Sydney Olympic Bid Company Limited and the Australian Olympic Committee.

The New South Wales Government was represented through SOCOG and its special authorities.

These authorities were dominated by government. There was some civil society representation in the form of former athlete members of the AOC and some private sector members.

There were not many women on any of the Olympic Committees.

The National Olympic Committee

The Australian Olympic Committee (AOC) has strong links with International Olympic Committee (IOC). Two members of the AOC, Phil Coles and Kevan Gosper were members of, and are currently members of, the IOC.

The AOC was subsumed into the Sydney Olympic Bid Company Limited, and then into SOCOG.

The City of Sydney Council, and other Sydney-based Councils, also played their part especially when a sporting venue was located in their area. The Mayor of Sydney, Frank Sartor, publicly backed the bid and was represented on SOCOG.

Early concerns

The Reverend Harry Herbert recounted how when the New South Wales Government announced the bid, a number of organisations asked for social impacts to be included as

part of the bid³¹. The government did not agree. However after the success of the bid, the Fahey government agreed to a social impacts study to be undertaken by Keys Young Consultancy in 1995. The main findings of this report were that there should be

- coordinated social impact management
- access and equity (broad community and special groups)
- public information
- channels for community consultation
- involvement of local government
- early monitoring and planning³².

The Keys Young report recommended an Olympic Charter to 'help to achieve widespread community benefits from the Games'. However this did not happen.

From 1993 onwards, non-government organisations and activist groups began to undertake research, form coalitions, and organise to ensure that the Olympic Games would not cause detrimental social impacts on Sydney's most marginal and poorest residents. The initial response from the community to the winning of the bid, and in the years leading up to 2000, ranged from jubilation and enthusiasm, to outright hostility, to ironic satire³³. Most welfare groups and housing organisations were concerned that underprivileged people would be badly affected. The main points of reference for these fears were the Brisbane Expo of 1988 and the Atlanta Olympic Games in 1996. Both events saw major urban redevelopment and the clearing out of homeless people from the city and loss of low-cost housing stock.

Atlanta became a point of reference for Sydney activists. In the years before the Atlanta bid, the city lost 2,000 beds in cheap rooming houses. Homeless people were kept out of sight when the IOC visited. The Quality of Life Ordinances outlawed homeless people sleeping in derelict buildings, being in a parking lot without owning a car and begging any way the police didn't like³⁴. 10,000 homeless people were arrested in downtown Atlanta from July 1995 to July 1996, more than four times the usual number³⁵. Soup kitchens came under pressure to feed fewer people, because the authorities didn't want visibly homeless men to be given any encouragement. 60 year old social housing was deliberately de-tenanted and then converted into Olympic Village and private housing, using public funds³⁶.

The example of Atlanta sounded a warning bell in the minds of Sydney activists. After a visit to Sydney from Anita Beaty, the head of the Atlanta Taskforce on Homelessness, activists and NGOs had some idea of what a worst-case scenario could look like. They did not want to see Atlanta-style 'street sweeping' where homeless people seen as 'undesirable' for Sydney's image would be moved on and out of public spaces and

³¹ Herbert, H. Chair, Olympic Games Social Impacts Advisory Committee, 'How well are we managing the social impacts?'

³² Cox, G.'s summary of the Keys Young report.

³³ For example, see the ABC TV satirical series, *The Games*.

³⁴ Jennings, A. 'T.O. Olympic Leap of Faith', based on interview with Anita Beaty, Atlanta Taskforce on Homelessness, <http://www.nowtoronto.com/issues/2000-09-14/newsspread.html>

³⁵ 'Everyone's not a winner: policing and the Olympics' *Framed* Issue 36. http://www.justiceaction.org.au/Framed/Iss31_40/Frmd_36/Fr36_Txt1.html

³⁶ Jennings, A. 'T.O. Olympic Leap of Faith', based on interview with Anita Beaty, Atlanta Taskforce on Homelessness, <http://www.nowtoronto.com/issues/2000-09-14/newsspread.html>

subject to arrest and incarceration. Almost as soon as the bid was won, housing and legal groups set about ensuring that this would not happen in Sydney.

Addressing the social impacts?

After a change of government from the Coalition to Labor in New South Wales, a Social Impacts Advisory Committee (SIAC) was established with Herbert as chair, and included representatives from organisations representing the community sector such as New South Wales Council of Social Services, Shelter New South Wales, the church-based services, and other community organisations. The committee was to report every six months to the Minister for the Olympic Games, Michael Knight who would then report to the Premier, Bob Carr. These reports would not be made public however those on SIAC thought they should be.³⁷

Gary Moore, the NCOSS representative on the SIAC, noted that some information was kept from the community representatives on the committee³⁸. Moore, Herbert and others often raised housing issues such as rising rents and homelessness at SIAC meetings. Herbert said that they were not terribly successful in having their concerns acted upon, but that the Government was forced to at least address their concerns³⁹. The government agreed to monitor rents and appointed consultants through the Department of Fair Trading to do this.

Activists and NGOs start organising

Prior to government collecting data on rental movements, the non-government and activist groups had been doing their own research. In particular, Rentwatchers, a community coalition formed in 1994, began their own rental monitoring and reported regularly on the findings in their *Rentwatchers Reports*. The Tenants Advice and Advocacy Services⁴⁰ recorded data relating to enquiries from tenants about rent increases and terminations. Shelter New South Wales, a non-government housing peak organisation, had a strong interest in the Olympic Games. The Executive Officer Rod Plant saw the Olympic Games as a priority in Shelter New South Wales's work plan⁴¹ and Shelter continued its efforts right up to and during the Olympic Games.

Shelter New South Wales released a report in September 1999, 'Ready... Set... Go! One year to go – It's time for action on housing and homelessness for the 2000 Olympic Games', exactly one year before the Olympic Games were to commence. This report made many recommendations including legislative safeguards to protect Sydneysiders from large rent increases.

The New South Wales Council of Social Services organised two one-day conferences called 'Living in the Olympic State' in 1997 and 1999⁴².

³⁷ Interview with Gary Moore, April 2005.

³⁸ Interview with Gary Moore, April 2005.

³⁹ Interview with Harry Herbert, June 2005.

⁴⁰ These services, funded by the interest from tenants' bonds, provide free advice and advocacy to New South Wales tenants on their rights and responsibilities under the Residential Tenancies Act 1987.

⁴¹ Interview with Rod Plant, May 2005.

⁴² REFS

When the Executive Officer of Shelter New South Wales presented to the 'Living in the Olympic State II' conference in 1999, his assessment was that the State government was

- Unprepared in a large number of social impact areas;
- Unwilling to publicly acknowledge these areas and so failing to plan properly for them;
- Denying that some obviously impacts, such as huge Olympic-related rent increases and evictions, are even happening⁴³.

In January 2000 the Olympic Impact Coalition (OIC) was formed bringing together a wide range of organisations⁴⁴. Its aim was to bring various groups together to mitigate the Olympics impact.

It conducted two strategy days in order to discuss issues and formulate plans for actions.

Government response

The Department of Fair Trading's own rental market monitoring was a source of contention on the SIAC and elsewhere. The reports by the consultants did show large average quarterly rises in rents across many key areas but the consultants noted that the redevelopment associated with the Games may not be a factor in these increases⁴⁵. Rentwatchers decided to launch its own 'proof file' to counteract the government's assertions that there was no discernable rental impact.

Government did not accept that there was any need for precautionary legislative change to protect tenants from arbitrary rent increases and evictions. However many others disagreed, including its own consultants - Robyn Kennedy and Associates, the consultants working for the then Department of Fair Trading and reporting to the SIAC, recommended legislative action, but the New South Wales Government did not concur⁴⁶.

The Department of Housing put some effort into integrating homelessness into its structure by creating the Partnership Against Homelessness and acknowledged the need to plan for increased demand for emergency accommodation during the Games. Also, the suggestion that a homelessness protocol was needed was given consideration.

The Law and the Olympic Games

There were a number of Acts relating to Olympic Games. These Acts were all enacted in the state of New South Wales.

⁴³ Plant, R. May 15 2000, 'Not ready, barely set, but soon to go'.

⁴⁴ Some of the groups in the OIC were Anglicare New South Wales, Red Cross New South Wales, Bankstown Bushland Society, Burnside, Combined Pensioners and Superannuants Association, Copwatch, New South Wales Council of Social Services, Council of the Ageing, Green Games Watch, Inner Sydney Regional Council Social Development, Inner West Greens, , Mental Health Co-ordinating Council, Mercy Family Centre, National Union of Students, Meals on Wheels, Public Interest and Advocacy Centre, Reclaim the Streets, The Salvation Army, University of Technology, Sydney Community Law and Legal Research Centre, Youth Accommodation Association. Rentwatchers Report no. 6 July 2000

⁴⁵ Ibid.

⁴⁶ Interview with Peter Phibbs, July 2005.

The Sydney Organising Committee for the Olympic Games Act 1993 and the Olympic Coordination Authority Act 1995 created the structures that would take care of the planning and staging of the Olympic Games. Both Acts have been repealed.

The Sydney Olympic Park Authority Act 2001 took over the governance of the Olympic facility at Homebush after the Games were over. It creates an authority which governs the Sydney Olympic Park.

The Crimes Legislation (Police and Public Safety) Act 1998 (New South Wales), Homebush Bay Operations Act and regulation 1999 (New South Wales) and Sydney Harbour Foreshore Authority Act 1999 (New South Wales) were about controlling public space and extending police powers. They collectively created a raft of new public order offences in certain geographic areas. They also gave special powers to rangers employed by Councils and private security guards⁴⁷. The UTS Community Law and Legal Research Centre and Public Interest and Advocacy Centre lawyers believed that these new powers could be used against young people, street sex workers, Aboriginal people and homeless people disproportionately and that police could use these powers in an arbitrary manner⁴⁸.

Under the Homebush Bay Operations Act and regulation 1999 and Sydney Harbour Foreshore Authority Act and regulation 1999 police or other officials could remove people from certain public areas such as Homebush Bay or Darling Harbour. A person could be removed for causing ‘annoyance or inconvenience’ or for indecent language. The wording of these Acts and regulations allows police, rangers or security to remove people fairly easily and on little pretext. Under the Sydney Harbour Foreshore Authority regulations a wide range of activities were prohibited. These included collecting or attempting to collect money, using facilities for sleeping overnight or using a skateboard, or roller-skate⁴⁹.

The provisions relating to money and sleeping overnight were especially significant for homeless people’s civil liberties. The only safeguard in either the Homebush Bay Authority Regulations or the Sydney Harbour Foreshore regulations was the requirement that a warning be given prior to being removed or arrested⁵⁰.

In regards to public protest, clause 5 (2) of the Sydney Harbour Foreshore Authority regulation made it an offence to participate in or conduct a public assembly in the Sydney Harbour Foreshore area that was not authorised by the Authority, which gave the Authority wider powers to control public assemblies than those found in the Summary Offences Act. In practice under the Summary Offences Act, police can attempt to prohibit an assembly at court (however in practice police have been unsuccessful)⁵¹. However under the new regulation, the Authority was given power to determine the days, times or conditions on which public assemblies may be conducted and can charge the organisers or participants.

Louise Boon-Kuo, the former Coordinator of the University of Technology, Sydney Law and Legal Research Centre commented that:

⁴⁷ McEniery, P. Senior Solicitor, PIAC, February 2000, ‘Olympic Games Liberty and Security Issues’.

⁴⁸ *ibid.*

⁴⁹ *ibid.*

⁵⁰ *ibid.*

⁵¹ See *Commissioner of Police v Rintoul* [2003] New South Wales SC 662

These are really quite landmark regulations that really changed the nature of public and private space in Sydney... At the time there was a lot of criticism from human rights and housing and homelessness organisations about this kind of clamp down in public space where there was no kind of further provisions made for housing during this period⁵².

All of these Acts amounted to an escalation in surveillance and police powers in public spaces. From data collected during the Olympic Games period, it appears that these powers were not often used, with police preferring to use already-existing powers⁵³. It is not known if the police have used new powers extensively after the Olympic Games as no one has made a study of this.

Housing rights impacts prior to and during the Olympic Games

Increased gentrification

House prices more than doubled between 1996 and 2003. Rents increased significantly also. Similar to other Australian cities, Sydney's pattern of gentrification involved the renovation and rejuvenation of inner city housing stock. Brownfield sites were being used for high density 'infill' developments such as in ex-industrial areas at Pyrmont and Ultimo. The main Olympic stadium itself was to be one of these brownfield developments as was the Olympic Village. The Olympic Games was in a way part of the general gentrification process and part of the way the Government was casting Sydney as a 'global' or 'world-class' city:

There's whole lot of theorising around the society of the spectacle, that sort of thing. It relates to a kind of broader picture of the way in which contemporary developed economies...in a way in which the consumption order of society is very, very much implicated in the processes of urban redevelopment and the valorisation if you like of the urban environment. So without becoming too complicated about the it, the Olympics is real part of that process rather than the driver in a way of that process, though obviously in the short term in the Sydney context, a fantastic amount of development occurred that was fast-tracked was associated with the Olympics⁵⁴.

Although house prices were growing at a rate above the general inflation, rents weren't growing quite as fast (although rents were higher than the national and State average to begin with). This contributed to housing unaffordability. Many renting in Sydney were (and are) in housing stress, that is, paying more than 30 per cent of their income on rent. In the areas close by to the Olympic Stadium, rents did go up significantly. Sundar Mahtani, a tenant's advice worker, gave an example of higher rents forcing people to move elsewhere:

Well I know a couple personally who went to Meadowbank from Concord West – it's only a couple of stations, but a couple of them had to move out from

⁵² Interview with Louise Boon-Kuo, May 2005.

⁵³ Interview with Donald Graham, May 2005.

⁵⁴ Interview with Michael Bounds, April 2005.

houses and into flats because flats are always cheaper. So yes, it caused a number of people to move out because rents went up quite a bit in the Concord area⁵⁵.

A report published in June 1998 found that 160,000 Sydney households faced little choice but to live on the city's fringe, leave Sydney altogether or pay more than 30 per cent of their income in rent closer to the city.⁵⁶

It is a running joke that Sydneysiders are obsessed with real estate. Some real estate agents were talking up the opportunities that the staging of the Games presented for property investors. While the government seemed unsure if the Olympic Games would cause rent or house price increases, there seemed to be no doubt on the minds of Sydney's realtors. Real estate agent Di Jones commented

While some anticipate a post-Olympic decline in the property market, Sydney's international exposure due to the Games may be enough to keep prices propped up in both sales and rentals, particularly in inner city . . ."⁵⁷

At the Property Expo '99 celebrity real estate agent John McGrath told the crowd that "there is no doubt the Olympic Games has had and will continue to have a major impact on Sydney's real estate market".⁵⁸ McGrath believed the exposure that Sydney would get during the Olympic Games could further attract overseas investors. He encouraged local investors to buy up so that they could take advantage of the renewed interest in the property market post-Olympic Games. The Olympic Games corridor (an area from the city out through to the inner western suburbs of Ashfield to Concord, Homebush and Strathfield) was a "hotspot" for investment largely because of the development of new infrastructure—roads, services, better train services. McGrath also predicted that with the increase in property prices there would also be a surge in rents⁵⁹.

Real estate speculation did occur, especially around Concord and Strathfield (both areas close to the Olympics stadium). Real estate advertisements featured words like 'gold', or 'champion' to give the potential investor the sense that buying would link them to the Olympic Games.

In 1994, soon after the Olympic Games bid was won, fears about rent increases coalesced into an activist group, Rentwatchers. Its aim was to monitor rent increases and to try to have the government ensure rent stability during the Games period. The former convenor of Rentwatchers, Beth Jewell explains:

Rentwatchers started off before we really realised about the Olympics but it was mainly to prevent rent increases and evictions in the lead-up to the Olympic Games, because of other evidence from round the world that this would happen and our own research into the Bicentennial celebrations [in 1988] in Australia⁶⁰.

⁵⁵ Interview with Sundar Mahtani, April 2005.

⁵⁶ *Housing New South Wales's Low to Moderate Income Households* University of Sydney Planning Research Centre

⁵⁷ *Sydney Morning Herald* 13 March 1999, Real Estate Section.

⁵⁸ John McGrath, Property Expo, Darling Harbour, 6 August 1999

⁵⁹ Article by Polly Porteous, Rentwatchers Report no. 4 September 1999.

⁶⁰ Interview with Beth Jewell, April 2005.

Rentwatchers was afraid that the coming of the Olympic Games would cause a spike in rent increases especially in the 'Olympic corridor' suburbs.

In the lead up and during the Sydney Olympic Games, Rentwatchers decided to undertake its own rent monitoring and produced the *Rentwatchers Report* on a quarterly basis. Rentwatchers also staged a number of theatrical protest actions with Olympic themes such as 'medal ceremonies' where property developers and landlords won gold and silver medals and homeless people got the wooden spoon. Rentwatchers met with activists from other countries, staged conferences, sent its own members overseas to meet with other activists, attend conferences and lobby the UN. Rentwatchers was also part of the 'official' machinery of government monitoring through the Social Impacts Advisory Committee and constantly lobbied the government to amend the legislation to give protection from arbitrary rent increases and 'no grounds' evictions. They argued for 'rent stabilisation' throughout the Olympic Games period. Rentwatchers and The Greens drafted some legislation designed to protect tenants from arbitrary rent increases and evictions, for the duration of the Olympics period, however this was defeated in the New South Wales Parliament. This is discussed in more detail below.

The Government did not agree with Rentwatchers that the Olympic Games would exacerbate rent increases. In an interview with the Minister for Fair Trading John Watkins, the minister was quoted as saying that

In 1996 the then Minister for Fair Trading commissioned a study into the possible impact of the Olympic Games on the residential tenancy market. The resulting report *2000 Olympic Games and the Residential Tenancy Market* found that there was no evidence of any Olympic impact.⁶¹

Watkins agreed that rent increases were due to demographic and other changes rather than anything to do with the Olympics. Rentwatchers did believe that the Minister contradicted himself by, on the one hand, denying there was an Olympic Games impact, but then on the other hand, saying that he believed rents would go down after the Olympic Games.

As the Olympic Games approached, Rentwatchers stepped up its international activities in the hopes that pressure could be brought to bear on the government from elsewhere. In June 1999 the Rentwatchers Convenor, Beth Jewell, attended an international conference organised by the Centre for Housing Rights and Evictions, 'Resistance to Forced Evictions' held in Bangkok. Jewell also travelled to address the UN Committee on Economic, Social and Cultural Rights in Geneva meeting in November 1999. On both occasions this resulted in letters on housing rights being sent to the Commonwealth Government and State Government of New South Wales.

Was there an Olympic Games Effect? Rent

The best rent data is collected by the Rental Bond Board. The limitation of the data is that it is for new rather than existing tenancies (because it reflects new rental bonds lodged). The other source of data is the Tenants' Advice and Advocacy Services. When a tenant rings up for advice, the nature of their inquiry and their address is entered into a database. This data can show what sort of issues tenants sought advice about. The

⁶¹ Rentwatchers Report no. 4 September 1999.

limitation of this data is that it only reflects the inquiries of those tenants ringing up for advice.

There was no doubt that rent were going up faster than the rate of inflation. For example, the *Rent and Sales Report* for the December quarter of 1998 revealed that rents in most areas across Sydney had been steadily increasing. In the South Sydney local government area rents for one bedroom units increased by 9.5 per cent; in the CBD rents for three bedroom dwellings increased by 15 per cent. Of particular note was a 29 per cent increase in median rents for 2 bedroom units in Concord, a suburb adjacent to the Olympic Games stadium site.

The New South Wales Department of Fair Trading appointed consultants to analyse the *Rent and Sales Report* data and the Tenants Advice and Advocacy Services data. The consultants produced quarterly reports.

The government’s consultants found rent increases of significance. Some areas still recorded high increases even when the new properties were excluded⁶². The consultants’ June 1999 Monitoring Report concluded that rents in the middle ring of suburbs, especially those near the Olympic sites, were increasing rapidly. The cause of the increase was attributed to the process of gentrification, although “for some LGAs [municipalities], proximity to the Olympic site at Homebush Bay may be accelerating the gentrification process.”⁶³ The Government begged to differ. Minister for Fair Trading John Watkins was quick to interpret the Rental Market Monitoring reports as “proving” there was no need for legislation. However one of the report’s authors, consultant Robyn Kennedy, was quoted in the media⁶⁴ saying there was ‘little doubt’ that the Olympic Games were influencing rents in suburbs close to the Olympic site. Kennedy supported legislation protecting against unfair rent increases and terminations in the lead-up to the Games.⁶⁵ The consultants also noted that in March 2000 tenancy advice services did record a significant increase in the percentage of inquiries about rent increases since March 1999.

Table 1: Inquiries about rent increases 1998-2000 to Tenants Advice and Advocacy Services

RING	March 1998	March 1999	March 2000
Inner	61	73	177
Middle	18	27	44
Outer	44	60	197
TOTAL	123	160	418

Source: Robyn Kennedy, and Co in association with Dr. Peter Phibbs, University of Sydney, *2000 Olympics and Rental Market Monitoring*, March Quarter 2000.

⁶² Rentwatchers report no. 5 December 1999

⁶³ Rentwatchers report no. 5 December 1999

⁶⁴ *Sydney Morning Herald*, 17 September 1999.

⁶⁵ Rentwatchers report no. 5 December 1999

The Tenants Advice and Advocacy Services found a number of cases where tenants received huge rent increases close to the Olympic Games. For example, there were a number of examples of tenants receiving large rent increases of \$40 to \$80 a week⁶⁶.

It appeared that the Olympic Games may have accelerated the gentrification process. Michael Bounds commented on the overall context:

I think really it's standing back out of the picture more generally and looking at the overall process of development which the Olympics was implicated in. The Olympics was definitely a big driver, there was something like \$7 billion dollars worth of investment associated with the Olympics – just the multiplier effects alone were fantastic in terms of stimulating the urban development overall, but also the infrastructure that was put in⁶⁷.

Gary Moore from the New South Wales Council of Social Services agreed that the Olympic Games were one of many factors:

My view looking back on it is that the impact on the loss of lower cost housing had already well started in Sydney well before the Olympics occurred. What the Olympics did was gave an extra grunt to the gentrification and consolidation activity that was already happening in Sydney. I don't think the Olympics in its own right played a major part. What it did was solidified the boom housing market and the changes that were already occurring⁶⁸.

Robyn Kennedy and Co, the government's consultants, found that

Given the wide range of LGAs [municipalities] exhibiting signs of inflationary pressures it is difficult to assess the extent to which the Olympics may be contributing to these results...
...the Olympics is likely to be accelerating the process of gentrification...⁶⁹

Given that there was evidence of rent increases and greater numbers of tenants seeking advice about rent increases, Gary Moore concluded that, in the final analysis, the government had done very little to help tenants as there was no move to regulate rent increases⁷⁰.

Taking a longer view of rent statistics⁷¹ for the period from 1994 – 2001 for the 'Olympic Corridor'⁷² suburbs, *Rent and Sales Report* data shows that rents rose throughout the period, however rose just as fast if not faster after the Olympic Games as before it.

Was there an Olympic Games effect? Evictions

⁶⁶ Rentwatchers proof kit.

⁶⁷ Interview with Michael Bounds, April 2005

⁶⁸ Interview with Gary Moore, April 2005.

⁶⁹ Robyn Kennedy and Co Pty Ltd in association with Dr. Peter Phibbs, University of Sydney, 2000 Olympics and Rental Market Monitoring, March Quarter 2000 Report, p.11 and 14.

⁷⁰ Interview with Gary Moore, April 2005.

⁷¹ A drawback of this data is that it measures new bonds or rents only, rather than rents for ongoing tenancies.

⁷² Olympic Games corridor suburbs were:

One source of data is the Tenants' Advice and Advocacy Services. When a tenant rings up for advice, the nature of their inquiry and their address is entered into a database. This data can show what sort of issues tenants sought advice about. The limitation of this data is that it only reflects the inquiries of those tenants ringing up for advice.

It is easy to evict a tenant in New South Wales. A landlord can give a tenant 60 days 'no grounds' notice of termination, if the tenant is in a continuing agreement (the fixed term of the lease has expired). Because most leases are only for 6 months, many tenants in New South Wales are on continuing agreements. Landlords can also give a 30 day termination notice for sale of the premises, or end a lease within 14 days prior to its expiration date of a fixed term. All these provisions for termination mean that tenants have little security of tenure, even if they do not breach their tenancy agreement.

Prior to the Olympic Games, some landlords decided to renovate their properties and issued termination notices to the tenant to vacate so that they could carry out extensive renovations. Others decided it was a good time to sell, and issued their tenants with terminations also. Whether or not there was an increase in terminations that was related to the Olympic Games is again, as with rent increases, difficult to ascertain.

There were a number of examples in case studies where tenants received termination notices. Upon inquiring, some were told their landlord wanted to renovate or sell⁷³.

The Tenants Union reported that tenancy services in inner Sydney reported a near doubling of calls about terminations, and that an escalated number of eviction matters was being heard by the Residential Tenancies Tribunal⁷⁴.

Table 2: Number of inquiries about terminations 1998-2000 to Tenants Advice and Advocacy Services

RING	March 1998	March 1999	March 2000
Inner	72	164	284
Middle	74	90	99
Outer	279	287	387
TOTAL	425	541	770

Source: Robyn Kennedy, and Co in association with Dr. Peter Phibbs, University of Sydney, *2000 Olympics and Rental Market Monitoring*, March Quarter 2000.

In general, there appeared to be a significant rise in the frequency of inquiries about terminations from tenants. This was particularly noticeable in the municipality of Waverley, which was host to the volleyball stadium and on the path of the marathon. Many tenants reported the landlord was evicting them to carry out major renovations. There certainly was anecdotal evidence of an upward revaluation of beachside property.

There were some reports of landlords evicting tenants where they wished to rent their house out to Olympic Games visitors for a lucrative return. Ray White Real Estate let properties for rent during the Olympic Games. For instance, a two-bedroom Lilyfield

⁷³ Rentwatchers proof file.

⁷⁴ Burrell, M. 'Olympic Games - Strange tenants' in Workers Online, Issue 49, http://workers.labor.net.au/49/c_historicalfeature_rent.html Accessed 30/5/05.

home was advertised for \$5,600 a week over the three-week Olympic period. A spare room could be let for \$267 a night.⁷⁵

Whether or not the Olympic Games brought forward a landlord's decision to renovate is unknown, however, it may have contributed to it given escalating housing prices, meaning that tenants would be given a termination notice so a landlord could renovate and sell. Some landlords wanted to rent their dwellings out during the Olympic period to visitors for lucrative returns.

Was there an Olympic Games effect? Boarding house evictions and losses

There is little data on boarding houses, apart from a handful of studies commissioned by Councils. This is because the sector is not under the Residential Tenancies Act. The Tenants Advice and Advocacy Services do give information to boarders and lodgers so some limited data exists.

Boarding houses provide cheap accommodation. A person pays rent for a single room, and has use of common areas (typically, a kitchen and bathroom/toilet). Boarders and lodgers are not tenants (and therefore not covered by the Residential Tenancies Act) and can be evicted with no notice.

There has been a gradual loss of boarding house stock in Sydney.⁷⁶ The staging of the Olympic Games may have contributed to this. Some boarding house owners issued their boarders with notices to vacate and renovated in time for the Olympic Games in the hopes of accommodating the budget end of the visitor market. There was evidence that whole boarding houses were being converted into accommodation for visitors:

Right up to the year before [the Olympic Games], people were being evicted and given notices that said things like “Merry Christmas, your Christmas present is an eviction notice” and that would be a whole boarding house⁷⁷.

Residential park⁷⁸ residents too were in a similarly vulnerable position as boarders and lodgers. German tourist agencies were offering places in a Wollongong residential park which suggested there would be displacement of long-term residents in favour of Olympic visitors⁷⁹.

Although not actually boarders, University students in University accommodation are not covered by the Residential Tenancies Act. Students were told to leave their accommodation for a month at Sydney University and the University of Technology, Sydney.

There is evidence that some boarders were evicted, and some boarding houses closed or changed use, just prior to the Olympic Games.

⁷⁵ Rentwatchers Report no. 5 December 1999.

⁷⁶ See Davidson, Phibbs, and Cox, June 1998.

⁷⁷ Interview with Beth Jewell, April 2005.

⁷⁸ Residential Parks (‘caravan parks’, ‘trailer parks’) are often the last housing option for people on low incomes.

⁷⁹ *ibid.*

Was there an Olympic Games effect? Homelessness

In the lead up to the Olympic Games housing and homelessness organisations started to ask the government what plans they had for homeless people during the Olympic Games period. As mentioned above, Anita Beaty warned activists and organisations about the infringements of civil rights that had occurred in Atlanta.

NCOSS, Rentwatchers and welfare groups were concerned that a similar strategy of sanitising the city for the Games would be employed in Sydney and that homeless people would be forced to leave. Beth Jewell convenor of Rentwatchers expressed these misgivings to a COHRE conference in Bangkok:

There are already an estimated 25,000 homeless people who cannot be accommodated by existing refuges. Instead of housing our homeless before we house our visitors, the State and local government are bringing in laws to get them out of sight – one SOCOG director even suggested bussing them to Gosford⁸⁰ for a few weeks!⁸¹

Perhaps because of the welfare and housing sector's growing anxiety about the possible treatment of homeless people, the Premier of New South Wales, Bob Carr made an announcement on 2 June 1998 where he stated that 'unfortunates' would not be removed from Sydney streets just to provide a good impression during the 2000 Olympic Games. Carr said, "Any idea that we behave like Hitler in 1936 by getting unfortunate people off the streets to present a false image of the world should not be embraced."⁸² This comment was welcomed by those working with homeless people and no doubt by homeless people themselves.

In an effort to prevent Atlanta-style mistreatment of homeless people in Sydney, Shelter New South Wales, NCOSS and others made numerous approaches to the government to make assurances that homeless people would not be harassed or sent away by police or city rangers. At the 'Living in the Olympic State' conference (1999) the Department of Housing announced a new committee that would concentrate on homelessness, which would later evolve into Partnership Against Homelessness, a cross-department initiative. The most important tool however for regulating the behaviour of the authorities towards the homeless was the Homelessness Protocol, developed by Allen Consulting in consultation with community groups and the government, and adopted by the Olympics Coordination Authority, the City of Sydney, government and police.

The Protocol stated, 'that all people have the right to be in public places and that they will not be harassed or moved on unless their safety or the security of others is being threatened.'⁸³ In essence this was a response to the concerns of the community and welfare sector and provided a guideline for police to follow.

Superintendent Don Graham was the police commander of the Sydney City area during the Games. Graham said that

⁸⁰ Gosford is a Central Coast town about 80 kilometres north of Sydney.

⁸¹ 'Are we sharing the spirit?' speech by Jewell, B. Bangkok, June 1999.

⁸² Australian Associated Press, 2 June 1998.

⁸³ Homeless Protocol

I've been able to confirm over and over again that there is no government policy; there is certainly no police service policy in relation to trying to rid the city of homeless people⁸⁴.

Despite the Protocol being in place, organisations such as Redfern Legal Centre, Rentwatchers and the UTS Community Law and Legal Research Centre were still concerned about the over-policing of homeless people, youth and the potential for stifling dissent, especially in the light of the new laws allowing greater powers for police and rangers. Welfare groups were concerned about what effect the expected crowds at the 'live sites' in the city and Parramatta would have on the homeless.

During the Games in September 2000, four projects attempted to ensure homeless people's right to be in a public place, free of harassment, were respected. Three were in the inner city and CBD area while the fourth was in Parramatta.

Redfern Legal Centre and Rentwatchers volunteers handed out cards to homeless people giving them a phone number they could ring 24 hours a day if they suffered police harassment. The number was for an operator who would put the person through to lawyer. The lawyer roster was filled by volunteers, some of whom worked for big city law firms acting pro bono. Those running the project informed all Police Area Commanders in advance that police behaviour would be monitored and the 24 hour advice line would be operating.

Shelter New South Wales conducted a survey project called 'Counting the Street Homeless' in partnership with Professor Tony Vinson and School of Social Work of the University of New South Wales. Volunteers gathered around food vans where homeless people congregated at night, surveying them and counting them. One of the key questions homeless people were asked was about any incidences of police harassment. If an incidence was reported, Shelter New South Wales would bring it up with the police commander, Donald Graham, on an almost daily basis⁸⁵.

The employment and deployment of outreach workers by the City of Sydney responded to homeless people and police calls regarding homeless people in the inner city during the Olympic Games period. In this way, homeless people were often communicated with by these workers rather than by the police. Police Commander, Donald Graham explained that the use of outreach workers was welcomed by the police and he only wished such an arrangement could be in place all the time and not just during the Olympic period⁸⁶.

Parramatta Council in partnership with church-based welfare organisations undertook 'Operation Safe Haven'. This was a series of special arrangements that meant homeless people had somewhere to go during the day and after hours, to relax, eat and escape from the expected crowds in Parramatta Mall.

In general, during the Olympic Games period, housing and welfare groups stepped up their assistance, the Department of Housing made extra emergency accommodation available and the activist and NGOs maintained vigilance throughout.

⁸⁴ 'Welfare agencies concerned about police harassment' Radio National, Transcript of PM, 14 September 2000. <http://www.abc.net.au/pm/stories/s176802.htm> Accessed 20/5/05.

⁸⁵ Interview, Rod Plant, May 2005.

⁸⁶ Interview, Superintendent Donald Graham, May 2005.

In general, there was little reported police harassment of homeless people. The Legal Advice line only received approximately five calls. Beth Jewell commented that:

Harassment was fairly minimal and we believe that this was also because of a protocol that was put in place between the city council, the IOC, the RTA [Roads and Traffic Authority] et cetera in the city to say that homeless people should not be harassed unless they were causing obstruction or violence; and generally speaking we also found that homeless people were also saying that they were going to leave the city, move their place of hanging out for the duration of the Games, anyway.

There were a very small number of incidences of over-policing. The then Police Commander, Donald Graham, explained that his attitude was that homelessness was not a crime and that homeless people had a right to be on the streets, however that on some occasions, police would have to step in if there was a danger to self or others or a crime in progress⁸⁷. There is little evidence that powers allowed by the Sydney Harbour Foreshore Authority were widely invoked⁸⁸. The monitoring of the police, use of outreach workers, and liaison with police plus the Premier's attitude to the homeless and the adoption of the Protocol meant that there was nowhere near as much of a negative impact on homeless people in Sydney compared with Atlanta. Some homeless people did leave their favourite haunts because of crowds and noise, but not many were arrested and there was no officially-sanctioned attempt to move homeless people out of the city. In general, there was a high level of proactive activity by legal and other activists to protect civil liberties.

The Year 2000 - Fun and Games?

Coalition activism

In January 2000 the Olympic Games Impact Coalition formed. It consisted of many groups, ranging from relatively conservative Christian to anarchist. Two strategy days were held. The Coalition staged its won actions and lobbied the Government and IOC.

In 2000, the coalition met with Françoise Carrard from the IOC who at the time re-assured them that the IOC would take their concerns to SOCOG and the Minister for the Olympics Michael Knight to get re-assurances that these impacts would lessen. However, at a press conference later that day, Mr Carrard said that he was totally convinced by SOCOG and Minister Knight that the concerns of the Olympics Impact Coalition were unfounded⁸⁹.

The grouping later evolved into two coalitions – the Olympics Impact Coalition and the Anti-Olympic Alliance. The AOA consisted of the groups on the anarchist and leftist side such as Socialist Alliance, the Indigenous Social Justice Association, PISSOFF and others, and was of the view that the Olympics were part of the capitalist spectacle society and should not be held at all. The OIC was concerned with ameliorating the impacts of the Olympic Games.

⁸⁷ Interview with Don Graham, May 2005.

⁸⁸ Interviews with Louise Boon-Kuo and Donald Graham May 2005.

⁸⁹ Rentwatchers Report no. 6 July 2000

Legal activism

As previously mentioned, some groups wanted changes made to legislation to provide greater protection to tenants against terminations and rent increases. Rentwatchers worked with The Greens⁹⁰ to draft a Private Members Bill to amend the Residential Tenancies Act to Parliament.

The Residential Tenancies (Olympic Games) Bill was introduced into the New South Wales Parliament in May 1999 by Greens Member of Parliament, Ian Cohen. The purpose of the Bill was

to put in place measures to ensure that moderate to low income residential tenants have a measure of security of tenure, as well as affordable rents, and that they are dealt with fairly during the 2000 Games⁹¹.

In introducing the Bill, Ian Cohen, The Greens member of parliament, referred to Australia's obligations to provide adequate housing Article 11 of the ICESCR.

Several of the minor parties and Independents supported the Bill however the Government and Opposition did not. Eddie Obeid, speaking on behalf of the Government outlined the Government's reasons for not supporting the Bill:

While the Government appreciates the worthy intentions behind the bill, it is unnecessary for two reasons: New South Wales tenancy laws already provide protection for tenants against unscrupulous landlords, and there is no evidence of Olympic-related rent increases⁹².

This comment expresses the fundamental difference of opinion held by those seeking the changes to the law and the New South Wales Government. One side thought there were Olympic Games-related rent increases, and the other did not. Obeid referred to the Government's own monitoring of the rental market to justify the government's rejection of the Bill since the report stated that:

. . . the review of Sydney's private rental market found that the existing upward movement in rent levels and house prices is consistent with trends that have been in evidence for several years. The factors relevant to these upward trends are not related to the Olympic Games but to demographic changes and investment patterns consistent with those changes⁹³.

While the government did not link the Olympic Games with ongoing gentrification, Rentwatchers and other groups did, seeing such events as part of a process of city boosterism.

⁹⁰ The Greens are a minor political party who have several representatives elected to Federal and State Parliaments. The Greens garner between 5 per cent and 10 per cent of the national vote. In 2000 the greens had two Members of Parliament, Lee Rhiannon and Ian Cohen.

⁹¹ The Hon. Ian Cohen, New South Wales Legislative Council Hansard, 13 May 1999.

⁹² The Hon. Eddie Obeid, New South Wales Legislative Council Hansard, 15 September 1999.

⁹³ The Hon. Eddie Obeid, New South Wales Legislative Council Hansard, 15 September 1999.

The Bill was voted down and the Residential Tenancies Act remained unchanged. Jewell commented on the failure to get the legislation passed:

The general gist that we got back for the lack of support from anyone we did manage to see, or from the word on the floor in Parliament, was that it was too dangerous a precedent for landlords to have to be accountable for rent increases, and also that the property owners lobby was a lot stronger than we suspected.

Indigenous Activism

Some Indigenous groups thought that the international attention afforded by the Olympic Games would make it a good opportunity to advance their causes of justice, land rights and equality. Up to half a million people had already walked across the Harbour Bridge for Corroboree 2000 in the name of seeking reconciliation and it was expected this would be followed up by protests during the Olympics.

Some wanted to enter the Olympic site and camp at Bicentennial Park (near Parramatta)⁹⁴.

A semi-permanent Peace Camp was set up in Victoria Park. One of the leaders of this camp was Isabel Coe. To put this in context, an Aboriginal Tent Embassy was set up outside Parliament House in Canberra in 1972 and has remained there since. The Victoria Park encampment was in a similar tradition of Aboriginal visibility through camping and a direct reclamation of land. The camp was highly visible in Victoria Park right next to Sydney University, in inner Sydney. It was alleged also that undercover police had infiltrated the Peace Camp and some elements were trying to dissuade or intimidate Indigenous activists from taking action⁹⁵.

Ray Jackson from the Indigenous Social Justice Association was part of the Anti-Olympic Alliance. They and the Indigenous Student Network worked to build momentum for a rally of thousands to draw attention to Indigenous issues. They wanted to have a rally out near the Olympic stadium. What transpired in September 2000 were two rallies: a fairly well-attended Unity March in the city⁹⁶ and a rally at Bicentennial Park which was miniscule⁹⁷.

Although there was Indigenous consultation by the AOC and Indigenous content in the opening ceremony, and an Indigenous Australian, Cathy Freeman was chosen to light the Olympic flame, Jackson and others drew attention to the longer term issues of Indigenous inequality:

Reconciliation in this country has a hell of a long way to go. OK, it was great that we had a bit in the opening ceremony; we had a bit on the closing ceremony; Cathy done us proud [winning the gold medal in the 400 metres], as did our others. But I didn't see it actually advanced reconciliation one millimetre⁹⁸...

⁹⁴ Guardian Unlimited July 19 2000 <http://www.cat.org.au/aoa/documents/guardian.html>

⁹⁵ Interview with VL Boon-Kuo, see Appendix X.

⁹⁶ Zanne Begg, Green Left Weekly, <http://www.greenleft.org.au/back/2000/422/422p2.htm>

⁹⁷ Ray Jackson interview, SBS, Insight, October 5, 2000. <http://news.sbs.com.au/insight/archive.php?daysum=2000-10-05#>

⁹⁸ Ray Jackson interview, SBS, Insight, October 5, 2000.

OK, Cathy done us proud - she went out and got gold. But how many Aboriginal children went to bed hungry that night?

Indigenous protests focussed on broad issues of justice, reconciliation and the wide disparities that exist between Indigenous and non-Indigenous people in terms of well-being, health and income.

Housing after the Games

The Olympic Village is now a private housing estate called Newington. No social housing or affordable housing was included. Part of the public-private deal was the developer (Mirvac Lend Lease Village Consortium) was entitled to sell the housing commercially after the Games. Newington properties retail at \$369,000 for a two bedroom to \$775,000 for a three or four bedroom dwelling (\$A, 2005 prices)⁹⁹.

Rents have continued to rise post the Olympic Games. There is an active debate about the lack of affordable housing in Sydney. Many groups are arguing for quotas of affordable housing delivered through the planning system, in a way similar to what happens in London. The debate on public housing continues, as the government has tried to narrow eligibility further, reduce security of tenure, and increase rents for those on moderate incomes. In 2005, the Reserve Bank warned that Sydney is too expensive and that younger people would have to look elsewhere for affordable housing¹⁰⁰.

Homeless people in Sydney's inner city have access to free legal advice through the Homeless Persons Legal Clinic, run by the Public Interest Advocacy Centre. Outreach lawyers attend at shelters and offer legal advice. There is the same amount, if not more, visible street homelessness in Sydney as in 2000, and a lack of outreach and affordable housing (especially supported housing) services.

The conclusion most drew was the staging of the Olympic Games exacerbated Sydney's housing unaffordability. Helen Lenskyj commented that:

The idea of the Olympics as being a catalyst for affordable housing is...a myth. It's a catalyst for development that doesn't equally affect all social classes of people. It usually entrenches social classes so privileged people are more privileged and have more to choose from¹⁰¹.

In short, mega-events like the Olympic Games speed up gentrification. As a result, Sydney has become more unaffordable.

What can we learn from the Sydney Olympic Games experience?

The positives: Government

Unlike in other host cities, the Government did not resume residential areas, evict and relocate people in order to build the stadium. The site selected for the main sporting

<http://news.sbs.com.au/insight/archive.php?daysum=2000-10-05#>

⁹⁹ Property prices for Newington on <http://www.domain.com.au> accessed 30/5/05.

¹⁰⁰ 'Flee Sydney, it's too dear: Reserve chief', Matt Wade, Sydney Morning Herald, August 13, 2005.

¹⁰¹ Interview with Helen Lenskyj, May 2005

complex was on surplus government land and not an established residential area. This is in contrast with what happened in Atlanta, Seoul, and Barcelona.

The ‘green games’ rhetoric was also put into action. The Government cleaned up a contaminated area at Homebush.

The Government in a contract with private developers created a well-designed new suburb with some eco-design features at Newington.

The Government agreed to the Homelessness Protocol and liaised with welfare and other groups. The Premier of New South Wales came out publicly to allay fears that homeless people would be moved out of the city to make it ‘look better’ for the Olympic Games.

The Government consulted with community groups a little through setting up an advisory body (the Social Impacts Advisory Committee) that reported to the Minister of the Olympics, however many on the SIAC reported a level of secrecy and that their suggestions were not implemented.

The negatives: Government

The Government failed to take a preventative approach to pressures arising from the Games in regard to rent increases and evictions. It could have agreed to pass legislation strengthening tenants’ rights for the Games period as suggested by Rentwatchers, the SIAC, The Greens and other groups. Boarders and lodgers were not given any attention and remain non-tenants in New South Wales.

The Government did not include a proportion of social housing in Newington when it could have. It chose to utilise a public-private partnership where the private developers demanded that housing constructed all be sold at market after the Games. This is in contrast to the approach currently being taken by the Victorian Government to stipulate a percentage of housing for social housing in the new housing being built for the Commonwealth Games.

Since 1994 to 2005, the general boom in new apartments and rapid house prices has contributed to the growing tendency for people to leave Sydney. In August 2005, the Reserve Bank warned that Sydney had become too expensive¹⁰². The Government has not adequately addressed the affordability issue.

The positives: activists and NGOs

Organising amongst activists and NGOs commenced as soon as Sydney’s bid was won. An effective coalition was formed (the Olympic Impacts Coalition). This Coalition was broad and included many groups. It had international links (Bread not Circuses, Atlanta Taskforce on Homelessness, COHRE, the UN). A more radical and critical analysis of the Olympic Games was offered by the Anti-Olympics Alliance. This group also undertook direct action and prioritised Indigenous issues.

¹⁰² ‘Flee Sydney, it’s too dear: Reserve chief’, Matt Wade, Sydney Morning Herald, August 13, 2005.

The Homelessness Protocol was probably the best ‘best practice’ of all to come out of the Olympic Games. This provided that homeless people be left alone unless they posed a serious threat to self or others.

Rentwatchers issued their own rent reports and case studies, and this put pressure on the government to respond.

The Greens put forward legislative amendments designed to give tenants greater protection from rent increases and evictions. Although this legislation was not adopted, it forced the debate.

Legal activists were extremely vigilant in ensuring homeless people’s rights were protected. They told government and police they would be monitoring. There was effective outreach to homeless people and a 24-hour free legal advice made available. During the Games there was minimal harassment of homeless people and they were not subject to being moved on or out of the city during the Olympic Games. This was in contrast to Atlanta.

Those on the SIAC made Government explain itself to a limited extent. The Government set up the Rental Monitoring Group as a result of pressure from some on the SIAC and from outside.

The OIC Coalition met with Government, AOC and IOC representatives.

Indigenous activists camped at an inner-city park throughout the Olympic Games and Indigenous activist groups staged marches, although the one at Homebush was extremely small.

The negatives: activists and NGOS

Rentwatchers perhaps tried too hard to ‘prove’ an Olympic Games effect in that this limited it to presenting data counteracting the Government’s own data. There were also larger global macroeconomic forces at work creating a housing boom, not just in Sydney, but in many cities.

The Greens and Rentwatchers failed to gain agreement from the Government to legislation stabilising rents or preventing Olympic Games-related evictions, which was unsurprising given New South Wales’s history of minimally regulated rental markets¹⁰³.

Although the Olympics Impact Coalition meeting with the IOC was positive in tone, the IOC did not alter its guidelines for candidature to have bidders outline with strategies for minimising social impacts including housing.

There was no success in getting social housing provision as part of the Newington development. All housing was sold at market price.

There were some splits in the Olympics Impact Coalition in later stages, but this is not necessarily negative.

¹⁰³ For an analysis of the Rentwatchers campaign, see Nash, A. ‘People and Community –A resource for effective community activism’, pp.36-46.

Some protests were talked up but failed to eventuate. For example, Aboriginal activists threatened to stage massive protests at Homebush but these did not live up to expectations.

Recommendations

IOC and Governments¹⁰⁴

The IOC needs to specifically require bidding countries and cities to outline how they will deal with potential housing impacts.

The IOC should request the host country government to honour United Nations conventions regarding the rights of indigenous people, especially in relation to the alienation of disputed lands for Olympic events.

The IOC should remind the host country government of its United Nations requirements to stop arbitrary evictions of boarding and guest house residents, and other non tenants, in the lead up to the Games.

The host country government should (where necessary) pass tenancy legislation covering such residents, amend existing tenancy legislation (to limit rent increases and introduce just cause eviction provisions) for these residents and tenants in general, release full details of its Olympics homelessness package, and adopt measures to increase the supply of affordable housing and homeless persons' services.

The IOC should adopt an explicit charter of civil, social and environmental principles, against which future host city bids are assessed. Future host city contracts should be made public by the IOC and the host city government. The contract should include specific performance measures, against which achievement of the principles can be judged.

The IOC should commit itself to advancing beyond the level of environmental principles and practices, achieved in the planning and construction the Olympic Games facilities, and ensure that bidding cities are also committed to advancing international environmental best practice.

The host country government should incorporate such principles and practices in State planning legislation, and in the activities of its own utilities.

The IOC should request a post Olympics, host city report, which forms part of a parliamentary evaluation of the costs and benefits of staging the Games

The host country government should revoke special powers to control movements of people.

A Homeless Persons Protocol should be established to ensure any street homeless person has the right to remain on the street, without harassment, or to receive an appropriate accommodation and support service.

¹⁰⁴ These recommendations are based on those of the Olympic Impact Coalition, Sydney.

Activists and NGOS

Host city activist groups need to start early, form effective coalitions and make clear demands.

They also need to undertake their own autonomous actions to protect and extend housing rights and civil liberties. Direct action such as squatting, monitoring and prosecuting police, and assisting homeless people maintain their right to be in public space are important.

Linking up with other groups internationally (such as Bread Not Circuses, the Atlanta taskforce on Homelessness, and COHRE) is useful. Activists can learn from activists from other host cities and COHRE can provide a doorway to the UN and IOC.

Appendices

Appendix 1

Chronology of the Sydney 2000 Olympic Games

1991

Work on the Sydney bid for the 2000 Olympic Games commences. Intense lobbying of IOC.

1993

On 23 September, Sydney is announced as the winner of the bid by the International Olympics Committee for the 2000 Summer Olympic Games.

The New South Wales Government announces that it will undertake a full Social Impact Assessment.

A preliminary paper was produced in September 1993 by the State Government Social Policy Directorate: Johnston, C. F. and Deakin, E. 1993, *Sydney Olympics 2000: Approaches and Issues for the Management of Social Impacts*, Office of Social Policy, NSW Government Social Policy Directorate, Sydney.

1994

An official Social Impact Assessment commences. Keys Young Limited are the consultants.

A study was commissioned by Shelter NSW, a housing lobby group, to compare six hallmark events and their impacts on housing. This paper was Cox, G. Darcy, M. and Bounds, M. *The Olympics and Housing: A Study of Six International Events and Analysis of Potential Impacts of the Sydney 2000 Olympics*, Shelter NSW and the Housing an urban Studies research group, University of Western Sydney, Macarthur, Sydney.

A book *The Bid*, by Rod McGeoch, member of the Sydney Olympic Bid company, and Glenda Korporaal, journalist, was released. It detailed how Sydney managed to win the bid for the Olympic Games.

A group called Rentwatchers forms in 1994.

1995

The report *Preliminary Social Impact Assessment of the Sydney 2000 Olympic and Paralympic games* by Keys Young Limited in association with KPMG Management Consulting and King, A. was released in February. It recommended that a charter of principles be established for the Sydney Games to emphasise social justice and human rights.

1996

A Social Impacts Advisory Committee is formed. It later creates a sub-committee on housing impacts.

Gary Cox published two more papers about the Olympics.

1997

Cox publishes another paper called *Faster...higher...stronger...but what about our rights? Human rights and hallmark events.*

1998

Gary Cox publishes a paper called *Social Issues for Olympic Cities: A summary of the Social Impact Assessment for the Sydney 2000 Olympic Games.*

Living in the Olympic State I conference held in October.

1999

Living in the Olympic State II conference held in October

2000

Olympic Impact Coalition formed in January.

Appendix 2

Boarding House Losses

Stock Levels and Losses

CURRENT USE	South Sydney*	North Sydney	Leichhardt	Burwood
Boarding house	136	48	38	33
No longer a boarding house	454	18	28	21
Use could not be confirmed	7	1	1	0
TOTAL STOCK LOSSES	597	67	67	54
percentage of total stock lost	76.05%	27%	41.79%	38.89%
Estimated average annual stock lost	7.61%**	6.75%	8.36%	7.78%

Davidson, A., Phibbs, P. and Cox, G. (June 1998) *Inner Sydney Boarding House Report* Sydney: University of Sydney, table on page 11.

Source: 1997/98 Survey Data

Note: the estimated average annual stock losses were calculated by dividing the total proportion of stock lost by the number of years since each respective Council list had been updated.

* The local government area of South Sydney no longer exists as it was absorbed into the City of Sydney in 2004.

** the average stock losses reported for South Sydney were estimated from field data to have occurred over 10 years.

Stock Losses listed by change of use

CHANGE OF USE	Number	% of total
Backpacker hostel	28	5%
Private hotel	32	6%
Business	21	4%
Mix of business/residential	5	1%
Flats	267	51%
Private residence	121	23%
other	21	4%
Vacant	23	4%
Address no longer exists	3	1%
TOTAL	521	100%

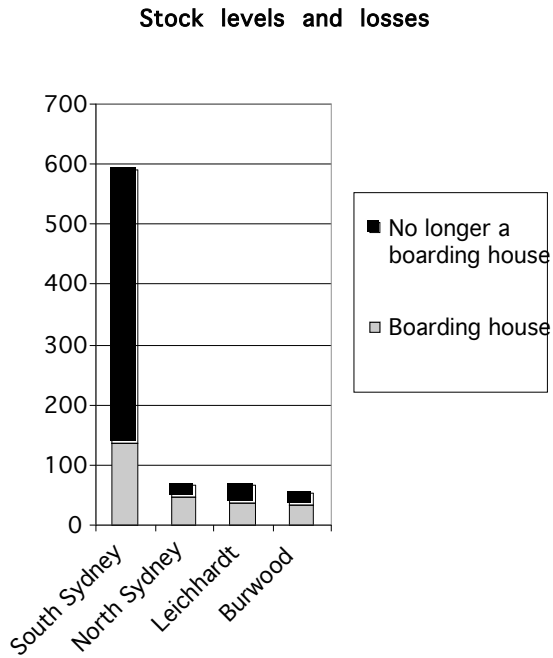
Davidson, A., Phibbs, P. and Cox, G. (June 1998) *Inner Sydney Boarding House Report* Sydney: University of Sydney, table on page 12.

The authors commented that:

"Many residents conceded that they could not afford other forms of accommodation in the private sector, and that they had given up waiting for a suitably located social housing unit. As the level of demand for affordable accommodation continues to grow and more boarding houses

close, many residents will be left with few options, and a number may be forced into insecure informal arrangements or homelessness (page 3).

Source: Cited in Rentwatchers Report no.2 December 1998.



Source: Cited in Rentwatchers Report no.1 July 1998

Appendix 3

Inquiries to Tenants Advice and Advocacy Services

Chart 1: TAAP Enquiries 1998 – 1999 Rent Increases

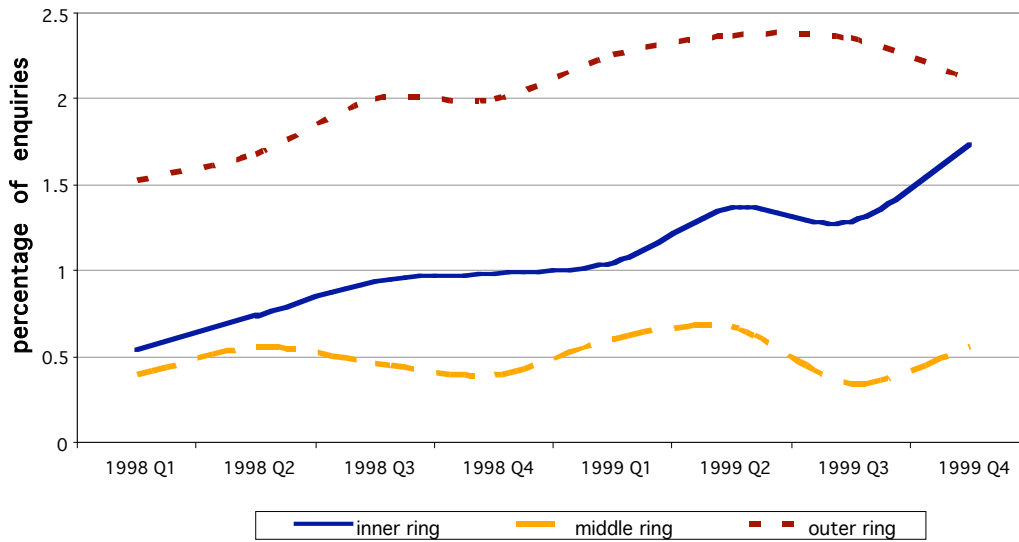


Chart 2: TAAP Enquiries 1998 – 1999 terminations

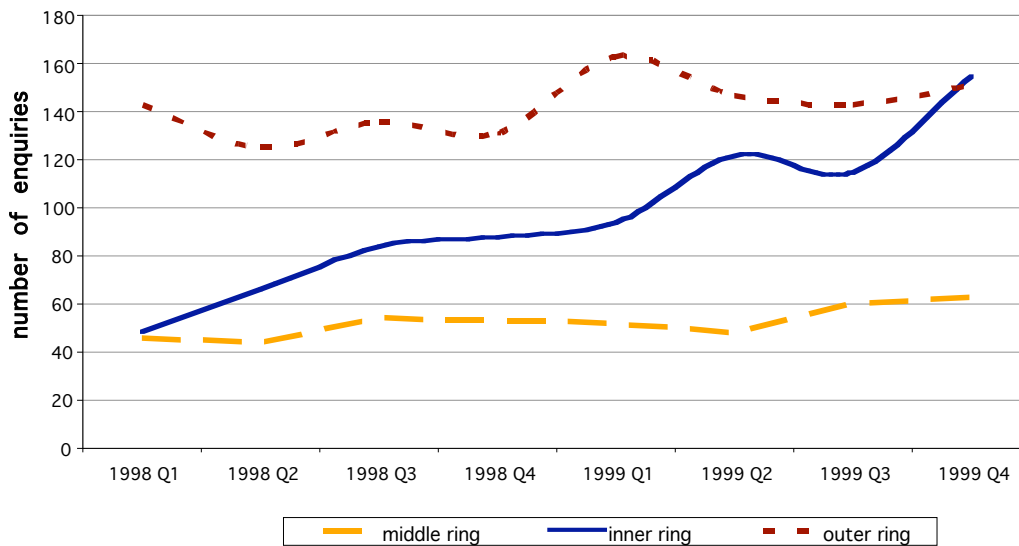


Chart 3: TAPP Enquiries Terminations as percentage of enquiries

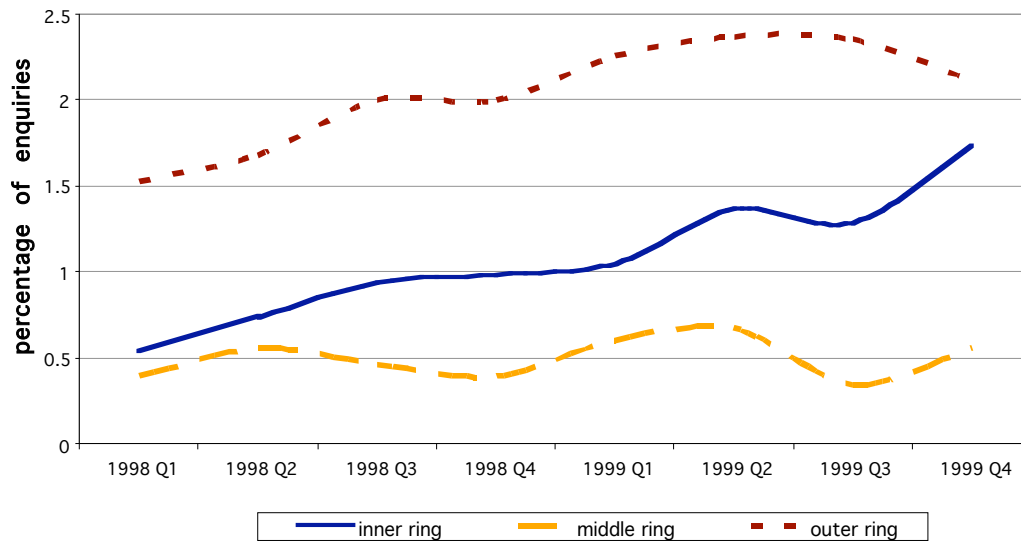
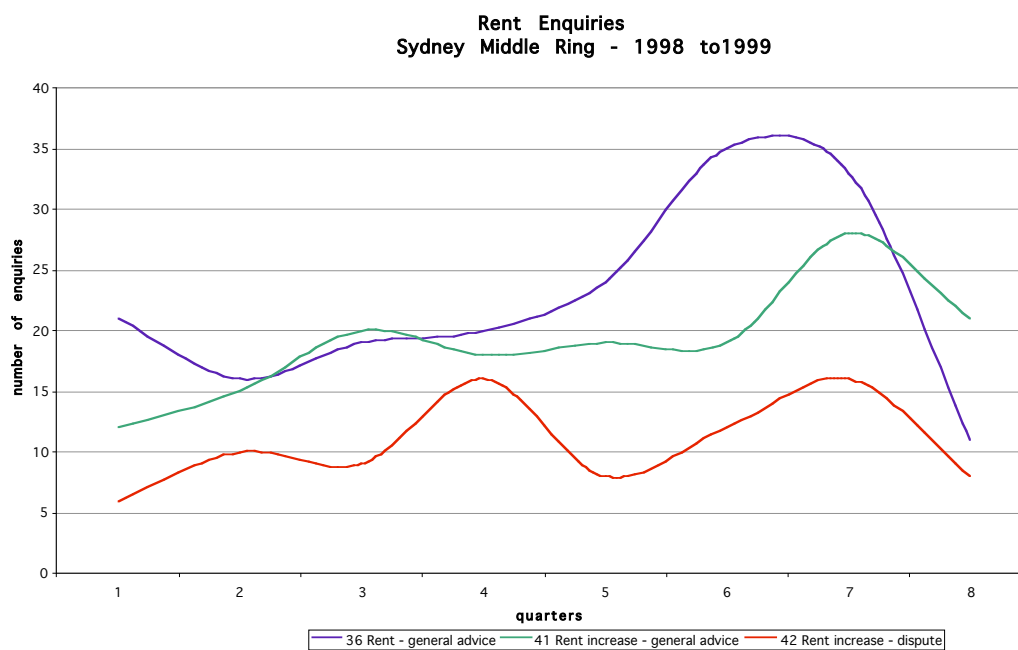


Chart 4: TAAP enquiries middle ring about rent



Source: Tenants Advice and Advocacy Service data.

Appendix 4

Case studies of evictions and rent increases

Eastern Suburbs

Case Study 1 We want you out . . . unless you pay more rent!

Margaret has lived in her Edgecliff flat for 11 years. She has always paid her rent on time and kept the premises in good condition. In February, Margaret received a 60 day no grounds termination notice. When she called the Real Estate Agent, Margaret was told that he might consider letting her stay, but she would have to pay more rent. Margaret works but she currently manages only by strict budgeting. She now has to decide whether to accept a rent increase which she can't afford, or try to convince the Residential Tribunal that she shouldn't be evicted because her hardship is greater than her landlord's. Margaret finds the prospect of 'begging' the Tribunal not to evict her daunting and humiliating. Margaret is very distressed at the likely prospect of having to move out of this area which has been her home for many years.

Case Study 2 Struggling single mum forced out of Bronte

Colleen is a single mother who is working and studying part time. She struggles to meet the rent on her Bronte duplex, but has always maintained her tenancy agreement. In February, Colleen asked the Real Estate Agent to sort out some difficulties she was having regarding use of communal space. In response, Colleen was issued with a 60 day termination notice by the landlord. When she inquired further, the Real Estate Agent told Colleen that the landlord would be doing renovations. She does not believe that the unit requires any renovating because it is in good condition. Because rental prices have risen so much since she started renting in Bronte, Colleen has decided to move out of the area.

Case Study 3 Real estate agent increases rents across the board

In January, an eastern suburbs Real Estate Agent decided to raise the rent for all their properties. At least 6 tenants contacted tenancy services for advice. The rent increases ranged from \$40.00 to \$60.00 per week. Although they had different landlords, all tenants received the same letter from the Real Estate Agent, which stated the market value of the area as the only justification for the increase. One of the tenants, Mary, has lived in her Coogee unit for 2 years and was very concerned to receive a rent increase of \$60.00 per week 'in one hit'. Because her unit is run down and the landlord has no increased costs, Mary decided her rent increase was excessive and that she would challenge it in the Residential Tribunal. She is finding it difficult to gather evidence about the market value of this area as it is changing so rapidly. The other tenants who sought advice have decided either to move out or pay the increase.

Case Study 4 Model tenant forced out

In February, all tenants of a Bronte block of units received rent increase notices. The tenants in the front of the building received a rent increase of \$80.00 per week which they believed was excessive. After receiving advice about the law, 4 tenants decided it was too difficult to prove their rent increase was excessive, so they will pay the rent increase while they look for something else. One of the tenants, Justine has lived in her unit for 5 years and been a model tenant. For 5 years she put up with water seeping from the bathroom into her living room, as she believed that if she asked for repairs, her rent would go up. Justine decided to try and negotiate for the repairs to be done in return for paying the increased rent. In response she received a 60 day termination notice from her landlord. The landlord says that vacant possession is required for the work to be done. Justine has since discovered that the tenant who lived in the unit before her was evicted for asking for the same repairs to be done.

Case Study 5 Pregnant tenant evicted to make way for tourists

Julia is 7 months pregnant and renting a small granny flat at the back of a boarding house in Bondi. In February, she was physically evicted by her landlord. In the process most of her goods were destroyed and the premises were rendered uninhabitable. Julia was not behind in her rent and she had not received a termination notice from the landlord. Julia made an urgent application to the Residential Tribunal and the landlord was ordered to reinstate the tenancy and not to breach Julia's right to quiet enjoyment of the premises. The landlord is alleged to have stated that premises are backpacker accommodation and therefore no termination notice is necessary. The landlord wanted to evict Julia to rent the flat to travellers. There is no license for a backpacker hostel at this address. Julia has since received a rent increase of \$130 bringing her rent to \$250 per week for a very small and run down flat.

Inner City

Case study 6 Paddington tenants get short end of bargain

In March this year, an 85 year old Paddington resident was told to leave her home of 25 years for no reason. This long-term resident, along with five other tenants, live in individual rooms in 3 neighbouring terraces in Paddington. The landlady died recently and the relatives who inherited the properties have now issued the tenants with 60 day notices. A real estate agent has an auction scheduled for late April and is looking to get \$2 million for the 3 terraces. The tenants suspect that interested parties may wish to run the place as a backpackers to capitalise on the Olympics. It is worth noting that this property is on the route of the Olympic Games cycling events.

Case study 7 Happy Christmas - you have three weeks to leave

In December 1999 all tenants of a 20-room Darlinghurst boarding house were given 3 weeks notice from their landlord to leave. This included elderly and disabled residents. The landlord had given a lease on the whole Bourke Street property to someone planning to run it as a backpacker's hostel. Of the 20 tenants, many had lived there for 5-10 years; about 6 were aged between 50 and 75, and two others were

younger men with disabilities. Some residents found rooms in other boarding houses and community workers found accommodation for others. Resources were, however, tightly stretched so at least two ended up sleeping in parks in the city in the week before Christmas.

Case study 8 Thirty years tenancy, 60 days notice

Josie Hart, aged 81, has been living in a room in a 20 room Glebe boarding house for 30 years. Her friend Mary Hudson has lived in the room next door for 5 years. Most of the other tenants had been evicted and they were the only two tenants left. In September 1999 both tenants were given a 60 day notice and their landlord made it clear he was turning their home into a backpacker's hostel to cash in on the Olympics. Their story was covered by the Sydney Morning Herald (see article in the appendix) and Channel 7's *Today Tonight Show*. These tenants have been heartened by letters of support from the Mayor of Leichhardt Council, the building worker's union (CFMEU), and the local residents.

Case study 9 Community worker evicted for no reason

Mr. John Stanley works at a community centre in Kings Cross assisting people who are homeless due to, among other things, evictions and rent increases. It is therefore ironic that Mr. Stanley and his family have themselves been evicted under a "no reason" notice. For 4 years the Stanleys have been trying to find long-term rental accommodation near John's work. After moving 4 times in 3 years, they finally signed a 12 month tenancy agreement for a 3 bedroom house in Darlinghurst at \$480 per week. The Stanleys always paid the rent on time and were model tenants. The hail storm badly damaged the roof, but the landlord did not repair it and did not reduce their rent. In January Mr. Stanley was told to leave before the end of the fixed term because the landlord wished to renovate. The week after the Stanleys vacated, a "For Let" sign appeared on the front gate of their previous rental property. John rang anonymously and inquired about the property. He was told that the rent was \$600 per week and that there was a bit of a problem with the roof. In other words, no work had been done at all and the rent had significantly increased.

Case study 10 Tenants evicted due to renovation craze

Tenants of a 6-unit block of flats in Alexandria were all issued with 60 day notices ending in April 2000 because the new owner wanted to "refurbish". They have all been paying less than \$130 per week for their units, and are devastated at having to leave and try to find comparable accommodation in the area.

Tenants of a 11-unit block of flats in Gowrie St Newtown were given 30 days notice to leave in February, even though many were still within fixed term agreements. Again, the tenants were told that the new owners wanted to renovate.

Northern Suburbs

Case Study 11 Landlord shares the Olympic Spirit?

Rachel has been renting her Chatswood home privately for four years. Each year the lease has been renewed in writing and there have never been any problems. Three weeks ago the tenant received a fax from the owner telling her to be out of her home by the 10 of April. She has several months left on her current lease. The owner then began to constantly harass Rachel asking her if she had made alternative housing plans. At one point the owner offered to pay Rachel's relocation costs and to "allow" her to house-sit their other property for the same rent. The other property was the landlord's "summer house" located miles away from the city. Finally, the owner told Rachel that she had left it too late and Rachel should now start thinking about putting her belongings in storage and finding a hotel to stay at. The owner did not offer to pay for the hotel!

Case Study 12 Mass evictions on the North Shore

Tony rents a flat in an old block of 6 flats on the North Shore. One of the flats had been renovated after the tenant left. The new tenant now pays \$100.00 more in rent than the other tenants. All five tenants of the unrenovated flats have just received termination notices with the same vacant possession date, 15 April 2000. Tony suspects they are being evicted so the landlord can renovate the block and let it out at a "competitive" rent during the Olympics. The fact that the owner didn't just wait until each flat was vacated to renovate, and the timing of the renovations (should be ready by September!) confirms his suspicions.

In March, all tenants of a Northbridge apartment block, many of them long-term residents, were given eviction notices. One is an elderly woman; another a man with schizophrenia.

Landlords of two separate apartment blocks along one street in Crows Nest are also set to evict all of their tenants.

Inner West

Case Study 13 Tenant too good for developer

Juana has lived in her Ashfield home for almost 20 years since it was first built. When the house recently went on the market Juana was informed she would have to vacate in less than a month or agree to a \$160 per week rent increase. Juana looked around for more affordable accommodation but could not find anything suitable in the area. Juana kept negotiating with the owner to reduce the rent increase and was offered an increase of \$150 per week. During these negotiations the property was sold to a developer who decided that Juana was being too difficult and that once she vacated he could charge a premium rent prior to demolishing the house. She was issued with a termination notice.

Case Study 14 Another Boarding house (or two) bites the dust

Vee works for a community welfare agency in Newtown that provides services to local boarding house residents. Vee approached her local

tenancy service anxious about advertisements in the local paper regarding the redevelopment and sale of two boarding houses. Vee estimates that the two boarding houses accommodate almost 50 residents. Vee is aware that some of the residents have been living in the premises for over 10 years and all of the residents are extremely disadvantaged.

Case Study 15 Sydney University Relocates Students during the Olympics

Student tenants of the University of Sydney this year were required to sign a contract that clearly indicates how the University has not addressed the Olympic housing impact. As the contract makes explicit, the University will relocate their tenants during the Olympics. The student will have to pay relocation costs, service reconnection costs and removal costs on top of their usual rent. The University fails to guarantee the quality of housing that their students will be forced into during the one month Olympic period. With less than six months to go the failure to indicate where students will be housed or to guarantee the quality of this housing implies an absence of an effective strategy. Rentwatchers is concerned that students may be forced into hastily arranged, make-shift accommodation. Sources within the University have confirmed this concern. Given the likely scarcity of low-rent housing for average tenants during the Olympics where will the University find this alternative accommodation?

Source: All case studies are from information provided by the Tenants Advice and Advocacy Services to Rentwatchers.

Appendix 5

Submission to the UN on the Right to Adequate Housing in Australia by Redfern Legal Centre and Rentwatchers

The Human Right to Adequate Housing in Australia

A Report to the United Nations Committee on International Covenant on Economic Social and Cultural Rights, April 1999

Introduction

This is a joint submission of Redfern Legal Centre and Rentwatchers, to the United Nations Committee on ICESCR.

It presents an overview of the most pressing issues that we think the Committee should be aware of prior to its review of Australia in 2000. In particular we are concerned about the impact that the 2000 Olympics are already having on housing conditions in Sydney. In the longer term, the submission also outlines our concerns about how Commonwealth and State housing funding, policy and legislation contravenes the Australian government's obligation to ensure the right to an adequate standard of living under the ICESCR.

Our major concerns are the following:

- all forms of assistance for the poor are decreasing
- cuts to government spending on the provision of public housing have significantly increased waiting lists for public housing
- policies and legislation to alleviate housing stress for low-income earners in the private rental market are inadequate
- the decline in affordable housing in Australia has resulted in increasing levels of homelessness
- inappropriate urban development in Sydney in the lead up to the 2000 Olympics has disenfranchised and alienated traditional working class communities from the urban centre, pushing them to the margins of Sydney
- lack of regulation of the private rental market means many tenants pay unaffordable rents and have no security of tenure
- indigenous people are discriminated against in the provision of housing

Sydney, New South Wales

Sydney is the site of the first white settlement in Australia in 1788. Since then it has become the largest capital city in Australia, located in the most populous State – New South Wales (NSW). Over 6 million people live in NSW, almost 4 million of them in Sydney.¹⁰⁵

Redfern Legal Centre

Redfern Legal Centre is a NSW community legal centre. It was established in 1977 in response to concerns over the lack of accessible legal advice for low-income people in inner city Sydney. It is currently staffed by 15 workers. Areas of specialist expertise include tenancy, credit and debt, domestic violence, victim's compensation, discrimination, employment law and drug law reform. The Centre is funded by the Legal Aid Commission of NSW, the Department of Fair Trading, South Sydney Council and Sydney University Student Representative Council.

The Centre provides advice and casework services for people in inner city Sydney, conducts

¹⁰⁵ Australian Bureau of Statistics website April 1999

community legal education programs and initiates and engages in law reform and policy debates. The Centre also provides free legal advice 4 nights a week through a roster of volunteer solicitors, law students and community members. In 1997-1998 we advised over 7000 clients, 1881 of who had tenancy/housing inquiries.

It has published widely, including chapters in Redfern Legal Centre's *Law Handbook* and *Lawyers Practice Manual*, the *Sharehousing Survival Guide*, *Safe as Houses: domestic violence and tenancy law in NSW*, *Going Thru' the Roof: a tenant's guide to fighting rent increases in the Residential Tenancies Tribunal*. Redfern Legal Centre is the founding member and convenor of Rentwatchers.

Rentwatchers

Rentwatchers is a coalition of community organisations that formed in 1997 in response to rising rent levels in NSW. The group campaigns to ensure that Aboriginal people, low-income families, tenants, boarders and lodgers and the homeless are fairly treated, particularly in the lead up to the Sydney 2000 Olympics. It is calling for measures to ensure that these Australians are not disadvantaged by an event that should benefit everybody, and that the Olympics do not further exacerbate the longer-term problems of homelessness and housing-related poverty.

Rentwatchers believes that:

- housing is a basic human right
- strong housing policies supported by legislation should be a high priority to ensure the delivery of affordable and secure housing for all citizens of NSW
- vulnerable members of the community, should be protected from any adverse impact the Olympics may have on their housing circumstances.

Rentwatchers is calling on government to introduce the following policies and laws:

- the conservation of low-cost rental accommodation
- amendments to the Residential Tenancies Act to include;
 - a) the provision that rents may only increase once per year, and to be tied to the weekly wage index
 - b) the provision of 'just cause' evictions, whereby the landlord must have a valid reason for the eviction of tenants
- legislative protection for boarders and lodgers
- increased funding for emergency shelter for homeless people
- increased funding for social housing¹⁰⁶

All forms of assistance for the poor and unemployed are decreasing

According to the Australian Council of Social Services, over 1 million Australians live in poverty¹⁰⁷. The current maximum rate of unemployment benefit for a single unemployed adult is \$198.20 a week including Rent Assistance – only 80% of the official poverty line for a single adult in the labour force. For a person under 21, the unemployment benefit is \$170.15 a week – 69 % of the poverty line.¹⁰⁸

Housing policy in Australia

Strategies to ensure all Australians have adequate and affordable housing have received low priority from state and federal governments, informed by pragmatic considerations rather than long term principles. Housing policy has focused on administrative changes driven by budget

¹⁰⁶ Rentwatchers, *Rentwatchers Report*, no.2, December 1998

¹⁰⁷ ACOSS are the national peak NGO representing the welfare sector.

¹⁰⁸ 'There's cold comfort for the homeless', SMH, 9/12/98, p13

savings objectives and an ideological commitment to market forces and minimalist intervention.¹⁰⁹ This is evidenced by the reform of the terms of the Commonwealth State Housing Agreement (CSHA) and substantial cuts to grants from the Commonwealth to the States for housing provision.

Commonwealth State Housing Agreement

Constitutional responsibility for housing is given to the Commonwealth government. Each State is funded under the Commonwealth State Housing Agreement (CSHA) to provide housing services for disadvantaged and low-income households.

The terms of the current CSHA are framed in the *Housing Assistance Act 1996*:

To provide housing assistance by which people can obtain affordable, secure and appropriate housing.

This is a marked shift from the previous CSHA (1989) which stated:

The primary principle of this agreement is to ensure that every person in Australia has access to secure, affordable and appropriate housing at a price within his or her capacity to pay.

As a result of these changes to the CSHA, Federal funding for public housing has fallen from \$1.1 billion in the mid 1980s to \$700 million now in constant 1995 dollars. As a result, public housing construction has fallen from 14 000 to 7 500 units per year.¹¹⁰ In 1996 Commonwealth funds to the CSHA were \$1.067 billion, with approximately \$900 million of this invested in housing stock. Spending has been cut by \$93 million in the 1998-99 CSHA. The 1999-2003 CSHA will reduce the amount available to each of the States by a further \$10 million per year. **During the last decade Commonwealth funding has decreased by an average of 3% per year, until 1997 when it was decreased by approximately 11%.¹¹¹**

The Commonwealth government has also introduced an annual 1% 'efficiency dividend' to the CSHA.

These changes have forced the NSW government to reduce its provision of and investment in public housing stock and 'greater targeting' of housing assistance. Public housing is now welfare housing – only the most vulnerable client groups such as people with physical disabilities and mental illness are able to access public housing quickly. Low-income families remain on lengthening waiting lists for years. Are concerns amongst the community sector that public housing stock in desirable inner city locations will be sold, despite the fact that public housing stock is a valuable State asset worth over \$32 billion. Given the direction of public housing investment outlined above, this process is disproportionately likely to benefit only the better off.

Public housing waiting lists

The NSW Department of Housing currently manages approximately 13 000 dwellings.

There are currently 1 million people on public housing waiting lists across Australia. 100 000 of them are in NSW. People wait for between 5-8 years on these lists.

Rental assistance

Since 1995, the Commonwealth has redirected housing budgets away from creating new public housing units and towards financial assistance for low-income earners in the private rental

¹⁰⁹ Adam Farrar, 'Extending the context of housing', *Parity*, vol.12, issue 2, p9

¹¹⁰ Kenneth Davidson, 'Poverty and homelessness in the year 2000', *National Conference on Homelessness*, September 1996, p393

¹¹¹ Report of a Ministerial Taskforce on Affordable Housing, *Affordable Housing in NSW – the need for action*, 1998

market. Approximately 985 000 people receive rent assistance of between \$35-\$49 per week.¹¹² Approximately \$1.6 billion per annum is spent, 60-70% higher than annual grants to State Housing Authorities.¹¹³ The government argues that this gives a more equitable distribution of assistance to low-income earners in public and private rental. In reality, because there is no control on the amount of rents tenants pay in the private rental market, the 'assistance' is largely passed onto landlords in the form of rental payments.

The Commonwealth government has reduced the amount of rent assistance for 'sharers' - people who share their accommodation - generally young people in the housing market for the first time. 'Sharers' receive only 2/3 of the maximum rental assistance available to people who live alone. This policy ignores the fact that these people are often sharing their accommodation because they can not afford to live alone, even with the maximum single person's rent assistance.

Decline in affordable housing

Home ownership has been described as 'the great Australian dream'.¹¹⁴ Sadly, for many this is becoming more and more of a nightmare. The affordability of housing has been in steady decline in NSW for the past 10 years. A 1996 report by Access Economics found that Sydney's housing prices were at an 'unsustainable peak' in the lead up to the Olympics and, relative to annual income per person were higher than anywhere in the UK or USA.¹¹⁵

The National Housing Strategy of 1991 established a housing stress benchmark. This benchmark says that housing stress exists if a person or family pays more than 30% of their income on housing.¹¹⁶ Despite 365% increases in the level of rent assistance since 1984/85 the majority of Australian people on low incomes in the private rental sector remain in this condition of housing stress.¹¹⁷ In NSW, housing stress has increased by 37.8% between 1991 and 1996.¹¹⁸ In Sydney, 94% of very low-income tenants pay more than 30% of their income for their housing.¹¹⁹ In 1997 in inner Sydney, a single elderly person paid approximately 75 % of their income on rent, a single parent with one child paid 77%, an unemployed couple with 2 children paid 62%, a couple on average weekly earnings with 2 children paid 37%.¹²⁰

Boarding houses provide low-income people with an alternative to the private rental market, but without any legal rights to security of tenure or due process before eviction. Boarding house tenants are exempted from protection under the *Residential Tenancies Act 1987* and can be evicted with no notice or right to a hearing at the Residential Tenancies Tribunal. In 1991 the ALP made a commitment to introduce legislation to protect boarders and lodgers.¹²¹ Eight years later, there is still no legislation in place.

Many boarding houses have been converted into flats, hotels and backpacker hostels, reducing the stock of affordable housing for low-income people. Since 1988, 76.05% of South Sydney's boarding houses have disappeared.¹²² Over the last few years almost half the boarding house stock in Sydney has been converted into medium/upper income flats.¹²³

¹¹² Ann Foley, 'CSHA and homelessness', *National Conference on Homelessness*, September 1996, p436

¹¹³ Howard Ronaldson, 'The CSHA', *Parity*, vol. 12, no 2, p20

¹¹⁴ Winter and Stone, *Social polarisation and housing careers*, Australian Institute of Family Studies, p1

¹¹⁵ Access Economics (Canberra), *Report on Tourist Forecasts – Sydney Olympics 2000*, Federal Airports Corporation, Canberra, 1994.

¹¹⁶ *National Housing Strategy*, 1991, ix

¹¹⁷ Foley, *op.cit.*, p438

¹¹⁸ NCOSS, 1998

¹¹⁹ Task Force on Affordable Housing, *op.cit.*, 1998

¹²⁰ Department of Urban Affairs and Planning, *Rent and Sales Report*, December 1997

¹²¹ Australian Labor Party, *ALP Housing Policy - A Statement of Principles*, 1991

¹²² University of Sydney, *Inner Sydney Boarding House Report*, 1998

¹²³ *loc.cit.*

Homelessness

Homelessness in Australia has increased by over 50% in the past decade. Rates of homelessness continue to increase, particularly in Sydney. In 1996 the number of homeless people across Australia was 61 000¹²⁴. In 1998 it had increased to 147 000.¹²⁵

The Homeless Person's Information Centre is a community service funded by Sydney City Council to link homeless people with crisis accommodation services. Between 1992 and 1997 inquiries to the Homeless Persons Information Centre doubled from 11 000 to 22 000. Since 1997, there has been a further 33.9% increase in the number of homeless people seeking assistance from this service. Over half of those assisted were single parents with children. At the same time the number of crisis beds available in the inner city dropped from 808 to 370.¹²⁶

Evictions are the primary reason for people seeking support from homelessness services, especially for families and young people. Domestic violence is the most common reason that women and children access homelessness services. The Supported Accommodation and Assistance Program (SAAP)¹²⁷ National Data Collection indicates that evictions are the primary reason for people seeking support from their services in 6% of all support periods. Families who have been evicted make up 11% of SAAP's client base. Young people who have been evicted make up 8% of their clients. 38% of women seeking SAAP assistance report domestic violence as the main reason for seeking assistance.¹²⁸

It is estimated that over 220 homeless people have died on the streets in the past 10 years.¹²⁹ Many of these deaths have been the result of violent assaults by strangers.

Rising rents in Sydney

Sydney is the most expensive city in Australia to live. Since 1993 rents have increased by 40%. Melbourne, the capital city with the next biggest rise in rents, experienced an increase of 9.6%.¹³⁰ Sydney tenants pay almost double the rent for a 3-bedroom home than tenants in Melbourne or Canberra.¹³¹ In 1998 160 000 Sydney households face the choice of paying over 30% of their income on rent or else live on the city fringe.¹³²

Rents in most areas across Sydney have been steadily increasing in the past year. In the South Sydney local government area rents for one-bedroom units have increased by 9.5%, in the Sydney City Council area rents for 3 bedroom dwellings have increased by 15%. There has been a 29% increase in median rents for 2 bedroom units in Concord.¹³³

Part of the reason for higher rents is the lack of affordable private rental accommodation. Rental vacancy rates in Sydney are 1.2%. A rate below 3% is considered a shortage.¹³⁴

Impact of the Olympics

¹²⁴ Netty Horton, 'Overview of homelessness', *National Conference on Homelessness*, September 1996, p163

¹²⁵ 'There's cold comfort for the homeless', SMH, 9/12/98, p13

¹²⁶ 'Homeless forced to queue for help', SMH, 8/12/98, p6

¹²⁷ SAAP is a Commonwealth funded crisis accommodation program for homeless people. It provides a range of short to medium term housing.

¹²⁸ Commonwealth Advisory Committee on Homelessness, 'Exploring the Links between housing and homelessness', March 1999

¹²⁹ NSW Shelter, 'Around the House', issue 34, p6

¹³⁰ SMH, 27/1/98

¹³¹ Real Estate Institute of Australia, 1998

¹³² University of Sydney Planning Research Centre, *Housing NSW's low to moderate-income households*, 1998.

¹³³ Department of Urban Affairs and Planning, *Rent and Sales Report* no 46

¹³⁴ Real Estate Institute of NSW

In September 2000 Sydney will host the Olympics. We are concerned about the impact this event will have on housing.

In 1994 Shelter NSW commissioned a report on the potential impact of the Olympics on Sydney's housing situation. It highlighted concerns about the potential impact the Olympics would have on rent increases and evictions, as well as the criminalisation of homelessness. The report highlighted a number of potential impacts of the Olympics, based on a study of similar 'hallmark' events and comparisons with the Sydney housing market. These impacts included:

- accelerating processes of urban change, especially gentrification
- pressure on private rental market – increased rents and conversions
- conversion of boarding houses to tourist accommodation
- displacement of low income tenants
- event site development displacing existing residents
- increased house prices
- 'crowding out' of affordable housing investment
- harassment of homeless persons

The report noted that many of these effects reflected pre-existing trends, but that the Olympics would accelerate or exacerbate these trends.¹³⁵

The NSW government ignored the recommendations of the Shelter report. In 1997 a further report was commissioned by the Department of Fair Trading. This report raised similar concerns, but emphasised that these trends were already established in the Sydney housing market. The only recommendation to be acted upon was to establish a 'Rent Monitoring Committee', which will report periodically to the government. It is difficult to understand what point there is to this monitoring, when it is already well established that rents are escalating and international experience has demonstrated that they will continue to do so as the Olympics approach.

The impact of the Olympics is already being felt in Sydney. There has been a boom in construction and property development. About \$9 billion worth of sporting facilities construction is taking place, along with \$4 billion worth of work on 10 office blocks, 4 luxury hotels, and 11 residential and apartment blocks, \$200 million is being spent on 'beautifying' the city, and \$1.5 billion is being spent on refurbishing Darling Harbour, the second largest Olympic venue outside Homebush.¹³⁶ These developments are mostly concentrated along a 12 kilometre spine stretching West from the city centre along the foreshores of the harbour and the Parramatta River to Homebush Bay, where most Olympic events will take place. These areas have traditionally housed a high proportion of low-income and working class people. The result is accelerated gentrification, rising rents and house prices.

The June 1998 *Rent and Sales Report* shows a median annual rent increase for properties in the Olympic corridor of between 10 and 12% for 3 bedroom houses.¹³⁷

Boarding houses in the Olympic corridor are being converted into tourist accommodation, displacing the residents, many of whom have mental illnesses.

Many tenants who access our Service express their concern that their landlords may evict them for the period of the Olympics or that their rent will be inflated to an unaffordable level forcing them to move. Despite these concerns, the government has consistently refused to introduce legislation that would limit the number and amount of rent increases and to provide security of tenure for tenants during the Olympics.

¹³⁵ G Cox et al, *The Olympics and Housing*, Shelter NSW, September 1994

¹³⁶ The Australian, 18/7/98

¹³⁷ Department of Urban Affairs and Planning

Even the real estate industry has acknowledged the potential impact the Olympics will have on housing in Sydney:

'Sydney's international exposure due to the Games may be enough to keep prices propped up in both sales and rentals, particularly in the inner city' (Di Jones, real estate agent, SMH 13/3/99)

'An even more horrifying scenario is looming in 2000 when tenants, already facing crippling effects of rent increases from land tax, will be forced to face the anticipated rises to rent stemming from the Olympics' (Chris Todd, EAC Multilist, Inner Western Suburbs Courier, 22/3/99)

There have also been a number of local government ordinances introduced over the last year controlling the movement of homeless persons in the Surry Hills area, in the inner city. New policing practices in the inner city are targeted at moving homeless people off the streets.¹³⁸

The experience of the Atlanta Olympic Games demonstrates the particular vulnerability of tenants and homeless people to unfair and discriminatory housing and policing practices during international sporting events. In Atlanta, this included large rent increases in the private rental market, the conversion of emergency accommodation into tourist accommodation, the introduction of vagrancy laws and the use of capsicum spray against the homeless. Rather than easing the housing situation, these measures left behind serious social and economic problems for the people of Atlanta after the Olympics bandwagon moved on.

Finding secure, affordable housing has become much harder for vulnerable members of the community over the last decade. The Olympics should be seen as an opportunity to address this long-term problem, rather than an excuse for allowing it to deteriorate further, with predictable and negative long-term consequences for everybody.

Tenancy legislation

In 1995 the Commonwealth government conducted a major review of tenancy law. It found huge inconsistencies between the various States and Territories with respect to residential tenancy legislation. It recommended that minimum standards should be introduced across Australia for all tenancy legislation. While we do not support the specification of some of the minimum standards proposed in this report¹³⁹, it was an important step in trying to ensure consistent tenancy rights across Australia.

In NSW, many of the recommendations in the Minimum Standards report have been ignored. In particular recommendations to introduce just cause evictions and restrictions on the number of times rent can be increased have not been implemented. Currently there are no laws regulating rent levels in Australia. In NSW rent can be increased with 60 days notice. There is no control on the amount rent can be increased. If a tenant wishes to contest a rent increase they have the onus of proving that the rent is excessive in comparison with the market.

There are also no laws that guarantee tenants security of tenure. In NSW a tenant can be evicted for no reason with 60 days notice.

Law and order on public housing estates

We have serious concerns about the NSW government's inappropriate approach to problems with crime and violence on public housing estates. The government has introduced new laws that give the Department of Housing increased powers to evict 'anti-social' tenants. Matters that

¹³⁸ Daily Telegraph, 21/9/98

¹³⁹ While the report recommended the introduction of just cause evictions, it also recommended rents could be increased every 6 months, when we believe an annual rent increase is sufficient.

traditionally have been criminal or policing issues are now jeopardising public tenants' housing. The *Residential Tenancies (Social Housing) Act 1998* extends tenants' responsibility for the behaviour of their guests and visitors that may constitute noise and nuisance. Tenants can now be evicted for the behaviour of third parties. The laws also increase the likelihood of tenants being evicted for damage to premises, including common areas.

Since this legislation was introduced in January 1999, evidence of its application is only beginning to emerge. However, reports from community groups indicate that the tenants being targeted by the Department are Aboriginal families, people with psychiatric illnesses and people for whom drug or alcohol dependency disrupts stable living. By 8 March 1999, only two months after the legislation was enacted, the Minister for Housing released a press statement which reported that 10 tenants had been evicted, and a further 17 evictions were pending at the Residential Tribunal.¹⁴⁰

Discrimination against indigenous people

Issues of discrimination against indigenous people are likely to be reported to the Committee separately, and are therefore not covered in detail in this report. However our evidence suggests that some housing policies have a directly discriminatory effect.

Firstly, despite a High Court decision that Aboriginal people have native title rights to own many areas of land in Australia, the Commonwealth government is seeking to legislate to limit the land rights of indigenous Australians. In addition, Aboriginal people live in the worst housing conditions in Australia - often without running water and/or electricity.

Most importantly, Aboriginal communities suffer more enforced evictions than any other ethnic group. Evictions and substandard housing has led to the destruction of whole communities and ultimately lives are lost. This is a national disgrace.

Impact of GST on housing

The GST is a new tax system about to be introduced by the Commonwealth government. It is still unclear what the impact of the GST will be on housing costs, not least because the Commonwealth government has failed to commission any detailed analysis of its effects. Even though there will be no GST on rents, the government predicts an increase of 2.3% in rents, due to landlords passing on the GST they will pay on their 'input' costs. A study undertaken by the NSW Federation of Housing Associations estimates the upward pressure on private rents to be around \$22 per week.¹⁴¹

Conclusion

We note with some concern that the Federal governments' report to the Committee does not discuss the potential impact of the 2000 Olympics on the residents of Sydney. We are also alarmed that they have not provided the Committee with a comprehensive report on the housing situation across Australia. We hope this report will give the Committee some guidance on the most pressing issues facing Australians in securing the right to an adequate standard of living.

The combination of low priority, low regulation and market-based approaches to housing supply for low-income people in Australia is already deepening the conditions of multiple deprivation under which many struggle to survive.

The Olympics promise to further deepen these conditions, displacing and further disadvantaging many Australians. The Commonwealth and NSW governments are yet to acknowledge this major

¹⁴⁰ 'Tenants out under new laws', SMH, 8/3/99, p8

¹⁴¹ Eleri Morgan-Thomas, 'A Tax on all your houses', *Parity*, vol.12, no.2, p12

short-term challenge, let alone create effective responses or safeguards. These omissions strengthen our concern that housing is not fully recognised as a basic human right, as set out in the ICESCR.

NSW GOVERNMENT PROTOCOL FOR HOMELESS PEOPLE

The Protocol

This Protocol applies to people who are homeless or appear to be homeless. If you encounter a person who is, or appears to be homeless, you should leave the person alone unless:

- they request assistance; or
- they appear to be distressed or in need of assistance; or
- their behaviour threatens their safety or the safety and security of people around them; or
- their behaviour is likely to result in damage to property or to the environment.

If homeless people require assistance, you can where possible either:

- involve services directly;
- provide advice or information on available services; or
- provide a contact point that the homeless person can either call or go to for further advice or help.

Endorsing agencies

This Protocol has been developed for use throughout NSW by the following agencies:

- National Parks and Wildlife Service
- Sydney Olympic Park Authority
- Royal Botanic Gardens and Domain Trust
- Sydney Harbour Foreshore Authority
- NSW Police Service
- State Transit Authority

- State Rail Authority
- Department of Housing
- Department of Community Services
- Department of Health.

Underlying principles

This Protocol is based on the following principles:

- All people have a right to be in public places, at the same time respecting the right of local communities to live in a safe and peaceful environment;
- All people have a right to participate in public activities or events;
- People will not be harassed or moved on from public places unless there is a threat to general security, their personal safety or if they are causing a disturbance which constitutes a breach of the peace;
- People who work in areas where their responsibilities are likely to bring them into contact with homeless people will receive sufficient information to enable them to assist homeless people if required, or help homeless people make contact with appropriate services if needed;
- Compliance with these principles will be monitored by individual agencies and complaints addressed through agencies' existing complaints mechanisms.

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