

# Homelessness Policy

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| <b>Adoption Date:</b>  | 03/04/2018           |
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| <b>Directorate:</b>    | City Lifestyles      |
| <b>Record Number:</b>  | POL22/55             |

## 1. Purpose

To identify the role of Shoalhaven City Council in addressing homelessness and outline Council's commitment to:

1. Preventing, reducing and managing homelessness
2. Supporting and building capacity within the community to address homelessness, and
3. Encourage collaboration, community partnerships and evidence based practices

## 2. Statement

There is no universally accepted definition of homelessness in Australia. For the purposes of this policy Shoalhaven City Council will use the statistical definition of homelessness adopted by the Australian Bureau of Statistics (ABS) to estimate the prevalence of homelessness in Australia.

When a person does not have suitable accommodation alternatives they are considered homeless if their current living arrangement:

1. Is in a dwelling that is inadequate; or
2. Has no tenure, or if their initial tenure is short and not extendable, or
3. Does not allow them to have control of, and access to space for social relations.

This definition emphasises the core elements of 'home' such as: a sense of security, stability, privacy, safety, and the ability to control living space. Homelessness is a lack of one or more of the elements that represent 'home'.

Furthermore, Mackenzie and Chamberlain's (1992) cultural definition of homeless was adopted by the Commonwealth Advisory Committee on Homelessness in 2001 and is widely used in the homelessness sector. The definition describes three homelessness categories and builds a greater understanding of the diversity of homelessness:

**Primary homelessness** – applies when a person lives on the street, sleeps in parks, squats in derelict buildings, or uses cars or railway carriages for temporary shelter. The term 'rough sleeper' is often used to describe people who fall into this category of homelessness.

**Secondary homelessness** – is used to describe people who move frequently from one form of temporary shelter to another. Secondary homelessness applies to people using emergency accommodation, youth refuges or women's refuges, people residing temporarily with relatives or with friends, and people using boarding houses on an occasional or intermittent basis.

**Tertiary homelessness** – is used to describe people who live in premises where they do not have the security of a lease guaranteeing them accommodation, nor access to basic private facilities (such as a private bathroom, kitchen or living space). It can include people living in boarding houses on a medium to long term basis (more than 13 weeks) or in caravan parks. It also applies to people paying well above 30% of their income in rent who are at risk of homelessness.

### 3. Provisions

This policy reflects the following principles and commits Council to the following:

#### 3.1 Understanding the role of Local Government

Commonwealth and State government hold the primary role of funding and providing services to assist people who are homeless or at risk of homelessness. The role of local government in addressing homelessness is not specified in Australian legislation and is largely that of advocacy.

Shoalhaven City Council recognises that in order to ensure sustainable and consistent solutions, addressing homelessness must take on a whole of government and whole of community approach. The role of Council in addressing homelessness is to assist and complement the work of other tiers of government and the community sector, as facilitators of solutions to homelessness and crisis accommodation.

#### 3.2 Orders that make or are likely to make residents homeless

In Cases where development control orders are issued, where they are likely to make residents homeless, Council's responsibility is outlined in the Environmental Planning and Assessment Act, 1979 – Schedule 5, Part 4 – 2 (previously Section 121G). See below:

*Orders that make or are likely to make residents homeless*

- (1) If a development control order will or is likely to have effect of making a resident homeless, the relevant enforcement authority proposing to give the order must consider whether the resident is able to arrange satisfactory alternative accommodation in the locality.*
- (2) If the resident is not able to arrange satisfactory accommodation in the locality, the relevant enforcement authority must provide the resident with:*
  - (a) Information as to the availability of satisfactory alternative accommodation in the locality, and*
  - (b) Any other assistance that the relevant enforcement authority considers appropriate.*

#### 3.3 The right to housing

Council faces a real and present housing affordability and homelessness challenge. Access to affordable, secure, appropriate and accessible housing is a basic right for all people and plays an integral role in a socially, economically, environmentally and culturally sustainable community.

Council commits to:

- a) Plan for the provision of affordable housing and has developed an Affordable Housing Policy
- b) Identify Council owned and/or Crown land that could potentially be available for low cost housing, social, community housing and/or crisis accommodation and once identified, liaise with relevant authorities to secure a suitable tenure which would allow its future development for affordable housing purposes.

### **3.4 Advocacy**

Council has a responsibility to advocate on behalf of all members of its community.

Homelessness is a complex issue with multiple causes and co-existing issues such as upbringing, mental health, physical health, drug and alcohol misuse, family violence, unemployment, low income, poor education, high cost of living, unaffordability of housing and limited supply of social, community and low cost housing.

Council recognises that people who are homeless are some of the most vulnerable and disadvantaged people in our community. Council has a moral obligation to address and advocate for their needs.

Council recognises its role in advocating to other levels of government for the provision of government funded services to prevent, reduce and manage homelessness within the community.

Council commits to:

- a) Advocate for the needs of vulnerable and disadvantaged people within the community
- b) Advocate for the provision of state and federal government funded services and evidence based policies
- c) Support local community groups action towards preventing, reducing and managing homelessness

### **3.5 Building the capacity of the Community**

Council recognises the importance of supporting and strengthening the skills, competencies and abilities of our community members to enable the development of local ownership and community decision making in community development planning and programs.

Council commits to:

- a) Support the community in raising awareness about the nature, causes, experiences and consequences of homelessness.
- b) Build the capacity of the community in collaborating and delivering local projects to prevent, reduce and manage homelessness.

### **3.6 Partnership and service coordination**

As the issue of homelessness and crisis accommodation is not unique to the Shoalhaven, Council acknowledges the importance of ensuring consistency and continuity between federal, state and regional strategies in addressing homelessness.

Council commits to:

- a) Provide information to residents about their options for alternative accommodation, in cases where development control orders are issued and they threaten to result in

homelessness. Council will keep an updated list of alternative accommodation options rendered through partnerships and networks with homelessness services.

- b) Work with federal, state, non-government agencies and local community groups in planning and implementing federal and state wide plans to address homelessness and a lack of crisis accommodation
- c) Seeking to liaise with other local governments in the region, and other public sector bodies to share best practice, gather accurate data collection and discuss concerns around homelessness and its manifestation

### **3.7 Right to participate**

Council recognises that all members of the community have the right to participate in community events, activities and consultations. People who are homeless are some of the most vulnerable and disadvantaged people in our community and may require extra assistance to enable them to participate.

Council commits to:

- a) Ensuring that all Council events, services and consultations are accessible and inclusive of all members of the community, as far as is practicable.
- b) Ensuring that council staff are provided with relevant information and guidance to ensure that people experiencing homelessness are treated respectfully and appropriately, are not discriminated against on the basis of their homeless status and provided with support and assistance where required.

### **3.8 Use of Public Spaces and Council Facilities**

Council acknowledges the rights of all members of the community to use public spaces, such as parks and beaches, and Council facilities, including showgrounds and campgrounds, whilst also recognising their responsibility towards other members of the community who have the right to live in a safe and peaceful environment.

Council commits to:

- a) Ensuring that all public spaces and Council facilities are accessible and inclusive of all members of the community, as far as is practicable.
- b) Council supervises the use of public spaces and Council facilities based on information from the Department of Communities and Justice, including the 'Protocol for Homeless People in Public Places', relevant legislative regulations and Council's Terms and Conditions of Hire/Use.
- c) Ensuring that all staff who frequently engage with people who are at risk or experiencing homelessness are provided with relevant information and guidance to ensure that people experiencing homelessness are treated respectfully and appropriately and are not discriminated against on the basis of their homeless status.

#### **4. Implementation**

The City Lifestyles directorate will administer this policy

#### **5. Review**

To be reviewed within one (1) year of the election of a new Council.