

**Submission
No 20**

INQUIRY INTO THE PROTOCOL FOR HOMELESS PEOPLE IN PUBLIC PLACES

Organisation: Tweed Shire Council

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**NSW Parliamentary Committee Inquiry into the
Protocol for Homeless People in Public Places**

Submission to NSW Legislative Assembly

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1 Tweed Shire and homelessness

Tweed Shire Local Government Authority (LGA) is located in the north-east corner of New South Wales, about 860 kilometres north of Sydney and around 100 kilometres south of Brisbane. Tweed Shire is bounded by the Queensland border being the Scenic Rim Region and Gold Coast City in the north, the Pacific Ocean in the east, Byron Shire and Lismore City in the south, and the Kyogle Council area in the west. Tweed Shire is a large and diverse region including rural areas, national parks, beaches and coastal areas, and growing residential and rural residential areas which makes it a desirable location for people seeking a 'tree or sea' lifestyle change from metropolitan areas. The Tweed's urban areas are concentrated in the northeast corner (Tweed Heads) identified by NSW Government as a regional city; the increasing populated Tweed Coast; an inland urban centre at Murwillumbah, and several smaller towns and villages. Tweed Shire encompasses a total land area of about 1300 square kilometres. At 2020 the population forecast for Tweed is at 98,161 persons and is expected to grow to 127,434 persons by 2036¹.

With population increase, the Tweed Shire has been experiencing an increasing number of persons experiencing homelessness or at risk of homelessness, particularly over the last decade. According to the ABS Census, there was an estimated 444 people recorded as homeless in Tweed LGA in 2016, an increase from 308 persons in 2011. In 2011, across Tweed 14% of the homeless count were identified as primary homeless (rough sleepers) and in 2016, this increased to 48%². Tweed Shire homelessness statistics rate highest per capita of primary homeless population outside of Metropolitan Sydney. In 2016-17 there has been a significant increase in the primary reasons why people experience homelessness in NSW which include accommodation issues (65%); financial difficulties (53%); domestic violence and relationship issues (48%); 'other' reasoning (35%); and health reasons including mental health issues and substance abuse (27%)³. The increase in Tweed's primary homeless population continues to place increased pressure on residents, businesses, housing and homelessness services and other funded and non-funded organisations including the role that local government has to address this complex social issue. Alone government funded Specialist Homelessness Services reported 655 cases of unmet need across Richmond Tweed SA4 in 2018⁴. There are groups in the Tweed community that are particularly vulnerable to homelessness which include people experiencing domestic and family violence or relationship break down, young people presenting alone, unemployed people, singles, older people, people with problematic drug and alcohol use, and those with a current mental health issue. However, people can experience a range of complex issues that result in homelessness or being at risk of homelessness. It is an issue that could affect anyone.

Tweed Heads was identified as the 8th least affordable in the housing market across the world when measuring against household income⁵. In noting accommodation issues as the highest cause of homelessness in NSW, Tweed Shire commissioned a 'Responding to Housing Needs: Context and Options Paper' in 2018, which highlighted the significant housing shortage and lack of housing diversity across Tweed. There remains difficulties along the housing continuum, up one end being the lack of available and affordable stock for ownership; to lack of available and affordable private rentals, down to associated commonwealth assistance subsidies not meeting costs of rent, to low numbers of social and affordable housing and no emergency and crisis accommodation in Tweed Shire. The

¹ Id Population and household forecasts, 2016 to 2036, prepared by .id, November 2017

² ABS Census of Population and Housing: Estimating Homelessness 2016

³ AIHW SHS NSW Clients by reasons for seeking assistance 2016-2017

⁴ DSS Annual Report 2018-2019

⁵ Demographia International Housing Affordability Survey 2017

number of social housing dwellings in 2016 was at 2.8% having reduced over years, and of which is lower than the State average being 4%; private rental cost is high for low-median income earners; and there were no available and affordable rental properties in Tweed Heads for low income earners⁶. The growth of Airbnb has impacted the local rental market with a high number of unoccupied dwellings in Tweed Shire reported at 10.7% compared to 7.7% in Greater Sydney. In addition, Tweed Shire also has a high number of people residing in 'Other' housing types e.g. caravan parks being 5.4% compared to 1.4% across NSW⁷. It is estimated that there are in excess of 3,600 people living permanently in caravan parks within Tweed Shire⁸. Permanent caravan sites are reducing in numbers through closure or development and land use planning changes associated with caravan park status (caravan parks are perceived as low cost temporary uses of land). This leads to evictions and resulting in homelessness as many cannot afford, or cannot find an option to relocate their cabin or move to a hostel or nursing home (insufficient asset value and funds). Issues and risks confronting residents in caravan parks include lack of security of tenure, inadequate housing standards, increased on site costs, risk of homelessness, minimal access to services, and a lack of support in asserting tenancy rights. However, in response to severe shortages of affordable housing alternatives in Tweed Shire, caravan parks can provide an affordable option at the present time. As is the case across NSW and particularly in rural and regional areas, the number of overcrowded and illegal dwellings is present and difficult to monitor yet, highlights another at risk of homelessness population. There is no crisis or emergency accommodation options and Specialist Homelessness Services rely on good relationships with a few Motels/Hotels to provide temporary accommodation options. The temporary accommodation program is made difficult in regional areas particularly, with no rehabilitation, detox and specialist mental health accommodation transitional options in Tweed. A supportive housing model such as Common Ground, that's exists in such places as Canberra, Brisbane and Melbourne would work well in Tweed Shire. Tweed Shire Council is exploring an alternative affordable, sustainable and appropriate housing option. This is in the early stages of scoping and investigation with the purpose of developing of a low-rental for low income earners, socially integrated village on Council-owned land. It has also long been recognised in Tweed, that there is a lack of exit points from crisis and short-term accommodation assistance, into medium or longer term housing.

In relation to the second highest reason persons are homeless in NSW being financial difficulties, much of Tweed Shire is rated second highest on the economic disadvantage scale based on the Australian Council of Social Services (ACOSS) household income adequacy measure, which is people who fall below one half of the median household disposable income after taking account of housing cost⁹. Mortgage stress across Tweed sits at 12.8% compared to 10.1% across NSW and more than a third of the population renting are in rental stress at 38.7% compared to 28.4% in NSW. There are high numbers of people living alone and about 35% of households are low income earners (with incomes in the lowest household income quartile) alongside the rate of employment being typically high. In addition, a high proportion of the community are aged over 55 (39%)¹⁰, the Tweed Shire has one of the highest prevalence of dementia in NSW¹¹, and higher than average reported domestic violence incidences in NSW¹². Our youth population is increasingly vulnerable, with an increasing number of young people 15-17 years across NSW, in Out of Home Care at 10.3% in 2017¹³. Securing tenancy and tenancy management support is minimal for vulnerable populations, particularly youth and those with mental health or drug and alcohol

⁶ 2018 Rental Affordability Snapshot Regional Reports and Snapshots Anglicare Australia 2018

⁷ ABS 2016 Census data

⁸ Fair Trading NSW report May 2018

⁹ NCSS Mapping Economic Disadvantage Across NSW 2019

¹⁰ ABS 2016 Census data

¹¹ Alzheimer's Australia NSW and Deloitte Access Economics, 2014

¹² NSW Recorded Crime Statistics, March 2018 www.bocsar.nsw.gov.au

¹³ Pathways of Care Longitudinal Study: Outcomes of Children and Young People in Out-of-Home Care, NSW FACS 2019

issues resulting in transition from OOHC to homelessness or a return to homelessness for our most vulnerable community members.

Tweed Shire Council observed homelessness populations increasing locally and developed its first Homelessness Policy in 2015, demonstrating a strong intent to work in partnership with other tiers of government, and the housing and homeless sector to address this rising complex social issue. In 2018, Council completed a reviewed of its policy with several internal departments and with the Tweed Shire Housing and Homelessness Network (TSHHN). The review identified what had been achieved over a four year period and also identified gaps and opportunities for focus going forward. A new policy was adopted by Council on 12 December 2020 stipulating clearly its role as a local government in addressing homelessness within existing resources and responsibilities. Associated documents can be found at <https://www.tweed.nsw.gov.au/Homelessness>.

2 Terms of reference for inquiry and Tweed Shire Council context

2.1 Whether the Protocol continues to provide an effective framework for government organisations with an operational presence in public places and for services that support people who are experiencing homelessness.

Tweed Shire Council developed its first policy on homelessness in 2015, based on the findings of an Issues Paper commissioned by Council in November 2013 and following the release of the *NSW Government Protocol for Homeless People in Public Places*. The Issues Paper highlighted the significance of homelessness locally and nationally, and supported Council to understand the complexities of the issue and current local context of supports and services working with people experiencing homelessness or at risk of homelessness. The first policy highlighted Council's commitment to preventing and reducing homelessness and ensuring that homeless people are treated respectfully and appropriately and are not discriminated against on the basis of their homeless status. Council staff at the time of introduction were provided with internal training around this social issue which evolved in to regular capacity building interactions across Council particularly from Community Development team to Customer service; Rangers; and Parks and Recreation officers. Training was made available due to the expertise of internal staff at the time whom had experience working in the homelessness sector. Many local governments do not necessarily have this internal expertise or the resource of community development staff. The *NSW Government Protocol* certainly provided a platform for Council to strengthen relationships and start to have discussions with key external partners around this complex issue, particularly NSW Police and NSW Health of which some of these State Government personnel do make reference to the Protocol.

In 2018, Council completed a review of its policy with internal partners and with the Tweed Shire Housing and Homelessness Network (TSHHN). Council identified the need to strengthen the next version of its Policy to improve education to the community, businesses and the service sector on the role that local government has in addressing this complex issue, to differentiate from the role of the funded homelessness service sector and that of State and Federal Government. The *NSW Government Protocol* has *Guidelines for Implementation (May 2013)* and the *Protocol (Fact Sheet August 2014)*. A brochure also accompanied the protocol explaining what the protocol is. To the best of Council's knowledge and supported by feedback from members of the TSHHN, there was no accompanying media campaign, 'Facilitator Guide and Participant Guide' or 'Protocol Training Package' for how these tools were to be used and with whom, as suggested in the Guidelines document (pg. 6). Council's experience in working with the sector, is that many

professionals would refer to the protocol fact sheet which is 4 pages and identifies underlying principles. However, the Guidelines which are 14 pages, provide more detail regarding the interface of homelessness with signatories to the Protocol and other government and non-government organisations. Council has the same difficulty in developing an overarching framework document that meets all needs (Policy), and is currently in discussions about developing internal guidelines on operational matters in particular scenarios to assist Council officers around their roles and responsibilities when interacting with persons experiencing homelessness and working with other key partners whilst also recognising each individual case does differ.

Many challenges for Council align with training and expectations of all staff with various roles in interacting with people with very complex physical/mental health needs and socioeconomic status; the interface of the protocol with law, statutory and regulatory obligations; balancing expectations of residents and businesses; and unclear roles and responsibilities for local government officers and those of signatories to Protocol particularly NSW Housing, NSW Police and NSW Health. Rangers are increasingly experiencing the Protocol being referred to by a person experiencing homelessness as documentation of their 'human right' to camp; reside and in some cases claim land as theirs which is public space. Anecdotally we are advised some support services are informing persons to utilise this as a tool for communication when experiencing a conflict of interest. At times this has attracted media attention which does not assist in resolving conflicts of interest. Council officers and Council find this increasingly difficult to manage. Whilst the Guidelines document refers to areas where the Protocol is not being followed should be reported to NSW Housing, locally this has not been done. The Protocol goes some way to identify roles and responsibilities of signatories to the Protocol, yet locally staff within these organisations have reported to Council they are unaware of these roles and responsibilities.

The *Protocol Guidelines for Implementation May 2013* refers to regular monitoring and reviewing the Protocol yet, Council are not aware of any review being completed to date, with whom or if so when as a clear timeline is not provided in documentation. This Parliamentary Inquiry into the NSW Government Protocol for Homeless People in Public Places and its findings, will support the next review of Council's Policy which will follow within 12 months from the next Council election being conducted in September 2020.

Recommendations:

1. Improved reader and user friendly framework for stakeholders. Consider combining documents or a suite of documents with differing audiences including persons experiencing homelessness, clearly identified and consider rural/regional context especially relating to supports and services.
2. Communication and education campaign to taxpayers/residents, businesses and other people and organisations using public spaces about the complexities of homelessness and clear audience specific communication documents around any Protocol for community, businesses and service sector.
3. Consider a training package for signatory organisations where Protocol applies to include in associated employment induction programs.
4. Consider consistent training package for experienced SHS practitioner's with additional funding to roll out with key partners.
5. Clear monitoring and review process for framework with clear timelines and stating relevant stakeholders to include in review and monitoring.

2.2 The extent to which the Protocol is being implemented in practice by government organisations providing direct service delivery, and non-government organisations contracted on behalf of government.

Council do not provide direct service delivery yet, do provide secretariat support to the Tweed Shire Housing and Homelessness Network (TSHHN) which consists of over 125 informal network members across the housing and homeless sector; and a range of supports and services across the local human services sector. Council recently supported the TSHHN conduct a review of their Strategic Plan 2014-2019. The strategy was developed by members with support by Council, as a collective impact approach to address the significant social issue of homelessness and, the review conducted in 2019 presented findings of what was achieved by the network in working in partnership over the past five years. The strategy was developed following the *NSW Government Homelessness Action Plan 2009-2014* concluding, and the network appreciating the need for collective work to address homelessness locally. The review whilst identifying a range of gaps around this complex social issue, recognised a continued need for stronger links with job providers, health and education providers, Aboriginal services, real estate agents, Police and tenancy support services in particular. The TSHHN are currently reviewing their membership's terms of reference following the strategic review and in the context of Council's Community Development Strategy currently being created.

Over the past five years there has been significant changes in the funded homelessness sector and the introduction of the District Homelessness Implementation Group (DHIG) meetings facilitated by State Government. Reform in Specialist Homelessness Services occurred around the same time as the introduction of this Protocol. Initially, it is understood the DHIG was a gathering for the Specialist Homelessness Services (SHS) to collaborate on funding targets and associated reporting requirements yet, locally the DHIG membership has attracted other government and non-government bodies being involved in these meetings. Tweed Shire Council officers attend the Northern Rivers Housing Forum (NRHF) hosted by a local community organisation Social Futures, and is a collaborative group originally formulated to host an annual educative and action forum alternating between housing and homelessness topics impacting the Northern Rivers. A review of the NRHF took place in late 2019, and the NRHF are currently reviewing their membership's terms of reference as a collaborative group across the Northern Rivers. Hence, due to the changes across the human services sector that interfaces with homelessness, it is timely that these networks/reference groups gather to review their purpose to avoid duplication and streamline functions for the service sector to drive social change. Via the TSHHN and NRHF, Council is aware that most attendees are aware of the NSW Government Protocol yet, anecdotally there is little reference made in relation to its implementation in practice and the sector moreso, reference action documents such as the previous *NSW Homelessness Action Plan 2009-2014* and the TSHHN Strategic Plan. Moreso, prior to these documents, State Government supported regional and rural areas in the development of a *North Coast Regional Homelessness Action Plan 2010-2014* under the former National Partnership Agreement on Homelessness. Council would welcome how the *NSW Government Homelessness Strategy 2018-2023* will be implemented regionally and how this aligns with the implementation of the Protocol. Within the Guideline document it refers to what is required by each organisation covered by the Protocol (pg. 6) in order for it to roll out yet, locally Council is aware of gaps of which have been met by local government which are not signatories to the Protocol e.g. local contact information; training for staff; education to community etc. Council has had feedback from rate payers via recent consultation questioning whether this is the role of local government.

Tweed Shire Council commends the State Government on the announcement of 5.1million in March 2019 towards Assertive Outreach funding to address the rapid rise of rough sleepers in the Tweed Shire. The Assertive Outreach team consisting of a partnership approach of NSW Housing and local SHS's commenced service delivery in July 2019 with Council being advised in January 2020 that the partnership had secured their full team allocation. Council officers have been able to engage well with the Assertive Outreach team in targeted approaches to rough sleepers. As earlier highlighted, with accommodation issues (65%) and financial difficulties (53%) being the top reasons for homelessness, along with increasing unemployment, lack of affordable and available rentals and increased housing stress for households locally, this preventative and early intervention model needs to consider in addition, a continuum of housing model which includes crisis and emergency accommodation options of which do not currently exist in Tweed Shire. A crisis model of case management needs to align with other major gaps for Tweed Shire including available core medical services such as access to GP's; increased mental health services including outreach services; and drug and alcohol detox and rehabilitation services. Council welcomes the NSW Government Tweed Pilot Assertive Outreach initiative and would welcome the production of an associated Communication Strategy and Evaluation Plan to ensure implementation is sustainable as the pressure on the existing SHS services and the aforementioned complex systemic and social situation will continue until we consider increased accommodation options alongside this assertive outreach initiative. This protocol needs a driver of change with clear implementation plan outlining roles and responsibilities. Local government ask whether this is the role of NSW Housing (now DCJ) as outlined in the protocol whom is competent in housing models and whether in fact it should be SHS's.

Recommendation:

1. Clearly outline how the Protocol aligns with NSW Homelessness Strategy 2018-2023 and the National Housing and Homelessness Agreement.
2. Clearly outline the roles and responsibilities within the Protocol of government and nongovernment organisations contracted on behalf of government in the implementation, measuring and reviewing the delivery of the Protocol and resource accordingly.

2.3 The appropriateness of the Protocol to support joint responses between government organisations, non-government organisations and local governments working in partnership to respond to homelessness.

The implementation of the Protocol as outlined within the guidelines is not descriptive on joint or collective responses to homelessness or provide provision for government and organisations to work in partnership. NSW Housing and Specialist Homelessness Services in Tweed Shire as the primary government service and funded service sector for housing and homelessness are under resourced and the unmet demand for service in Tweed Shire is high. Staff turnover is high and attracting suitable staff in these organisations is challenging. They host a great deal of expertise and skill base to support some of the areas where local government and organisations may be finding difficult yet, besides individual cases find it difficult to do community and group based collaborative responses. The structures of interagency groups with clear purpose assist the evolving local nature of homelessness in the Tweed yet there is no co-ordination or driver of change as the Protocol eludes to being NSW Housing as the key agency. Communication messages and pathways are not always clear within and between government and organisations and often is based on relationships between professionals. The absence of alignment of strategic planning

across Northern NSW government departments makes it difficult to ensure that evidence based initiatives are being implemented, measured and evaluated to address homelessness. Increasing pressures on non-funded services is evident e.g. Agape Outreach Inc and St Vincent's Fred's Place Homelessness Support Service in Tweed Heads, which further intersects with local government around development application approval as they aim to meet demand for a range of gap services that the funded sector are unable to meet. Specialist Homelessness Services reform in 2014 meant significant shifts particularly for regional SHS's, and competitive tendering continues to impact how people work together although this is changing.

In addition, there is an increased complexity with Tweed Shire Council neighbouring Gold Coast City Council in Queensland. Different services and supports for people experiencing homelessness are present in Gold Coast and as funded or provided by Queensland Government. The closest emergency accommodation specific for homeless persons to Tweed Heads is in Bilinga, Queensland being 2 kilometres from the NSW/Qld border. With Queensland population being 500,000+ the collaborative work across their service system is well supported by Council and State Government. Targeted accommodation and wrap around services for the homeless population is being supported through partnership approaches, for example Gold Coast Youth Foyer <https://www.hpw.qld.gov.au/about/initiatives/youth-foyers/gold-coast>. With Tweed's regional park being Jack Evans Boat Harbour Parklands neighbouring Gold Coast City Council many social issues congregate around the border. Both sides of the neighbouring border experience large numbers of rough sleepers. Over a period of 12 months in 2018-2019, there were two reported cases of murder in Tweed's regional park being Jack Evans, Tweed Heads of persons experiencing homelessness. Complexities in communication and case management across State Police services, State funded Health services particularly Mental Health Services and Child Protection to ensure persons experiencing homelessness are not at risk to themselves or others is an added difficulty for the service sector. This is a very real and prominent complexity resulting in vulnerable people being made more vulnerable regarding Cross Border issues. The Protocol was beneficial as a communication tool alongside the Tweed Shire Council Homelessness Policy in discussions with Gold Coast Council in April 2018 during the Commonwealth Games. Queensland Government whom hosted the event developed a protocol for homeless persons in public places based around this event and alongside the work that Tweed had been doing in this area over a period of time.

Recommendations:

1. Increased focus for NSW Cross Border Commissioner on homelessness.
2. Alongside how the NSW Homelessness Strategy 2018-2023 is to be implemented regionally, consider resourcing regional areas appropriately with any changes with the Protocol.

2.4 Whether the Protocol adequately protects the rights and interests of people who are experiencing homelessness who use public places, including indigenous people and minority groups.

The principles within the protocol outline the following:

Homeless people have diverse backgrounds and needs, these should be considered in any response:

Cultural sensitivity and respect should be applied when engaging with Aboriginal homeless people and those from different cultural, linguistic or religious backgrounds. Officials should use interpreter services to assist with referring people to relevant services as required.

Many homeless people have complex needs such as mental health and/or drug and alcohol issues, or cognitive impairment. These issues may result in behaviour that is seen to be antisocial.

Homeless people may have experienced other issues that affect their needs. For example, they may have experienced domestic violence or left custody or statutory care, or they may be asylum seeking refugees with no contacts in the community.

Within the Guidelines document, it refers to 'Responding to homeless people in public places' and goes some way to providing some information about responses to consider with the following groups: appropriate responses to homeless people; children and young people; Aboriginal people; people of different cultural, linguistic, or religious backgrounds; and references recognising the complex needs of people who are homeless. Further reference is made for organisations to consider training in mental health; knowledge of child protection legislation; Aboriginal cultural awareness; interpreters; understanding of cultural and religious sensitivities and trauma informed care. Initial engagement and relationship building is key when working with people whom may have experienced the aforementioned history requiring specialised skills and knowledge. The Protocol refers to all persons interacting with a person experiencing homelessness having these skills and knowledge which is a huge expectation for staff or services such as libraries; Rangers; customer service etc. In addition to induction occupational health and safety training, Tweed Shire Council provide training in mental health first aid to Management and Equal Employment Opportunity staff and Cultural Intelligence for all staff. Many local government authorities' particularly in regional and rural areas, do not have specialised staff internally with the skills and knowledge in working with people with complex needs. Further, to this local government has a large number of volunteers and contracted services that are interacting with persons experiencing homelessness in public places e.g. sand dune care volunteers, open space building contractors etc. The expectations of these persons to have skills and knowledge in working with people that may have complex needs is a difficult space for local government and our procurement processes. The previous Local Government (General) Regulation 1999 required all local governments in NSW to have a social/community plan and annual report yet this is now rolled up in to the Integrated Planning and Reporting Framework which in many situations has taken a focus away from social outcomes. Alongside rate capping in NSW, local governments have increasing pressures to deliver more services and particularly for rural and regional communities this becomes increasingly difficult to do.

The comorbidity of physical and mental health issues is very prominent in persons experiencing homelessness. One in ten clients involved with Specialist Homelessness

Services have problematic drug and/or alcohol problems. Three in ten clients in SHS were currently experiencing a mental health issue¹⁴. The lack of access in rural and regional areas to specialist mental health including outreach services and alcohol and drug services including a detox and rehabilitation centre do not exist in Tweed. The North Coast Primary Health Network highlights the region had the highest rate of people 14 years and older who on average, had more than 2 standard drinks per day at 24.4%, compared to average NSW rate at 16.5% and the average Australian rate at 18.1% with associated increased rate of hospitalisations as a result of alcohol attributable injury hospitalisations¹⁵. The lack of available and affordable public transport is a significant issue in Tweed Shire and made more difficult for this vulnerable population. The location of key services provides good access for some communities but is a barrier for others. Transport is essential in the search for housing and for accessing services and then for moving around once housing is secured. Council is currently working in partnership with NSW Transport and NSW Department of Planning, Industry and Environment regarding this barrier. There is much research and evidence that vulnerable persons respond to consistent information and models of service delivery hence, why locally we see much success in engagement and relationship building with persons experiencing homelessness that access services such as St Vincent's Fred's Place, Agape and many of our food services. Collaboration and partnership across the funded and non funded services system is key.

The Aboriginal and Torres Strait Islander population in Tweed is increasing, in 2006 at 2.9% and in 2016 at 4%. Anecdotally we are hearing from local support services providing such services as food and material needs that they are seeing more Indigenous persons experiencing homelessness coming to their services and SHS service data supports this also. Tweed Shire staff are experiencing encounters with groups of ATSI people camping in public parks. At times ATSI persons have stated land claims in relation to why they are camping in such areas which has caused concern for staff at times in how to appropriately deal with complaints from residents and being culturally sensitive. Tweed Shire is not known as a diverse cultural community with the top three migrant populations being English speaking yet, embrace all cultures in community in the work Council does. Access to interpreter services for local governments is via Translating and Interpreting Services (TIS). Whilst in Tweed the utilisation of interpreter services is very low due to its demographics, if there was a need in interacting with someone experiencing homelessness, eligibility includes the person to have a Medicare card. Some persons experiencing homelessness do not obtain primary forms of identification, let alone Medicare card for access to interpreter services.

Whilst positive intent is always to deliver on the principles identified in the Protocol, often local government personnel, volunteers or contracted staff who are at the interface are not skilled or have the knowledge around the complexities in health and trauma that persons experiencing homelessness may have experienced or such knowledge of sensitivities in relation to culture.

Recommendations:

1. Consider funding to Department of Housing and/or Community Services for public space liaison officers to capacity build and support the tension that arises between the local community and rough sleepers or other people who behave anti-socially in public places.

¹⁴ Specialist Homelessness Services Annual Report 2018-2019, AIHW 2019

¹⁵ North Coast Primary Health Network Needs Assessment, NCPHN 2018

2. Continued collaborative work between State and Homelessness network providers regarding macro systems preventing access and participation including health services, specialist homelessness services funding, housing.
3. Consider clear partnership opportunities that are resourced to assist in the delivery of the principles within the Protocol and allocate a driver of change.
4. Has this review considered the voice of those with lived experience? This would be a recommended avenue to determine if the protocol is delivering on this particular point.

2.5 Whether the Protocol appropriately balances the rights and interests of people who are experiencing homelessness with those of residents, businesses and other people and organisations using public places.

Local government authorities are often at the forefront of balancing the rights and interests of residents, businesses and organisations and other people using public places. Complexities lie in meeting everyone's needs when issues or perceived issues arise. The increased homeless population in Tweed has resulted in increased demand for particularly outreach services to meet persons experiencing homelessness most basic needs including food, clothes, social inclusion, washing services etc. Demand for public park space to provide such services was identified as a need in Tweed Shire Council's Homelessness Issues Paper (2014) and a rise in demand for use of public space with the increasing homeless population. Where public space is adjacent to businesses or large residential properties where larger numbers of persons experiencing homelessness gather, issues or perceived issues are often reported to Council e.g. Jack Evans Boat Harbour, Tweed Heads; Knox Park, Murwillumbah; Coastal sand dunes near residents e.g. Fingal Head. Local Governments are very committed to social justice principles of equity, access, participation and rights as identified in the Local Government Act 1993 yet difficulties align with balancing this for all persons. LGA's are often the first reference point for all social matters and often an expectation to 'fix it'.

Council's community services such as libraries and cultural facilities e.g. Art Gallery are increasingly becoming a space for homeless persons to seek shelter from the north coast's inclement weather. Balancing the interests of all persons using this space is becoming challenging e.g. library staff are not trained or experienced in working with people with complex needs that may use the space differently e.g. sleep, dry clothing etc. Council's Parks and Recreation officers and cleaners, and Rangers are often exposed to persons with complex mental and alcohol and/or other drug residing in parks and open space leaving their belongings unattended and in some cases leaving behind dangerous paraphernalia such as discarded used needles; weapons; often left in public areas such as toilets, neighbouring businesses and open space visible and at risk to the community. Whilst the Protocol references that homeless people may experience complex mental health, a trauma history and/or drug and alcohol exposure which may present that is antisocial behaviour, Council officers ability to assess whether this behaviour is putting themselves or others at risk is very difficult and they are not trained to do so. Engagement with the NSW Police on occasions to do this assessment has been difficult under their laws; and in the absence of outreach mental health services in Northern NSW it results in the ability to balance rights and interests of all persons as identified in the Protocol is made more difficult. Council's customer service staff are often challenged with residents reporting cases which a resident perceives as a homeless person in public space displaying behaviour as antisocial or placing the public at risk. Determining if this is actually antisocial behaviour and whether it is a Council or a Police matter is often difficult to determine and often results in an increased demand on Council staff particularly Rangers to initially assess the situation. NSW Police have made reference to Council officers regarding the difficulties they experience in

managing the aforementioned requests particularly when a person may be behaving erratically and they will not engage with health particularly mental health services. Transporting such persons is made difficult as they have not committed a criminal matter yet in order to get support and in the absence of outreach mental health services Police often are the link between services.

Recommendation:

1. Communication and education campaign to taxpayers/residents, businesses and other people and organisations using public spaces about the complexities of homelessness and clear audience specific communication documents for community, businesses and service sector.
2. Increased services for Northern NSW including increased NSW Police numbers with focus on community safety and prevention; and for NSW Health Mental Health outreach services such as the acute response and assessment team that sits in other regional areas such as Mid North Coast LHD. Stronger relationships and deliverables of PCYC.
3. Funding to local governments to activate hot spots and improve community activity and surveillance.

3 Conclusion

Tweed Shire Council supports the Protocol's intent to ensure homeless people are treated respectfully and appropriately and are not discriminated on the basis of their homelessness status. Tweed Shire Council developed its own organisational policy based on this framework. Whilst in general, Council supports the Protocol, we suggest improvements can be made regarding clear implementation, measurement and evaluation; roles and responsibilities; education and communication to range of stakeholders, residents and tax payers; training; resourcing regional areas appropriately and responding to cross border issues; collaborative and partnership pathways and; alignment with NSW Government strategic planning.



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