

# Section One: An Overview

## Local Government and Homelessness in Australia: Understanding the Big Picture

Andrew Beer and Felicity Prance,

Centre for Housing, Urban and Regional Planning, The University of Adelaide

Local government is the tier of government closest to the people of Australia and is important for the health and wellbeing of communities through the services it provides and through its role in supervising development. Put simply, if any tier of government in Australia can be thought of as a ‘place manager’ for Australia’s cities, towns and regions, it is local government. This means that local government is important in dealing with homelessness, which is often a very public phenomenon. But to date, local government hasn’t been seen to be important in dealing with homelessness, and even the policy initiatives announced by the Council of Australian Governments (COAG) from 2007 onwards allocated only a small role to local governments. This paper briefly explores some of the issues around homelessness and local government in Australia. This paper provides a summary of a report produced for the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) (now Department of Social Services). It argues that local government does more in homelessness than most people realise, and that it has the capacity to do more if given the opportunity.

### 1. How Does Local Government Affect the Homeless?

The majority of councils in Australia play a relatively minor role in mitigating the impacts of homelessness and few have a role in preventing homelessness. The most common is in planning for affordable housing. A significant number of councils across Australia have by-laws that affect the homeless, though few actively enforce these regulations.

The overwhelming majority of local governments in Australia do not have a formal homelessness policy. This does not mean that councils are not contributing to efforts to address homelessness in their municipality. Almost half (46 per cent) of all survey participants suggested that their council has a set of informal policies or strategies to help the homeless, such as providing access to community services and facilities, community grants and facilitating sector taskforces.

Most local governments believed that all three tiers of government should take responsibility for homelessness and work in partnership to reduce its impact and the number of persons affected. A lack of clarity around the current division of responsibilities was identified as a major impediment to more effective outcomes at the local level. Many had strong links with community service organisations and non-government organisations (NGOs) who deal with the homeless. The part local governments play in supporting these organisations deserves greater acknowledgement.

### Regulatory Roles and Councils as Public Space Managers

The role of councils as public space managers is important as local governments take seriously their responsibility to maintain public safety in community space. The methods adopted by councils to meet this responsibility varied greatly: while some inner-city councils tended to enforce by-laws, outer metropolitan and rural councils did not consider by-laws effective. Similarly, approaches to the regulation of boarding houses and tourist caravan parks varied by state, the degree to which the council area was remote or urban, and the size of the population

within the local government area, resources and political support.

Some — such as the City of Port Phillip and the City of Sydney — adopt an atypical approach to the regulation of public space, emphasising the human rights of homeless people and seeking to manage the perception of public nuisance through education of the broader public.

### By-Laws

Our survey found that:

- 58 per cent of councils have by-laws that have an impact upon homeless people, including regulations that control unwanted behaviours in public space; and,
- 87 per cent of councils that employ local law officers have not issued an expiation notice to a homeless person during the past year.

The latter statistic is significant and reinforced an important message communicated in the case studies: that most local government see little value in using punitive measures to control homelessness. However, the survey findings and case studies suggest that local government by-laws that have the *potential* to exert a profound impact upon homeless people are common.

The survey found that over the past year, 12 per cent of councils had issued 16 or more expiation notices. Clearly, a small minority of councils were very active in the use of by-laws and associated measures to control homelessness.

### Affordable Housing and Homelessness

The link between homelessness and affordable housing was identified as important throughout



Image provided by the City of Port Phillip

the project. Participants recognised the lack of affordable housing was creating a new cohort of homeless persons/families who could not enter, or remain in, the private rental market. Increasing the supply of affordable and appropriate housing was identified as an ideal 'exit' from homelessness. While the need for affordable housing was readily identified, participants expressed confusion about the best ways to do this.

The national survey provided a number of insights into the role of local government in the provision of affordable housing. One of the most important conclusions to emerge was that there is a considerable gap between the identification of housing need and the development of appropriate plans: some 57 per cent of respondents reported that there is

a demand for affordable housing options in their area however, only 28 per cent of respondents had affordable housing targets articulated in a 'Development Plan' or 'Planning Scheme/Strategy'.

The survey also suggested a poor understanding of the available options for increasing the supply of affordable housing. For example, 67 per cent of participants did not actively pursue partnerships with not-for-profit providers to ensure affordable housing in the area, and 60 per cent of councils did not work with State and Commonwealth housing providers.

Many council representatives felt that council planning teams lacked an understanding of how housing and development policies indirectly affect the homeless.

## Matching Responsibilities and Resources

The relationship between local government roles, responsibilities and allocated resources was discussed. Some 83 per cent of respondents identified challenges. The reasons most commonly cited for preventing engagement with the homelessness sector (listed in descending order) were lack of:

- resources
- funding
- clarity regarding the division of responsibilities between governments
- affordable housing stock
- political leadership within council
- community understanding
- innovative planning.

A majority of participants in the focus groups agreed that local government roles and responsibilities in the homelessness sector should include:

1. advocacy on behalf of vulnerable groups within the community
2. raising awareness amongst councillors and the general population about the nature, causes and consequences of homelessness
3. facilitating networks and building connections with the human services sector
4. planning because zoning, planning and building regulations are the vehicle that controls development processes and housing supply.

In particular, the role of local government in providing education and improving community awareness was emphasised.

## Formal and Informal Homelessness Strategies

The distinction between formal and informal policies and procedures was highlighted. Only 14.2 per cent of survey respondents had a formal homelessness policy or strategy. The most common reasons for not having a homelessness policy included:

- lack of political support within the council chamber
- poor understanding of the problem and possible solutions
- insufficient funding, resources and staffing.

A much larger portion of survey participants (46 per cent) reported their council has informal practices to support homeless people. There was a general sentiment that informal policies enabled council staff to engage with local homelessness service providers without the structure and regulations associated with formal policies. Informal homelessness strategies involve providing grants, direct or indirect assistance to specialist service providers in the area and access to council facilities. The survey found:

- 63 per cent of local governments who responded provide Community Grants or Land Grants to organisations assisting homeless people
- 89 per cent provide direct or indirect assistance to specialist services such as youth, women escaping domestic violence, older persons, newly arrived immigrants or those with a disability.

Councils often have strong working relationships with service providers in the area:

- 72 per cent of participants had an awareness of specialist service providers operating in their local area
- 67 per cent would approach the non-government welfare sector for assistance with a homelessness problem.

In many respects, this research has highlighted that the role of local government in dealing with homelessness is poorly understood and even less well documented.

All tiers of government in Australia need to acknowledge the many faceted roles played by local government in ensuring the health and wellbeing of the Australian people.

Homelessness is an exemplar of how local governments can be a positive force for change at the community level. The broader community also needs to acknowledge that councils play a wide ranging role, and that community members have a responsibility to support each other. In many respects, councillors need to emerge as leaders within their communities.

## 2. What Role Could Local Government Play?

This research has found that *there is clearly both the capacity and a willingness for local governments to become more involved in addressing homelessness in Australia* and that the roles local governments can play include:

1. advocacy on behalf of vulnerable groups within the community
2. raising awareness amongst elected councillors and the general population about the nature, causes and consequences of homelessness
3. facilitating networks and building connections with the human services sector
4. planning — because zoning, planning and building regulations are the vehicles that control development processes and housing supply.

The four roles identified above reflect a conservative approach to local government's engagement with homelessness. More far reaching approaches would also see local government:

- set specific targets for the provision of affordable housing within their strategic planning frameworks, and then take actions to achieve those frameworks
- become directly involved in the supply of affordable housing through the establishment of community housing providers or the provision of land for low cost housing
- repeal by-laws that adversely affect the homeless
- adopt a formal protocol for all council dealings with the homeless
- accept a broad ranging commitment for local government to work toward improving the wellbeing of all groups in the community.



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