

Submission No. 66

(homelessness legislation)

A.O.C. Date: 26/08/09



**Submission to the  
House of Representatives Standing Committee  
on Family, Community, Housing and Youth  
Inquiry into Homelessness Legislation**

**City of Sydney Council**

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#### **Attached:**

- **City of Sydney 2007, Homelessness Strategy 2007-2012 (under review)**
- **City of Sydney Draft Affordable Rental Housing Strategy 2009 - 2014**

## **1. Introduction**

This submission has been prepared by the City of Sydney Council in response to the Commonwealth House of Representatives Standing Committee on Family, Community, Housing and Youth Inquiry into Homelessness Legislation.

First the submission gives a brief introduction to homelessness in the City.

Secondly, the submission outlines the measures the City is currently undertaking to address these issues.

Thirdly, the submission provides specific responses to the following terms of reference of the Inquiry;

1. The principles that should underpin the provision of services to Australians who are homeless or at risk of homelessness.
2. The scope of any legislation with respect to regulated government initiatives in the areas of social inclusion and rights
3. The role of legislation in improving the quality of services for people who are homeless or at risk of homelessness.
4. The effectiveness of existing legislation and regulations governing homelessness services in Australia and overseas.
5. The applicability of existing legislative and regulatory models used in other community service systems, such as disability, aged care and child care to the homelessness sector.

Finally, the submission makes some concluding remarks.

## 2. Homelessness

Homelessness affects all areas across NSW and Australia. Homelessness is an issue that disproportionately affects large cities. The descriptions below focus on the City of Sydney local government area (LGA).

The inner city of Sydney attracts people who are homeless for a range of reasons, some of which may include the relatively high number of homelessness and accommodation services based in the City and the sense of 'anonymity' that the City may offer. In the 2001 census, 26,676 people were counted as being homeless in NSW. Of this, approximately 4,680 were within the City of Sydney, Marrickville, Botany Bay and Leichhardt LGAs. So while these areas held only 7% of metropolitan Sydney's population, in combination they held over 30% of its homeless people.<sup>1</sup>

The City has recently undertaken two Rough Sleeper Street Counts to establish the number of people sleeping rough in the City's public spaces. The August 2008 count identified 354 people sleeping rough or occupying over night shelters with a further 43 in hospital and 469 people occupying Supported Accommodation Assistance Program (SAAP) funded beds. The February 2009 count identified 340 people sleeping rough or occupying over night shelters with a further 27 in hospital and 424 people occupying SAAP funded beds.

The City's Homeless Person's Information Centre (HPIC) 2008 data showed a significant reduction of SAAP adult beds available within the City of Sydney LGA compared with 2003. The decrease in numbers of government-funded beds reflects a change in focus of SAAP funded agencies toward more intensive support services for clients. This change in focus has meant that some services have had to reduce the number of beds in their service to fund improvements in the way that they provide their services.

The lack of government funded, supported accommodation beds, shrinking numbers of boarding house beds, long waiting lists for public housing, low numbers of vacancies in the private rental market and increasing evidence of people at risk of losing their homes as a result of increasing stressors in the housing sector all point to an emerging crisis that must be thoroughly analysed and urgently addressed by all layers of government.

Homelessness is also a human rights issue. Access to safe and secure housing is a basic human right. People experiencing homelessness may experience violations of other human rights such as the right to liberty and security of the person, the right to privacy, the right to social security, the right to freedom from discrimination, the right to education.

The right to housing must include a right to have somewhere to live that is adequate. Housing is adequate when it has the following attributes:

- affordability
- security of tenure
- availability of services, facilities and infrastructure
- accessibility
- habitability
- location
- cultural adequacy.

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<sup>1</sup> City of Sydney 2007, *Homelessness Strategy 2007-2012*

### **3. The City of Sydney's commitment to addressing Homelessness and Housing Affordability**

The City is committed to addressing homelessness and housing affordability for residents and has implemented a number of strategies and projects to meet this commitment.

#### **The City of Sydney's commitment to addressing Homelessness**

The City is a leader in local government in addressing homelessness and has the only dedicated homelessness unit in local government in Australia. The City delivers a number of services that reduce homelessness which are contained in the City's Homelessness Strategy 2007-2012

- the Homeless Persons Information Centre (HPIC),
- the Inner City Homelessness Outreach and Support Service (I-CHOSS),
- the Homelessness Brokerage Service,
- the Public Space Liaison Officer
- the Complex Needs Coordination Project and
- the bi-annual Street Count of Rough Sleepers.
- The City as partner in Common Ground NSW.

The City is also a leader in local government in housing affordability, and delivers a number of initiatives to address this issue including:

- Sustainable Sydney 2030: Social and housing diversity is thus a key goal of Sustainable Sydney 2030.
- Draft City of Sydney Affordable Rental Housing Strategy 2009 – 2014:
- Homelessness Strategy 2007-2012

All these projects are addressed in detail below.

***The City's Homelessness Strategy 2007-2012*** outlines goals and objectives in relation to service provision, project and policy development, sector development, research and advocacy sets realistic targets that aim to end chronic homelessness within the inner city by 2017.

For 25 years the City has had a strong commitment to addressing the complex needs of homeless people living in the City of Sydney. Since 1984 the City has operated the ***Homeless Persons Information Centre (HPIC)***. HPIC is the telephone information and referral service that refers those in the community who are homeless, or at risk of homelessness, to the services that may assist them. It provides professional assessments and referrals for clients seeking accommodation and support services within NSW. In 2008 HPIC responded to over 59,885 calls from individuals and government and community agencies. This was an increase of 17% from the 50,852 calls received in 2007. HPIC is in constant communication with other services ensuring up to date information on service requirements and availability in NSW.

HPIC can make referrals for individuals, couples and family. HPIC is primarily a referral service for people over 18 years of age. People under 18 years will be referred to the Youth Accommodation Line or to other help lines targeted at youth. They may be assisted by HPIC staff if other more appropriate youth services are not available. HPIC referral officers prefer to speak to the client first hand to allow clients to express their own needs and experiences directly. This also allows

HPIC to gain the individual's permission to disclose personal details when making a referral to other services.

In partnership with Housing NSW and the NSW Department of Community Services, the City provides funding to Mission Australia and the Haymarket Foundation to operate the ***Inner City Homelessness Outreach and Support Service (I-CHOSS)***.

The I-CHOSS service model has three components (note that this service is being redeveloped to provide street-to-housing support in a Housing First Model).

- The outreach team provides services to clients who are homeless in the inner city, with a focus on 'rough sleepers'. Services provided include assessment of a client's need, basic health care, counselling and advice, transport, and referral and advocacy to access appropriate support agencies. Outreach workers engage with people on the streets in order to build relationships that will assist homeless people in the long term.
- The support team provides services to clients (referred by the outreach team) who are ready to receive ongoing support and accommodation. Services include an assessment of client's needs, identification of sustainable accommodation options, support to maintain these accommodation options and referral and advocacy to access appropriate support agencies.

The specialist team provides medical and drug and alcohol services through the Haymarket Foundation, individual sessional counselling and therapeutic and group programs. Counselling and group programs may be provided by a range of locations and agencies

The City also supports the ***Homelessness Brokerage Service***. The City of Sydney Homeless Brokerage Program assists people who are homeless with low to moderate needs, to access accommodation and where necessary, offer support services to enable them to live independently. To achieve this goal the service provides short term accommodation, food, transport and other support to people who are homeless and do not require supervised accommodation. This service is provided by the YWCA of NSW under contract to the City of Sydney. It assists clients from across metropolitan Sydney, with a focus on the central Sydney area. It is jointly funded by the City and Housing NSW.

Brokers assess the needs of the client in a face to face interview and negotiate an assistance package with the client. This service currently assists on average up to 160 people a month.

The City has recently commenced work on an innovative model of service delivery for chronically homeless people in the City of Sydney called the ***Complex Needs Coordination Project (CNCP)***. This project is being facilitated by the City in partnership with DoCS and is supported by the participation of a range of government and non-government agencies. The project aims to reduce the number of people who are chronically homeless throughout inner Sydney, by providing intensive assistance to a prioritised group of chronically homeless people who have complex needs. It also seeks to establish a best practice framework for coordinated service delivery to the chronically homeless, based on flexible and collaborative service responses. The project has two main streams:

- **Care Coordination:** Comprehensive assessment and advice is provided toward the coordinated care of people with complex needs by a panel of experts from the areas of mental health, drug and alcohol, dual diagnosis, disability, primary health, corrective services and complex needs case management.
- **Housing First:** Housing NSW has allocated 30 tenancies to the project for the referral of the long term homeless into independent, long term accommodation with support attached for the purpose of sustaining those tenancies.

The City conducts bi-annual ***Homelessness Street Counts*** to estimate the number of people sleeping rough in the City's public spaces.

The City is a partner in ***Common Ground NSW***. Common Ground is a pioneer in the development of supportive housing and other research-based practices that end homelessness. Common Ground seeks to place chronically homeless people and people with high needs into supported accommodation and, in a coordinated way to manage their links to services to maintain their housing, restore their health, and regain their economic independence.

Common Ground unites business, government and philanthropy to deliver a long term housing solution for those who live life on the streets and provides a safe and supportive environment and community for people who have previously been vulnerable and living on the streets.<sup>2</sup> The NSW Minister for Housing has recently announced the NSW Government's support for the establishment of the first NSW Common Ground housing model in the City of Sydney suburb of Camperdown.

### **The City of Sydney's commitment to addressing Housing Affordability**

The City is committed to addressing issues of housing affordability and homelessness in partnership with other levels of government, to ensure the capacity of a wide range of residents including key workers, low income earners and homeless people to find and sustain appropriate accommodation options within the City boundaries. In order to achieve this goal, the City has been proactive in the implementation of a range of policies and projects.

### ***Sustainable Sydney 2030***

The City has developed a strategy designed to guide sustainable development in the City to the year 2030 and beyond called Sustainable Sydney 2030.

During the extensive community consultation that was undertaken as part of the development of Sustainable Sydney 2030, the community told Council that they would like to see the City as affordable, inclusive and accessible to all residents. Therefore, relative equality has emerged as a key principle in the strategy. Affordable housing is a means of providing for increased relative equality in the City.

Social and housing diversity is a key goal of Sustainable Sydney 2030. Diversity is essential for the social and economic vitality of inner Sydney. Specifically, this means that a range of housing opportunities will be provided in terms of housing types, prices and rents and this will include affordable housing.

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<sup>2</sup> Common Ground NSW, Mercy Foundation, <http://www.mercyfoundation.com.au/homelessness/index>

The Sustainable Sydney 2030 strategy sets ambitious targets which aim to redress the current trends and ensure that 15% of the City's housing stock in 2030 is provided in the form of social housing through government and community providers and affordable housing delivered by not-for-profit or other providers.

Whilst Sustainable Sydney 2030 specifies a set of objectives and policies to achieve this target, it has proposed a demonstration project to show how governments working together can achieve affordable housing objectives.

### ***Glebe Project***

On 29 April 2008, the City of Sydney and the New South Wales State Government signed a Memorandum of Understanding to investigate the development of an affordable housing project on a 3.6 hectare site in Glebe-Ultimo, currently owned in separate parcels by both levels of government.

This \$260 million project aims to build at least 700 new housing units, of which at least 200 will be affordable, aimed to both address the city's affordable housing shortage and as a demonstration project.

### ***Draft Affordable Rental Housing Strategy***

February 2009 Council endorsed the public exhibition of the *Draft City of Sydney Affordable Rental Housing Strategy* with specific actions aimed at achieving affordability targets.

This draft strategy was developed following consultation with organisations operating in the housing industry including both the private development and not-for-profit sector. This strategy provides an important strategic framework for affordable rental housing and has several key objectives including:

- Increase the amount of affordable housing available in the City of Sydney to households with very low, low and moderate incomes through the provision/ facilitation of 2309 affordable housing dwellings by 2030.
- Protect the existing stock of low cost rental accommodation in the City of Sydney.
- Encourage a diverse range of housing in the City of Sydney.
- Collaborate with other inner Sydney councils to address affordable housing as a regional issue.
- Advocate the protection and facilitation of affordable housing to other levels of government and to the community.



## 4. Specific responses to the Inquiry's Terms of Reference

### 1. The principles that should underpin the provision of services to Australians who are homeless or at risk of homelessness.

- 1.1. The definition of homelessness in the legislation should be as inclusive as possible to reduce the risk of people in need falling through the gaps.
- 1.2. The legislation should be consistent with Australia's commitments to Human Rights (e.g. Universal Charter for Human Rights) The right to housing is more than simply a right to shelter. It is a right to have somewhere to live that is adequate.
- 1.3. The legislation should require the cooperation relevant agencies to act to ensure that every citizen has access to housing.
- 1.4. The legislation should enshrine the aim of interventions as placing people in long term secure housing.
- 1.5. The legislation should recognise the right to adequate housing. Housing is adequate when it has the following attributes: affordability; security of tenure; availability of services and infrastructure; accessibility; habitability; location; cultural appropriateness.
- 1.6. The legislation should make a commitment to evidence based practice such as Housing First. First established in New York and now being implemented by the City of Sydney through the Complex Needs Coordination Project, Housing First is as much a way of providing housing as it is the housing itself. The Housing First program provides immediate, independent permanent housing along with client-driven treatment and support for clients' recovery and for their community integration.<sup>3</sup> Housing First targets the most vulnerable segment of the homeless population, persons who have lived on the streets or institutions for a long time and who have psychiatric disabilities, co-occurring addiction disorders, and other health and hardship challenges. Traditional approaches to managing the housing needs of these clients relies on the client overcoming problems with addiction and substance abuse, engaging in treatment programs and making and integration into mainstream society before being granted tenure of housing.<sup>4</sup> Housing First operates on the philosophy that people should enter housing, with individualised support wrapped around them, without pre-requisites for treatment or abstinence. Housing First in New York has tenancy retention rates measured over the long term (4 years) of 80% or more.

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<sup>3</sup> American Psychiatric Association, 2005, <http://psychservices.psychiatryonline.org/cgi/content/full/56/10/1303>

<sup>4</sup> American Psychiatric Association 2005, *Ibid*

- 1.7. The legislation should encourage the provision of services based on need rather than diagnostic criteria. For example, many chronically homeless people have high needs that would best be serviced by a Housing & Support Initiative (HASI) package but they fail to meet the diagnostic criteria. For these people there is no alternative high needs care support funding. Consideration should be given to extending the reach of the following two supports.
  - 1.7.1. Housing and Accommodation Support Initiative (HASI) is jointly funded by NSW Health and Housing NSW. It is a three way partnership between the two government departments and non-government organisations<sup>5</sup>. 'HASI is designed to assist people with mental health problems and disorders requiring accommodation (disability) support to participate in the community, maintain successful tenancies, improve quality of life and most importantly to assist in the recovery from mental illness'.<sup>6</sup> The HASI program has resulted in significant improvements in the health and quality of life outcomes of participants resulting in two thirds of participants reporting improvements to their mental health, reduced hospital admissions, detection and treatment of a range of other associated illnesses, increased capacity to identify illness and seek treatment amongst participants, increased social skills and confidence.<sup>7</sup>
  - 1.7.2. Integrated Services Program (ISP) for people with challenging behaviours. ISP is a joint project lead by the NSW Department of Ageing, Disability and Home Care (DADHC) in partnership with Housing NSW and NSW Health. This project targets the hardest of the hard amongst people who are homeless. These are the people that have been excluded from all other services, usually as a result of behaviours, and for whom every other possible form of intervention has been tried and failed. ISP provides independent or congregate housing with 24 hour on site support. Clients are given high levels of support by experts from across the health and social welfare spectrum and that support is targeted to the particular needs and issues of that person and may change greatly across individuals
- 1.8. The fees charged by agencies and services housing people can be waived when a person cannot afford them.
- 1.9. The legislation should include regular reviews of fees charged by agencies and services housing people to ensure that the fees do not put them into financial stress.
- 1.10. A focus should be placed on measures which ensure housing tenure for tenants in low cost rental accommodation to encourage residents to establish foundations and participate in the community.

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<sup>5</sup> Social Policy and Research Centre (2006), *Housing and Accommodation Support Initiative: Evaluation II*, July 2006

<sup>6</sup> NSW Health and NSW Department of Housing (2005), *Housing and Accommodation Support Initiative (HASI) resource manual* (draft version 1.7), Sydney: NSW Health and NSW Department of Housing.

<sup>7</sup> Social Policy Research Centre, *Ibid*, p4

- 2. The scope of any legislation with respect to related government initiatives in the areas of social inclusion and rights.**
- 2.1. The legislation should encourage the development of Affordable Housing Strategies.
  - 2.2. Consideration should be given to reviewing legislation that can contribute to homelessness or can reduce the risk of homelessness such as where people would become homeless as a result of being evicted.
  - 2.3. Laws relevant to domestic violence be reviewed to give more protection to the victims in securing housing; for example, powers to impel perpetrators of violence to leave the home and improve the safety of those at risk.
  - 2.4. Legislation governing Boarding Houses be reviewed to ensure that local planning considerations and community expectations are taken into account in relation to the location of new boarding houses. It should encourage the development of boarding houses that are in close proximity to employment, transport, health and social services.
  - 2.5. The Commonwealth should review laws governing use of public space to ensure that they don't unduly discriminate against homeless people.
  - 2.6. The legislation should include outcomes from the National Consultation on Human Rights.
  - 2.7. The right to housing is more than a right to shelter. It is a right to have somewhere to live that is adequate.
  - 2.8. The legislation should require the establishment of community development programs in association with social housing projects to support the development of resilient and sustainable communities. A cohesive community cannot be developed simply through the provision of infrastructure alone. Funding therefore, needs to be provided for the implementation of community development and social support services which seek to engage residents in community capacity building activities. Resilient and sustainable communities are ones in which residents feel connected, supported and safe and therefore a significant investment should be made in implementing projects focused on these outcomes.
  - 2.9. The Commonwealth should continue to promote the review of services delivered by Government Agencies to ensure that no welfare recipient is made vulnerable due to an imposed penalty.

**3. The role of legislation in improving the quality of services for people who are homeless or at risk of homelessness.**

- 3.1. The legislation should define the responsibilities of service providers, including minimum standards.
- 3.2. The legislation should encourage the use of evidence-based practice.
- 3.3. The legislation should require that service funding is linked to an outcome which results in placing homeless people in long term secure housing
- 3.4. The legislation should permit the duration of support to be determined on a case-by-case basis and not limited to an arbitrary length.
- 3.5. The legislation should impel service providers to coordinate care across service streams and the connections with key stakeholders.
- 3.6. The legislation should allow for the use of flexible models of supportive accommodation suitable for different target groups.
- 3.7. The legislation should require and resource appropriate agencies to gather data.
- 3.8. The legislation should require the participation of relevant agencies in the development and implementation of long-term regional plans to address homelessness.

**4. The effectiveness of existing legislation and regulations governing homelessness services in Australia and overseas.**

- 4.1. Ensure that the Protocol for Homeless People in Public Places is implemented nationally to ensure that the rights of homeless people in public spaces are respected.

**5. The applicability of existing legislative and regulatory models used in other community service systems, such as disability, aged care and child care to the homelessness sector.**

- 5.1. Consideration should be given to including accreditation schemes (such as those used in aged care facilities) for services that provide housing to homeless people. Action should be taken to ensure that this does not lead to an increase in the cost of these services.

## **5. Some concluding remarks**

A solution to this crisis requires a commitment from all levels of government and other key stakeholders. Adopting new legislation to end homelessness is an important necessary start. Changes to legislation and policies can only go some way to achieving the change needed so increased financial investment by the Government is urgently required.

While the demand for a solution to homelessness is overwhelming, any policy which seeks to address these challenges must also take into account the social, environmental and economic issues associated with the fast tracking of the supply of housing stock to ensure that the system can accommodate all those in need.

The NSW Government should work collaboratively with local government and with communities across the state to achieve the supply of new social housing stock and an investment in the social fabric which surrounds housing to facilitate the development of cohesive, resilient and sustainable communities.

