



WAVERLEY  
COUNCIL

# Homelessness in Public Places Protocol

Policy owner	Manager, Older People, Disability Services, Community Services
Approved by	Executive Leadership Team
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Commencement date	26 August 2019
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Relevant legislation/codes	Local Government Act 1993 Environmental Planning and Assessment Amendment Act 2017
Related policies/procedures/guidelines	Safe and Clean Spaces for All – A guide to identifying and managing risky behaviour in Waverley’s public spaces
Related forms	

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## 1. Overview

Waverley Council's protocol aims to ensure that people experiencing homelessness in Waverley's public places are treated appropriately, with compassion and respect.

A primary role of Council is to ensure public spaces in the Waverley Local Government Area (LGA) are clean safe and can be accessed and enjoyed by everyone, including people who are homeless.

This is achieved by:

- implementing a coordinated, harm minimisation and early intervention approach to public place management which includes routine cleaning and monitoring of hotspot locations.
- working in partnership with government and non-government agencies that can help people experiencing homelessness to get timely support and move out of the cycle of homelessness.

## 2. Objectives

Waverley Council commits to the protocol to:

- ensure the rights of homeless people are respected by Council and the broader community
- ensure homeless people are provided with information and referred to support and accommodation services in a timely manner
- improve coordination of service provision to homeless people
- ensure the safety of homeless people, staff, community, residents and visitors
- protect everyone's right to enjoy public amenity
- uphold Council's legal obligations

## 3. Underlying Principles

People experiencing homelessness have the same rights as any other member of the public to:

- be in public places, at the same time respecting the right of the community to live in a safe and peaceful environment
- store and carry their belongings with them
- use public amenities and to participate in public activities and events
- be free from harassment or being moved on from a public place 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

## 4. The Protocol

Council staff interact with people experiencing homelessness in the following circumstances:

- they request assistance
- they appear to be distressed or in need of assistance
- for the purpose of information exchange or provision of a service, including making an area safe, accessible and clean
- the behaviour of the person threatens their own safety or the safety and security of people around them

- the person's behaviour is likely to result in damage to property or have a negative impact on natural and cultural conservation of the environment, including cultural heritage, water pollution and fire risks
- they are sheltering in locations that place their or others' health and safety at risk for example, blocking fire escapes, staying in derelict buildings or high-risk areas such as coastal caves
- a person is likely to be at risk of significant harm such as a child or young person who appears to be under the age of 17 years.

Police will be contacted if a person is engaging in antisocial behaviour, behaviour that poses a risk to themselves or others, or an unlawful act is occurring.

## **5. Where the Protocol Applies**

This Protocol aligns with the NSW Government protocol for homeless people in public places.

It applies to public places such as parks and open spaces ordinarily accessible to the public. It does not apply to private property. This protocol does not prevent individuals from taking appropriate action where infringements occur on private property. In the case of trespassing, the owner may choose to call the Police

## **6. Review of Protocol**

The protocol will be reviewed by Waverley Council in two years.