



Photo: Jonathan Kos-Read



## Disability Access Action Plan 2014

*Adopted 26 June 2014*





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Through my work on the disability access plan I am appreciative of the groups and individuals who have assisted in the planning and consultation process. These people have made valuable contributions and support throughout these processes.

# Gwydir Profile

## Gwydir Shire Local Government Area

Gwydir Shire is located in North West New South Wales within the North West Slopes and Plains region.

The Shire covers an area of 9,122 km<sup>2</sup> and has a population of 4,965 people according to the Australian Bureau of Statistics. The northern part of the Shire almost touches the NSW/Queensland border, while to the east it is bounded by Inverell, Guyra and Uralla Shires, to the west by Moree Plains and Narrabri Shires and to the south by the Tamworth Regional area.

Gwydir Shire is made up of the townships of Wialda, Bingara, Upper Horton/Cobbadah, Gravesend, North Star, Coolatai, Croppa Creek, Wialda Rail, Yallaroi Crooble, and Rocky Creek

Both Wialda and Bingara have Hospitals, Aged Care Hostels, Medical Centres, Caravan Parks, Swimming Pools, Preschools, Libraries and Tourist Information Centres.

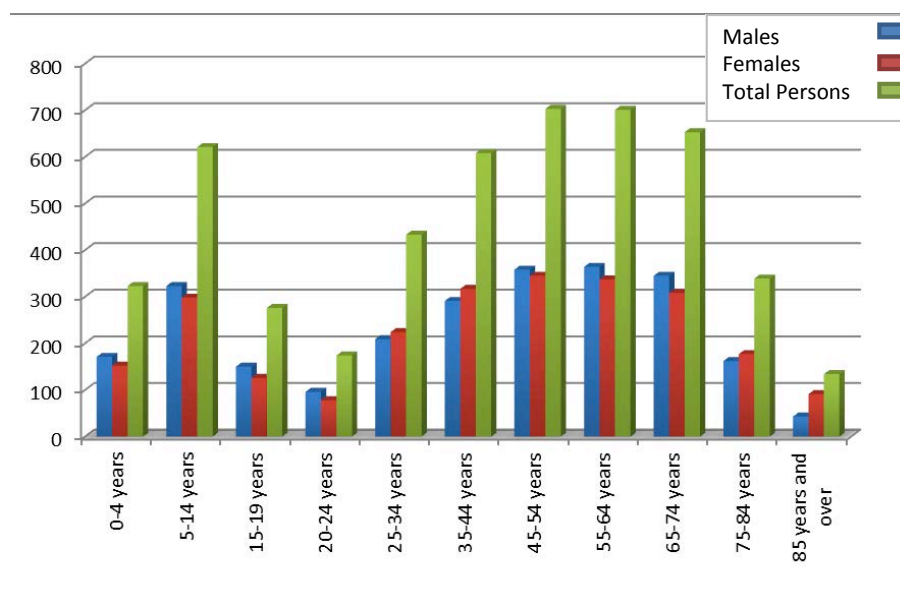
## Age Distribution

The Council amalgamation in 2004 changed the makeup of the social structure of the Shire, particularly in relation to age distribution.

Key findings are:

- In comparison to the NSW average, Gwydir Shire has a relatively high proportion of young children aged 5-14 (13.7%);
- An extremely low relative number of adults aged 15-24 living in the Shire (8.7%) compared to NSW (13.3%);
- A relatively high proportion of emerging retirees (14.9%);
- A high proportion of people aged 65+ (19.5%); and
- A relatively high median age of 43

Data Source: Australian Bureau of Statistics 2011 Census Data



# Introduction

## Key Statement

All residents and visitors to the Gwydir Shire have the right to equal access and opportunity to fully participate in and contribute to the social, economic and cultural life of the Shire.

## Glossary of Terms

- Disability Discrimination Act - DDA
- Human Rights and Equal Opportunity Commission-HREOC
- Building Code of Australia - BCA

## Gwydir Shire Map





## Background

The Commonwealth Disability Discrimination Act 1992 (DDA) makes it unlawful to discriminate against any person, or their associates, on the grounds of disability. The Anti-Discrimination Act 1977 also makes it unlawful to discriminate directly or indirectly on the basis of disability in relation to the provision of facilities and goods or services. This means that people with a disability, or their associates, must be provided with equal access to services and facilities as well as being treated in a fair and equitable manner by service providers.

The DDA permits public organisations such as Gwydir Shire Council to develop action plans to assist in eliminating, as far as possible, instances of discrimination toward people with all types of disabilities.

Gwydir Shire Council's Access Action Plan is designed to meet the requirements of the DDA. While Action Plans are not a mandatory requirement of the DDA, the Act states that an organisation may develop an Action Plan to eliminate discriminatory practices.

This Plan may be lodged with the Commonwealth Human Rights and Equal Opportunity Commission (HREOC). This will highlight Gwydir Shire Council's commitment to the implementation of its Access Action Plan. This Plan has been developed to address issues relating to access for people with disabilities.

The Disability Action Plan has been developed:

- To eliminate discrimination
- To reduce the likelihood of complaints being lodged with HREOC
- As sound business practice because the implementation of such Plans improves Council's performance in fulfilling its Community Services' responsibilities to people with disabilities and their families who constitute a significant proportion of the Community.

## The Role of Gwydir Shire Council

The Council has a significant number of roles in planning and providing for the social, economic and environmental needs of the population of the Shire:

- Planning, maintaining and resourcing the physical environment, its assets and infrastructure;
- Planning and providing cultural, recreational and sporting opportunities;
- Planning and providing community services;
- Providing financial and/or in kind support to local community groups and sporting clubs;
- Promoting and resourcing social justice projects; and
- Performing regulatory functions such as animal, building, planning, development control, public health and environment control.

## The Role of the Planner

To help meet its obligations under the Disability Discrimination Act, Council established the need for a disability access action plan.

In fulfilling this role the Planner:

- Identifies issues and provides advice and recommendations to the Council regarding access to services, functions and facilities;
- Assists in establishing a corporate policy on access;
- Has input into major projects and practices which address issues of access, transport and mobility within the Shire including site visits and undertaking audits and providing advice to other committees of Council; and
- Increases Council and Community awareness of the needs of people with disabilities.

Suzanne Webber  
Social Services Manager  
2014



# Policy

## Defining Disability and Access

‘Disability’ is defined by the Disability Discrimination Act 1992 (DDA) as:

- Total or partial loss of the person’s bodily or mental function
- Total or partial loss of a part of the body
- The presence in the body of organisms causing disease or illness
- The presence in the body of organisms capable of causing disease or illness
- The malfunction, malformation or disfigurement of a part of the person’s body
- A disorder or malfunction which results in the person learning differently from a person without the disorder or malfunction
- A disorder, illness or disease which affects a person’s thought processes, perception of reality, emotions or judgement or which results in disturbed behaviour
- The disability presently exists
- The disability previously existed but no longer exists
- The disability may exist in the future
- The disability is imputed to a person
- Anyone in the community may acquire or develop a disability during their lifetime
- Many people can experience temporary or reduced mobility i.e. older people, families with young children and people with injuries
- Accessible is defined by the DDA as: services, functions and facilities that are open and available to people with disabilities which provide them the same opportunities, rights and responsibilities enjoyed by all other people in the community

A service or facility is accessible when it is:

- o Easy to find and use;
- o Easy to get to and understand;
- o Easy to obtain accurate information;
- Accessibility is important because it leads to higher quality services to the whole community.

## Disability Discrimination Act Objectives

Gwydir Shire Council is committed to the objectives of the Commonwealth Disability Discrimination Act (DDA) 1992. The DDA’s stated objectives are:

- To eliminate, as far as possible, discrimination against persons on the grounds of disability in the areas of:
- Work, accommodation, education, access to premises, clubs and sport;
- The provision of goods, facilities, services and land;
- Existing laws;
- The administration of Commonwealth laws and programs.
- To ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community.
- To promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

Council recognises that all sectors have a role to play to address the challenges and build a more inclusive Gwydir community.



## Process

### Review

- An Access Committee was formed to guide the review
- Consultation with Council's Senior Staff, other Council Officers and other Local Councils
- Draft Plan submitted to Access Committee
- Consult Senior Staff on Draft Plan
- Present Draft Plan to Council

### Consultation

Before the plan was finalised it was forwarded to the Human Rights and Equal Opportunity Commission for comment. After feedback was provided Council endorsed and adopted the plan.

### Principles

- In its role as a local government authority Gwydir Shire Council observes the following principles:
  - o That all residents and visitors to Gwydir Shire have the right of equal access and opportunity to fully participate and contribute to the social, economic and cultural life of the Shire;

- o That it is Council's moral and legal responsibility to ensure equity in provision and access to facilities and services throughout the Gwydir Shire to provide the structure which enables equal opportunity;
- o That Council has a responsibility under the DDA to raise awareness through education and consultation in order to adequately provide access for the whole community and to ensure that barriers to access are addressed appropriately.

### Implementation, monitoring and review

- The Action Plan is over a 5 year period.
- Each action has clear review timelines.
- The Access Committee undertakes to monitor the implementation of the Action Plan, and updates and progress reports will be presented to Council annually.
- Activities and projects supporting the plan's strategies will be implemented and funded through Council's Annual Plan and capital works program.



## Key Themes & Strategies

In order to fulfil the requirements of the Disability Discrimination Act this Action Plan establishes the following key themes and strategies:

### Addressing Barriers to Access

- To ensure that Council services, facilities, footpaths, parks and other assets are accessible to people with disabilities and mobility issues.
- To ensure Council continues to work with other agencies to improve public transport facilities and services in the Shire.
- To provide the Council with information and literature in appropriate and accessible ways.
- To ensure that planning decisions take into account the needs of people with disabilities.
- To ensure that people with disabilities have equal access to employment opportunities within Council and are afforded access to facilities, services and opportunities to meet their specific employment needs.
- To encourage the removal of access barriers in non-Council facilities that are used by the public.

### Training for Council

- To ensure Councillors and staff are confident in providing a service to all people in the community and to raise awareness of the needs of people with disabilities in order to adequately provide access for the whole community.

Limitations to some actions may be due to:

- Budget constraints
- Ageing infrastructure
- Topography
- Statutory responsibilities under other Acts
- Inadequate resources

### New Works and Renewals

- To ensure that all new works and renewals to Council facilities and other assets include current access requirements and are provided to the level set out in the relevant standards, codes and guidelines including the “safer by design” principles.





# Addressing Barriers to Access

## Strategy One

To ensure council services, facilities, footpaths, parks, recreational areas and other assets are accessible to people with disability and mobility issues

### Actions

1. Modify the Road Maintenance Management Plan to include a consistent approach with policies and procedures for access to roads and footpaths.

RESPONSIBLE OFFICER: Engineering / Technical Services Director

2. Continue to implement and review the progress of the Road Maintenance Management Plan and instigate a Footpath Audit Plan where it is practice to audit infrastructure such as guideposts, street signs and foot paths every second year.

RESPONSIBLE OFFICER: Parks and Urban Spaces Manager / Technical Services Director

3. That Council continues to allocate resources to existing practices and request that Council allocate funding for Priority One defects in footpaths.

RESPONSIBLE OFFICER: Parks and Urban Spaces Manager

4. Develop a Mobility Map for Bingara, Warialda and Gravesend which focuses on access and services, and then proceed to develop maps for each town and village within the Shire.

RESPONSIBLE OFFICER: Social Services Manager / Geographical Information Services Officer / Economic Development Officer

5. As part of the development of the Mobility Map, prepare a plan to identify the location and number of all accessible parking spaces and assess the need for additional parking spaces.

RESPONSIBLE OFFICER: Social Services Manager / Geographical Information Services Officer / Technical Services Director / Economic Development Officer

6. That Council will begin the cataloguing of trees in public spaces to identify hazards and possible access issues, only plant appropriate trees to the environment and give advice to the community about planting appropriate trees.

RESPONSIBLE OFFICER: Parks and Urban Spaces Manager / Director of Building and Environmental Services

7. Ensure the inclusion of DDA issues and Disability (Access to Premises — Buildings) Standards 2010 in the new integrated planning strategy.

RESPONSIBLE OFFICER: Social Services Manager / Corporate Services Director

8. As part of the review of Council's lease policy ensure that all new and renewed lease agreements with organisations that lease Council facilities have incorporated access principles.

RESPONSIBLE OFFICER: Public Officer / Director of Building and Environmental Services

9. Determine access requirements and compliance with the DDA and Disability (Access to Premises — Buildings) Standards 2010 for recreational areas, street scapes, public areas and associated facilities by:

- a. Addressing these requirements as part of the regular maintenance regime.

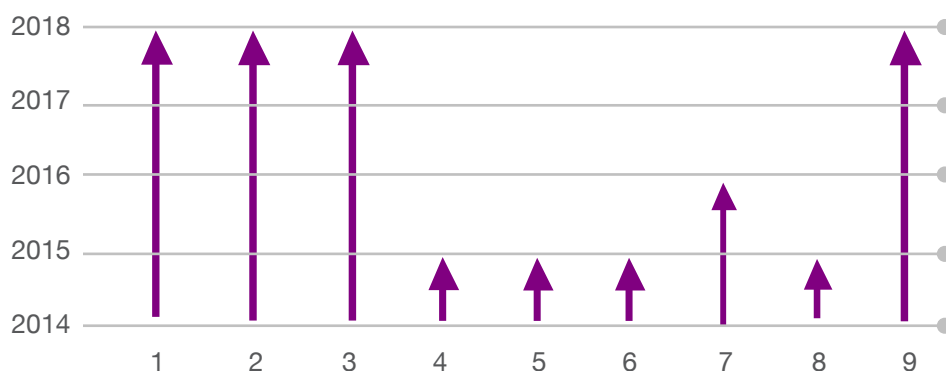
RESPONSIBLE OFFICER: Parks and Urban Spaces Manager

RESPONSIBLE OFFICER: Parks and Urban Spaces Manager

- c. Liaising with and involving Council's Engineering, Parks and Urban Spaces, Social Services and Tourism departments in the audit plan.

RESPONSIBLE OFFICER: Parks and Urban Spaces Manager

- b. Developing an audit plan over the next five (5) years for those areas and associated facilities that are not DDA compliant and aim to complete one to two areas each year.



## Strategy Two

To ensure council continues to work with other agencies to address the improvement of public transport facilities and services in the shire

### Actions

1. Officers of Council working to develop an effective strategy for progressively improving transport facilities and services for those in the community with disabilities.

RESPONSIBLE OFFICER: Social Services Manager / Aged Services Manager

2. Council Officers to consider issues relating to the location of bus stops, bus shelters and other related infrastructure.

RESPONSIBLE OFFICER: Social Services Manager / Aged Services Manager / Technical Services Director

3. Council assisting Ministry of Transport to identify opportunities to improve the effectiveness of public transport services within the Shire in terms of meeting the mobility needs of the whole community.

RESPONSIBLE OFFICER: Social Services Manager / Aged Services Manager



## Strategy Three

To provide council information and literature in appropriate and accessible ways

### Actions

1. Investigate and develop Council information and literature in alternative formats that are most accessible to meet the needs of the community.

RESPONSIBLE OFFICER: Social Services Manager / Public Officer

2. Ensure that, as part of Council's review of its Community Engagement Strategy, it ensures that Council consults effectively with people with disabilities in the Shire.

RESPONSIBLE OFFICER: Social Services Manager

3. Investigate, develop and implement options to consider adopting better layouts, plain English and alternative accessible formats for Council documents including rates notices, dog registrations, planning documents and applications, Council agendas and minutes etc.

RESPONSIBLE OFFICER: Public Officer







# Strategy Four

To ensure that planning decisions take into account the needs of people with disabilities

## Actions

1. That all major development applications which are publicly accessible are produced in line with the BCA and the DDA.

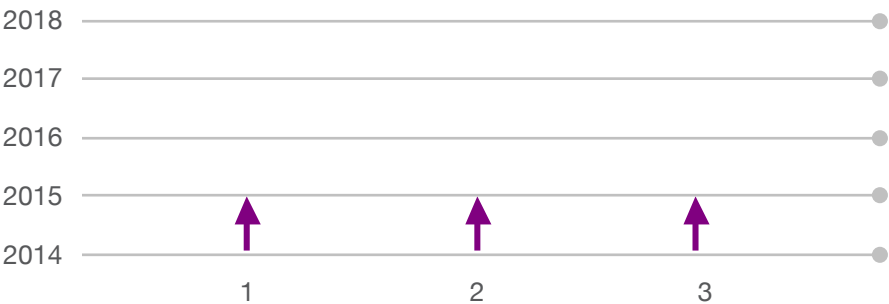
RESPONSIBLE OFFICER: Building and Environmental Services Director

2. That appropriate planning conditions dealing with DDA requirements are expressly included with all development permits for developments which are accessible to the public in Council's Planning Scheme.

RESPONSIBLE OFFICER: Building and Environmental Services Director

3. That the Human Rights and Equal Opportunity Commission 'Guidelines on Access to Building and Services' be included in all development permits.

RESPONSIBLE OFFICER: Building and Environmental Services Director



## Strategy Five

To ensure that people with disabilities have equal access to employment opportunities within council and are afforded access to facilities, services and opportunities to meet their specific employment needs

### Actions

1. Ensure that people with disabilities have equal access to employment opportunities within Council by continuing to liaise with disability support organisations to review recruitment practices and promote Council as an employer of choice to all the community.

**RESPONSIBLE OFFICER:** Organisational and Community Development Director

2. Review workplace facilities and arrangements to ensure, where possible and practical, that Council's workplaces are accessible to visitors, users and employees with disabilities.

**RESPONSIBLE OFFICER:** Organisational and Community Development Director

3. To provide Disability Awareness Training to staff as a part of Council's ongoing induction program to promote the objectives of the DDA and the Anti-Discrimination Act 1977 (NSW) within the workplace.

**RESPONSIBLE OFFICER:** Organisational and Community Development Director

4. Continue to provide Contact Officer training to key Council staff to assist with the provision of facilities, equipment and work arrangements that assist people with disabilities to access relevant work areas and to perform the requirements of their position safely and effectively, and to resolve any disability issues or concerns within Council's workplaces.

**RESPONSIBLE OFFICER:** Organisational and Community Development Director / Risk Manager

5. To provide complaint handling systems, as part of Council's current dispute resolution process, that assist people to raise and resolve issues of concern relevant to disability matters.

**RESPONSIBLE OFFICER:** Organisational and Community Development Director



## Strategy Six

To encourage the removal of access barriers in non-council facilities that are used by the public.

### Actions

1. Invite business organisations and associations to a Disability Access meeting to investigate how access may be practically implemented and resourced.

RESPONSIBLE OFFICER: Social Services Manager / Building and Environmental Services Director

2. Develop a regular liaison mechanism between Council and the business and service community in respect of access issues such as the production and distribution of information material.

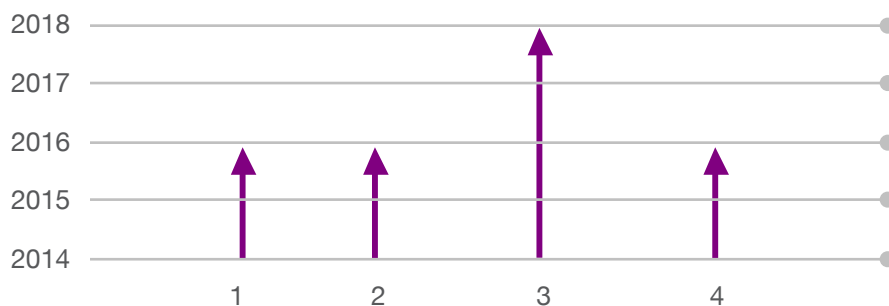
RESPONSIBLE OFFICER: Economic Development Officer

3. Work in collaboration with local business houses to facilitate improved pedestrian access for people with disabilities.

RESPONSIBLE OFFICER: Social Services Manager / Building and Environmental Services Director

4. To investigate the viability of distributing the resource called 'Missed Business' and other information to local businesses in Gwydir Shire.

RESPONSIBLE OFFICER: Economic Development Officer



# New Works and Renewals

## Strategy seven

To ensure that all new works, renewals and upgrades to council facilities and other assets in respect of access requirements are provided to the level set out in the relevant standards, codes and guidelines and are within the spirit of the legislation

### Actions

1. All new works and renewals in respect of Council buildings and facilities will be consistent with the requirements of the DDA wherever possible.

RESPONSIBLE OFFICER: Building and Environmental Services Director

2. All new and replacement footpaths will be consistent with the requirements of the DDA wherever possible.

RESPONSIBLE OFFICER: Parks and Urban Spaces Manager

3. Continue to provide new toilet facilities and refurbishments which ensure accessible toilets are provided in Council's parks, reserves, recreational facilities and buildings in accordance with the Building Code and Australian Standards as a minimum.

RESPONSIBLE OFFICER: Building and Environmental Services Director







# Training for Council

## Strategy eight

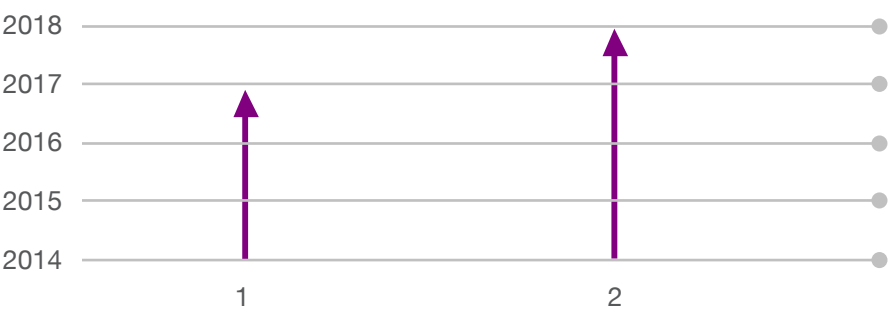
To ensure councillors and staff are confident in providing a service to all people in the community through raising awareness of the dda and the needs of people with disabilities

## Actions

1. Develop and implement training for Councillors and staff by using appropriate disability awareness training. Train relevant staff on appropriate guidelines/resources produced by HREOC i.e. ‘Guidelines on Access to Building and Services’, ‘The Good, the Bad and the Ugly’, ‘Missed Business’.

RESPONSIBLE OFFICER: Organisational and Community Development Director
2. Provide training to other members of the community who act on behalf of Council i.e. volunteers, special committees, contractors etc.

RESPONSIBLE OFFICER: Organisational and Community Development Director





## Strategic context

### Key Strategic Plans

Annual Report  
Community Strategic Plan  
Management Plan  
Community Engagement Strategy  
Access and Equity Statement  
National Disability Agreement  
Transport NSW Disability Action Plan 2012 - 2017  
NSW State Plan

### Related Policy

Equal Employment Opportunity Policy  
Grievance Policy  
Employee Assistance Program Policy

### Related Legislation

**NSW Anti-Discrimination Act (1977)**  
**NSW Disability Services Act (1993)**  
**Community Services (Complaints, Appeals and Monitoring) Act (1993)**  
**Mental Health Act (2007)**  
**Commonwealth Disability Discrimination Act (DDA) 1992**  
**Disability (Access to Premises - Buildings) Standards 2010**

This Guideline has been prepared by the Australian Human Rights Commission to assist those responsible for buildings and those interested in access to buildings to understand the application of the Disability (Access to Premises – buildings) Standards 2010.

There are a number of important principles to note in relation to the Premises Standards.

**First**, the guiding principles of the Premises Standards are the objects of the Disability Discrimination Act 1992 (Cth) (DDA) which are:

- To eliminate, as far as possible, discrimination against persons on the basis of their disabilities in various areas, and in particular access to premises, work, accommodation and the provision of facilities, services and land;
- To ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and
- To promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

**Second**, the purpose of the Premises Standards is:

- To ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with disability, and
- To give certainty to building certifiers, developers and managers that if the Standards are complied with they cannot be subject to a successful complaint under the DDA in relation to those matters covered by the Premises Standards.

**Third**, it is unlawful to contravene the Premises Standards.

**Fourth**, the Premises Standards specify how the objects of the DDA are to be achieved in the provision of accessible buildings.

**Finally**, the Premises Standards prescribe national requirements for new buildings and where new building work is being undertaken in existing buildings in order to comply with the DDA in the areas and for the buildings covered by these Standards.