



Disability Access & Inclusion Plan (DAIP)

2012 – 2017

Draft for Community Consultation

October 2012

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Regular Feedback

The Southern Midlands Council actively seeks and encourages regular feedback on the progress of this Plan. Community members wishing to provide input should contact the Council’s Manager Community & Corporate Development

Copies of this Plan are available at www.southernmidlands.tas.gov.au

1.0 INTRODUCTION

The Southern Midlands Council's Disability Access and Inclusion Plan 2012-2017, subject to Community consultation, seeks to identify the outcomes the Council will achieve to improve access and inclusion for people of all abilities. It outlines key actions that will be implemented to reduce and eliminate barriers within our city and to advocate for equity of access for all in our society.

This Disability Access and Inclusion Plan, complies with Commonwealth and State legislative requirements to ensure that access for all is at the forefront of all planning and partnership actions and developments in the Southern Midlands Council.

The Council is committed to implementing the spirit and intent of the legislation by:

- Promoting a positive image of people with disabilities;
- Ensuring the needs of people with disabilities are recognised in the development, planning and delivery of Council services and facilities;
- Providing facilities, services and assets that, as far as is practicable, comply with Australian Standards and Codes and objectives of the Disability Discrimination Act;
- Ensuring that all Councillors, staff and volunteers are aware of and understand the needs of people with disabilities;
- Acknowledging the right of people with disabilities to contribute to the social, political, economic and cultural life of the Community;
- Ensuring, as far as is practicable, that the Council's relevant policies and procedures address the needs of people with disabilities, in accordance with the principles outlined in the DDA and this policy; and
- Establishing and maintaining a Disabilities Access & Inclusion Plan DAIP under the direction of the General Manager which will be reviewed and revised in line with the Council's Strategic Plan review every five years.

2.0 BACKGROUND

2.1 Functions, facilities and services provided by the Southern Midlands Council

The Southern Midlands Council is responsible for a range of functions, facilities and services for property and the Community. It has an important regulatory role in the Council's development, construction and maintenance, which has important access implications.

2.2 People with disabilities in Australia

Information from the Australian Bureau of Statistics (ABS) Disability, Ageing and Carers five yearly survey shows that in 2009, 18.5% of the population had a reported disability. The disability rate increases steadily with age, with 40% of people aged 65 – 69 and 88% of those aged 90 years and over having a disability.

3.0 LEGISLATION AND STANDARDS

3.1 Legislative obligations

Legislation underpinning access and inclusion is the Commonwealth Disability Discrimination Act (DDA). Compliance with this Act and the standards developed under the DDA is mandatory.

3.2 Legislative developments

There have been a number of developments in disability legislation and policy in recent years;

These include:

3.2.1 The United Nations Convention on the Rights of Persons with Disability (UNCRPD) 2006

The Convention and its optional protocol have been ratified by Australia. On the fundamental issue of accessibility (Article 9), the Convention requires countries to identify and eliminate obstacles and barriers and ensure that persons with disabilities can access their environment, transportation, public facilities and services, and information and communications technologies.

3.2.2 National Disability Strategy 2010 - 2020

The Commonwealth, State and Territory and Local Governments have developed the National Disability Strategy in partnership, under the auspices of the Council of Australian Governments (COAG). The Strategy sets out a ten year national plan for improving life for Australians with disabilities, their families and carers. It represents a commitment by all levels of government, industry and the Community to a unified, national approach to policy and program development. This new approach will assist in addressing the challenges faced by people with disabilities, both now and into the future.

The Strategy is the result of a large nationwide public consultation process, involving more than 2,500 people and was formally endorsed by COAG on 13 February 2011.

The ten year plan sets out six priority areas for action to improve the lives of people with disabilities, their families and carers. These are:

- **Inclusive and accessible communities** — the physical environment including public transport; parks, buildings and housing; digital information and communications technologies; civic life including social, sporting, recreational and cultural life.
- **Rights protection, justice and legislation** — statutory protections such as antidiscrimination measures, complaints mechanisms, advocacy, the electoral and justice systems.

- **Economic security** — jobs, business opportunities, financial independence, adequate income support for those not able to work, and housing.
- **Personal and Community support** — inclusion and participation in the Community, person-centred care and support provided by specialist disability services and mainstream services; informal care and support.
- **Learning and skills** — early childhood education and care, schools, further education, vocational education; transitions from education to employment; life-long learning.
- **Health and wellbeing** — health services, health promotion and the interaction between health and disability systems; wellbeing and enjoyment of life.

The National Disability Strategy will guide public policy across governments and aims to bring about change in all mainstream services and programs as well as Community infrastructure. It is the first time the Commonwealth, State and Territory Governments have agreed to such a wide ranging set of directions for disability.

3.2.3 Disability (Access to Premises – Buildings) Standard 2010

A major issue for local governments in their regulatory role has been that designing and building premises in accordance with the Building Code of Australia (BCA) does not necessarily ensure compliance with the DDA. This has been an ongoing concern, and led to the Human Rights and Equal Opportunity Commission's (now the Australian Human Rights Commission) development of the "Advisory Notes on Access to Premises" in 1997. This became a widely referenced tool for people seeking clarification on access related issues.

However, it was recognised that this was an interim measure. Disability (Access to Premises – Buildings) Standard has been developed under the Commonwealth Disability Discrimination Act (1992), to help overcome the lack of consistency between the BCA and the DDA. In particular, local governments, designers, builders and others responsible for approvals and certification of buildings will be clearer about what is required to fulfill their responsibilities under both building and antidiscrimination law.

From 1 May 2011 the Disability (Access to Premises – Buildings) Standard is called up under the Building Code of Australia. The Standard applies only to buildings, and specifically to those building where approval is lodged on or after that date. It is also important to note that aspects of buildings not covered by the Standard, such as fit out, will continue to be subject to the provisions of the Commonwealth Disability Discrimination Act (1992). It had been expected that the Standard would have wider application and provide greater certainty across the board regarding access to premises; however, conflicting agendas and, ultimately, compromise mean that there are still a number of areas where those responsible for the building, including local government through its building approvals function, will still be exposed to complaints if non-discriminatory access is not provided.

Areas between buildings, unless they are access-ways to buildings, are not covered by the Standard. It is important to understand however, that the DDA still applies to these areas, including public

open spaces, public footpaths, walkways and other buildings and services.

Equitable, dignified access must be provided, including access to facilities and installations within the outdoor area, otherwise there is a risk of a complaint being lodged under the Commonwealth Disability Discrimination Act (1992).

While the Disability (Access to Premises – Buildings) Standard only applies to buildings where building approval is lodged on or after 1 May 2011, in order to meet the Council's commitment to best practice and minimise the risk of actions under the DDA, the Standard should be the Council's benchmark when assessing access to existing buildings.

3.2.4 DDA Standard on Accessible Transport 2002

This Standard came into effect in 2002, and is being rolled out over a 30 year period.

All conveyances, premises and infrastructure brought into use for public transport after the commencement of the Standards must comply with the updated requirements.

The ability to access public transport is crucial for people with disabilities and their families and carers to facilitate full participation in Community life. The Standard also benefits many older Australians and parents with infants in prams who use public transport services.

3.2.5 Australian Standards on Access

The suite of Australian Standards on Access stipulates the minimum requirements for accessibility to people with disabilities. In 2009, several of the standards were upgraded to enhance accessibility, including AS1428.1, which is called up in the BCA and is therefore mandatory.

The Southern Midlands Council has stated its commitment to achieving a high standard of disability access and inclusion, and supports wherever possible, enhanced standards and best practice to be achieved at all times, rather than just minimum compliance with the mandatory standard.

A list of relevant legislation and standards can be found in Appendix 1 of this DAIP.

4.0 UNIVERSAL ACCESS THROUGH UNIVERSAL DESIGN

The concept of Universal Design is being embraced both locally and overseas. Disability access and inclusion at the Southern Midlands Council will be called Universal Access. This concept will be embedded in the organisation's strategic and annual plans. Compliance by the organisation with relevance Acts and Standards will ensure facilities and services are accessible to everyone.

A Universal Access approach helps to ensure access to facilities and services by all people, including children, seniors, people from culturally and linguistically diverse backgrounds, tourists, as well as people with disabilities. Universal Design is concerned with making all elements and spaces accessible to and usable by all people to the greatest extent possible. This will be accomplished through thoughtful planning, design and implementation. A growing ageing population has significant implications for future planning and the universal design of residential development.

Changes to legislation and building regulations are underway to ensure future housing is adaptable and 'visitible' by people with disabilities. Universal Design in housing assists sustainability in our communities, enabling people to remain in their homes for longer as they age and develop disabilities.

Social and economic benefits of universal access

Since 1992, the Disability Discrimination Act has made it unlawful to discriminate against a person on the grounds of disability across a wide range of settings including education, employment, transport and access to premises. Many of the buildings within the Community fail to provide adequate access, as they were constructed prior to 1992 when the needs of people with disabilities were not considered. As a result, many people with disabilities are unable to equitably access and take part in many aspects of everyday life due to these remaining barriers in the built environment.

This not only creates social exclusion, but has economic implications for the whole Community when a significant group is unable to participate in employment, social and commercial activities. People with disabilities are a significant and important customer base. Universal access brings both economic benefit and social richness to the Community.

5.0 PROGRESS UPDATE

The Southern Midlands Council is committed to "Universal Access and Inclusion" rather than "access for people with disabilities", with the emphasis on mainstream facilities and services being accessible for all including children, seniors and people with disabilities.

The Southern Midlands Council has made steady progress in improving access since the Access Survey and Assessment undertaken by council in 1997. As well as the 2009 review. The Southern Midlands Council has tasked the Facilities and Recreation Committee with the task of developing policy in this important area. This DAIP will guide progress until 2017 with its next review being tie to the review of council's Strategic Plan.

6.0 DISABILITY ACCESS AND INCLUSION STATEMENT OF COMMITMENT

Statement of commitment

The Southern Midlands Council is to be widely acclaimed as an accessible Community for people with disabilities and is committed to encouraging best practice in disability access and inclusion in both public and private services, programs and development.

The Southern Midlands Council will continue to work in partnership with people with disabilities, their family, friends and carers, to create an accessible and inclusive place for everyone who visits, lives and works in the area.

The Southern Midlands Council will work with businesses and Community organisations to improve and promote the accessibility of their facilities and services and to increase their awareness of people with disabilities as important customers within the Community.

The Southern Midlands Council Disability Access and Inclusion Plan will be implemented over the next five years and will be monitored and reported on an annual basis.

7.0 DEVELOPMENT OF THE DISABILITY ACCESS AND INCLUSION PLAN

7.1 Community consultation

As part of the development of the Southern Midlands Council's DAIP, an extensive consultation will be carried out to identify potential strategies to be incorporated into the Plan.

7.2 Responsibility for the planning process

This DAIP is a commitment to build on previous initiatives and develop strategies to improve Community participation for people with disabilities. The Manager Community & Corporate Development is responsible for the planning and development of the DAIP, then reporting to the Facilities & Recreation Committee, which then in turn reports to the full council.

7.3 Responsibility for implementing the DAIP

Implementation of the DAIP is the responsibility of all Managers of the Southern Midlands Council. The Act states that a Southern Midlands Council must take all practical measures to ensure that the plan is implemented by its officers, employees, agents and contractors.

Where agents and contractors provide services to the public on behalf of the Southern Midlands Council, these services are to be conducted consistent with the DAIP. This furthers the expectation that services provided to residents and visitors are accessible. The reporting requirements for contractors are minimal.

Some actions in the Implementation Plan will apply to all areas of the organisation while others will apply to a specific business unit. The Implementation Plan sets out who is responsible for each action.

8.6 Communicating the DAIP to staff and the Community

During 2012 organisations will be asked to contribute to the planning process including council employees, people with disabilities, their families, carers, disability organisations and relevant Community groups for feedback. In February 2013 the plan will be finalised and formally presented for endorsement by Council.

The Southern Midlands Council DAIP will be available for viewing and downloading through the Council's website at www.southernmidlands.tas.gov.au.

Additionally, copies of the plan are available to the Community upon request and in alternative formats if required including hard copy in standard and large print, electronic format, on CD or via e-mail in PDF and Microsoft Word formats.

8.7 Review and evaluation mechanisms

The Act requires that document be reviewed at least every five years. The Implementation Plan can be updated more frequently if desired. The Southern Midlands Council, Facilities & Recreation Committee will facilitate review the DAIP and the annual progress report each year to ensure strategies and actions remain relevant and implementation is proceeding as planned.

9.0 DRAFT STRATEGIES FOR PUBLIC CONSULTATION - TO IMPROVE ACCESS AND INCLUSION

As a preliminary to the public consultation the following draft over-arching outcomes, along with their respective strategies have been arrived at in order to guide the public consultation process and this will hopefully identify tasks, that can be reflected in the DAIP Implementation Plan, that the Southern Midlands Council will undertake from 2012-2017, to improve access to its services, buildings and information. Those draft desired outcomes detailed below, plus additional information captured from the consultation process will provide a framework for improving access and inclusion for people with disabilities in the Southern Midlands Council.

Complete details of the following draft strategies will be included in the DAIP Implementation Plan 2012-2017.

OUTCOME 1

People with disabilities have the same opportunities as other people to access the services of, and any events organised by the Southern Midlands Council.

Strategies

- Ensure policies and procedures relating to access and inclusion are integrated within the practices of Council.
- Develop guidelines and procedures to help ensure all events organised by or for the Southern Midlands, or held in throughout the Southern Midlands, are accessible and inclusive.
- Ensure Council staff, and contractors are aware of the relevant requirements for providing access to services and events in accordance with the Australian Standards, the Disability and Discrimination Act (1992).
- Coordinate the implementation of the Southern Midlands Council Disability Access and Inclusion Plan

OUTCOME 2

People with disabilities have the same opportunities as other people to access the Southern Midlands Council buildings and other facilities.

Strategies

- Undertake access audits and develop remediation plans, to ensure compliance of disability access to Southern Midlands Council buildings, facilities, signage, parking, play spaces and public spaces.
- Ensure people with disability are consulted and given the opportunity to provide comment on their need for current and future services.
- Ensure a high level of universal access is integral to all projects from the early planning and design stage and throughout implementation stage.
- Develop and show leadership regarding universal access to other agencies and organisations involved in Southern Midlands projects.
- Continue to implement processes to ensure safety and accessibility are maintained whilst works are in progress.

- Ensure both on street and off street accessible parking for people with disability is adequately provided and meets legislative requirements.
- Ensure public artwork placement takes disability access and inclusion into consideration.
- Ensure any temporary buildings and facilities are accessible and inclusive and comply with relevant standards.

OUTCOME 3

People with disabilities receive information from Southern Midlands Council in a format that will enable them to access the information as readily as other people are able to access it.

Strategies

- Ensure that all Southern Midlands Council public information is accessible to everyone and is available in alternative formats on request.
- Develop and implement a Corporate Style Guide for public information that incorporates universal access requirements.
- Ensure all directional and way-finding signage complies with DAIP accessible information requirements and Australian Standards on Access.
- Ensure that all Southern Midlands Council websites meet contemporary requirements for accessible information.

OUTCOME 4

People with disabilities receive the same level and quality of service from the staff of Southern Midlands Council as other people receive from the staff of that Southern Midlands Council.

Strategies

- Improve the awareness and skills of all Council staff to ensure customer service is inclusive of people with disability.
- Improve the awareness of new employees about access and inclusion issues.
- Improve the awareness of existing employees about access and inclusion issues.

OUTCOME 5

People with disabilities have the same opportunities as other people to make complaints to Southern Midlands Council.

Strategy

- Review complaints procedure to ensure it is accessible and inclusive.

OUTCOME 6

People with disabilities have the same opportunities as other people to participate in any public consultation by Southern Midlands Council.

Strategy

- Ensure access for people with disability to the consultative processes of the Southern Midlands Council.

OUTCOME 7

People with disabilities have the same opportunities as other people to be employed by the Southern Midlands Council.

Strategy

- Ensure employment opportunities and retention practices provide for people with disabilities.

APPENDIX 1. LEGISLATION AND STANDARDS RELATING TO ACCESS FOR PEOPLE WITH DISABILITIES

Disability Discrimination Act 1992 (DDA)

The DDA makes it unlawful to discriminate against people with disabilities and their associates, such as a family member/carer, friend or support worker. The Act's provisions are broad and include access to premises used by the public, provision of goods and services, employment, education, transport and most other life activities. Premises includes all areas within a building, car parks, pathways, and other outdoor spaces and facilities. A complaint can be made under the DDA if appropriate access is not provided. For further information go to the Australian Human Rights Commission website:

www.humanrights.gov.au/disability_rights/dda_guide/dda_guide.htm

Building Code of Australia (BCA)

The Building Code of Australia applies to new buildings and buildings undergoing significant refurbishment or alteration. The Access to Premises – Buildings Standard 2010 has now been incorporated into the BCA and is applicable from 1 May 2011. The aim of the Standards is to provide detailed information on the required access provisions when designing and constructing new buildings and upgrading existing buildings, providing certainty for the building industry and regulatory bodies.

The Premises Standards applies to all new buildings of the specified classes. Where new building work is undertaken on an existing building, such as an extension or renovation, the new or modified part of the building will be required to comply with the Premises Standards.

In existing public transport buildings, requirements for access are imposed by the timetable for compliance set out in subsection 3.1(3) of the Premises Standards. This timetable preserves the access upgrade schedule set out in the Disability Standards for Accessible Public

Transport 2002 (Transport Standards).

Except in public transport buildings, the Premises Standards do not apply to any part of an existing building until work requiring building approval is undertaken; however these buildings and parts of buildings remain susceptible to a case under the DDA if equitable, dignified access is not provided.

Buildings to which Standards apply:

- (1) Subject to subsection (2), these Standards apply to the following:
 - (a) a new building, to the extent that the building is:
 - (i) a specified Class 1b building; or
 - (ii) a Class 2 building that has accommodation available for short term rent; or
 - (iii) a Class 3, 5, 6, 7, 8, 9 or 10 building;
 - (b) a new part, and any affected part, of a building, to the extent that the part of the building is:

- (i) a specified Class 1b building; or
- (ii) a Class 2 building that:
 - (A) has been approved on or after 1 May 2011 for construction; and
 - (B) has accommodation available for short term rent; or
- (iii) a Class 3, 5, 6, 7, 8, 9 or 10 building;
 - (C) an existing public transport building that is still in use on the target date mentioned in an item in the table in section 3.1.

For further information go to www.comlaw.gov.au/Details/F2010L00668

Australian Standard (AS1428) - Design for Access and Mobility

The objective of this Standard is to provide building designers and users (architects, property owners, regulators, and the like) with the minimum design requirements for new building work, to enable access for people with disabilities.

AS 1428.1-2001 and 2009 Design for access and mobility - General requirements for access - New building work.

AS1428.1: 2001 is referenced in the BCA, while AS1428.1: 2009 is referenced in the Disability Access Code of the Access to Premises – Buildings Standards 2010, now incorporated into the BCA as of May 2011. AS1428.1 provides a minimum level of access.

AS 1428.2-1992 Design for access and mobility - Enhanced and additional requirements - Buildings and facilities. AS1428.2: 1992 includes many items not covered under Part 1, such as fixtures and fittings. It provides a higher level of access than Part 1 and organizations are encouraged to use Part 2 to provide enhanced access wherever possible.

AS 1428.3-1992 Design for access and mobility - Requirements for children and adolescents with physical disabilities. Part 3 should be used when designing facilities for children and adolescents.

AS/NZS 1428.4-2009 Design for access and mobility - Part 4.1: Means to assist the orientation of people with vision impairment - Tactile ground surface indicators. Part 4 provides the requirements for placement of tactile ground surface indicators in buildings and related areas.

AS 1428.5-2010 Communication for people who are deaf or hearing impaired. Part 5 addresses considerations to be addressed to provide access for people who are deaf or hearing impaired.

Other relevant Standards include:

Adaptable Housing

AS 4299-1995 Adaptable housing

Car parking

AS/NZS 2890.6-2009 Parking facilities Part 6: Off-street parking for people with disabilities

AS 2890.5-1993 Parking facilities - On-street parking

Lifts

AS 1735.1-2003/Amdt 1-2006 Lifts, escalators and moving walks - General requirements

AS 1735.2-1997 Lifts, escalators and moving walks - Passenger and goods lifts – Electric

AS 1735.12-1994 Lifts, escalators and moving walks - Facilities for persons with disabilities

AS 1735.14-1998 Lifts, escalators and moving walks - Low-rise platforms for passengers

AS 1735.16-1993 Lifts, escalators and moving walks - Lifts for persons with limited mobility - Restricted use - Automatically controlled

AS 1735.17-1995 Lifts, escalators and moving walks - Lifts for people with limited mobility - Restricted use - Water-drive

AS/NZS 1735.18-2002 Lifts, escalators and moving walks - Passenger lifts for private residence - Automatically controlled Hoists

AS ISO 10535-2002 Hoists for the transfer of disabled persons - Requirements and test methods

Public Transport

Disability Standards for Accessible Public Transport 2002 as amended, made under subsection 31 (1) of the Disability Discrimination Act 1992.



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APPENDIX 2. EXAMPLE OF DAIP IMPLEMENTATION PLAN

OUTCOME 1

People with disabilities have the same opportunities as other people to access the services of, and any events organised by the Southern Midlands Council

STRATEGY	TASK	TIMELINE	RESPONSIBILITY
<p>1.1.0. Policies and procedures relating to access and inclusion are integrated within the practices of organisation.</p>	<p>1.1.1. Review policies and procedures against current legislative requirements, ensuring appropriate terminology, accessible information guidelines, and appropriate standards are implemented</p> <p>1.1.2. Conduct a DAIP risk analysis assessment and integrate within the organisational risk management practices.</p>		
<p>1.2.0 Develop guidelines and procedures to help ensure all events organised by or for the Southern Midlands, or held in throughout the Southern Midlands, are accessible and inclusive.</p>			