

Barossa, Light and Lower North Regional Disability Access and Inclusion Plan (Background Document)



Addendum

The Barossa, Light and Lower North Regional Disability Access and Inclusion Plan 2020 – 2023 (Regional Plan) was endorsed by the four partner Councils in June 2018.

The development of this Regional Plan was a priority commitment within the Barossa Light and Lower North Regional Public Health and Wellbeing Plan and was prepared voluntarily to fulfil the requirements of the *Disability Discrimination Act 1992*.

The *South Australian Disability Inclusion Act 2018* commenced on 1 July 2018.

Under Section 16 of the Act, all State Authorities (including councils) are required to have a Disability Access and Inclusion Plan (DAIP) that gives effect to the State Disability Inclusion Plan (SDIP). Councils having an existing DAIP were required to update them in order to align with the priority actions in the SDIP.

As each of the regional partner councils has revised, endorsed, and published their own DAIP that complies with the Act, this Regional Plan has now been superseded as a 'live document'. However, as this Regional Plan retains strategic background underpinning the more recent individual council DAIPs, it remains an important reference document supporting the DAIPs of The Barossa Council, Town of Gawler, Adelaide Plains Council and Light Regional Council.



EnvironArc Pty Ltd has assisted in the development of this Plan with the Barossa, Light and Lower North Regional Disability Access and Inclusion Plan Project Team.

The Project Team comprises representatives from the four regional Councils - Adelaide Plains Council (formerly the District Council of Mallala), The Barossa Council, Town of Gawler and Light Regional Council.

In order to voluntarily fulfil the requirements of section 67 of the *Disability Discrimination Act 1992*, the Barossa, Light and Lower North Regional Disability Access and Inclusion Plan will be submitted to the Australian Human Rights Commission's Register of Disability Discrimination Act Action Plans.

The font used in this document is Arial, which is the preferred font of Vision Australia and the Australian Royal Society for the Blind to assist those that have a vision impairment. This Plan is set at the recommended minimum size of 12pt. The recommended ideal font size is 18pt, however this is subject to individual preferences.

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Executive Summary

Local Government authorities have a key role in providing supportive and accessible environments for their communities. The Adelaide Plains Council, The Barossa Council, the Town of Gawler and the Light Regional Council have worked in collaboration to develop the Barossa, Light and Lower North Regional Disability Access and Inclusion Plan. The engagement and planning process has been an opportunity to collectively identify access and inclusion needs for the region and to establish a coordinated approach to addressing access and inclusion priorities.

The Plan aims to ensure that the region becomes more accessible for and inclusive of people living with a disability. It will help people within the community that are living with a disability to contribute and feel welcome, have access to services and retail outlets, and participate in everyday activities.

The implementation of the Barossa, Light and Lower North Regional Disability Access and Inclusion Plan aims to make access and social inclusion part of everything that Council does.

1. Introduction

The Adelaide Plains Council, The Barossa Council, the Town of Gawler and the Light Regional Council have committed to a regional approach in developing a Disability Access and Inclusion Plan.

This is the first Disability Access and Inclusion Plan to be developed at a regional level in South Australia.

Access for people with a disability is a legislative requirement under the *Disability Discrimination Act 1992*. The Act makes it unlawful to discriminate against a person with a disability.

Whilst the *Disability Discrimination Act 1992* currently does not specifically require Council to develop a Disability Access and Inclusion Plan, there are significant benefits of having an action plan in place. Such a plan will support Council's strategic directions as well as ensuring community participation by an increasing number of people living with disability or with mental illness, their families and carers.

The four regional Councils have an important role in planning local environments that improve access for all and increase the number of opportunities for people with disability that live, work, play, volunteer and visit in the Adelaide Plains, Barossa, Gawler and Light Council areas. The Councils have embraced the planning process as an opportunity to:

- Foster a region where people with disability are afforded the same opportunities as the broader community.
- Improve access for people with a disability to Council's services and facilities.
- Encourage participation by people, regardless of ability, in Council activities.
- Promote positive and inclusive images of people with a disability within Council and the community.
- Strengthen the relationship between Council and people with disability in the region.
- Promote and increase awareness in Council staff and the broader community of the rights and needs of people with disabilities.
- Focus on practical, achievable and deliverable initiatives to enhance access to services, physical infrastructure and public places.

The Plan highlights a range of Regional Priorities. Detailed plans have also been developed in relation to each specific Council area.

For the purposes of this Plan, the term Council should be taken as referring to all four Councils unless specifically mentioned.

2. The Role of Local Government in Disability Access and Inclusion

Local Government plays an important role in creating an environment which is inclusive of all people, through its planning role and also through its involvement in community activities and provision of a range of services.

Barossa, Light and Lower Northern Region Public Health and Wellbeing Plan

Commitment 6.2 of the Barossa Light and Lower North Regional Public Health and Wellbeing Plan, highlights the need to support accessibility for all through Council services and facilities. The key actions highlighted within Commitment 6.2 include:

- Implement Council Disability Discrimination Act Plans.
- Investigate the opportunity for a regional Disability Discrimination Act Plan.
- Integrate access considerations into urban, asset and community planning.

National Disability Strategy (NDS)

The National Disability Strategy 2010-2020 is bringing together all levels of government in a unified, national approach to improving the lives of people with disability. Communities are required to fully include people with disability in all aspects of life. Councils are often at the forefront of change and communities look to local government to provide innovative solutions to respond to local issues and needs.

The NDS encourages councils to put a disability lens over all planning, services and activities provided, and to be mindful that small changes can have a big impact on people with disability in the community.

National Disability Insurance Scheme (NDIS)

The National Disability Insurance Scheme (NDIS) is one of the largest and most influential shifts to occur in the delivery of social services in Australia. The NDIS moves away from a service-focused model to a person-centred model whereby people with disability are provided with individualised support to manage the support and services they receive to meet their goals and needs.

The specific impact of the NDIS on councils will differ, however it is influencing the way the community looks at inclusion and expectations of councils as service providers and advocates within the community.

Local Area Coordinators (LAC) play an important role in regard to the supports and activities that will be available to people with disability and their communities as they transition to the NDIS.

Local Area Coordinators link people with disability to the NDIS and to information and support in the community, as well as work with the local community to ensure it is welcoming and inclusive for people with disability.

Local Area Coordinators are selected by the National Disability Insurance Agency via a competitive tendering process. The LAC selected for the Barossa, Light and Lower North region commenced a three year contract in early 2017 and will be seeking opportunities to collaborate with councils in the region to enable people with disability to gain the benefits of the NDIS.

Strong Voices: A Blueprint to Enhance Life and Claim the Rights of People with Disability in South Australia (2012-2020)

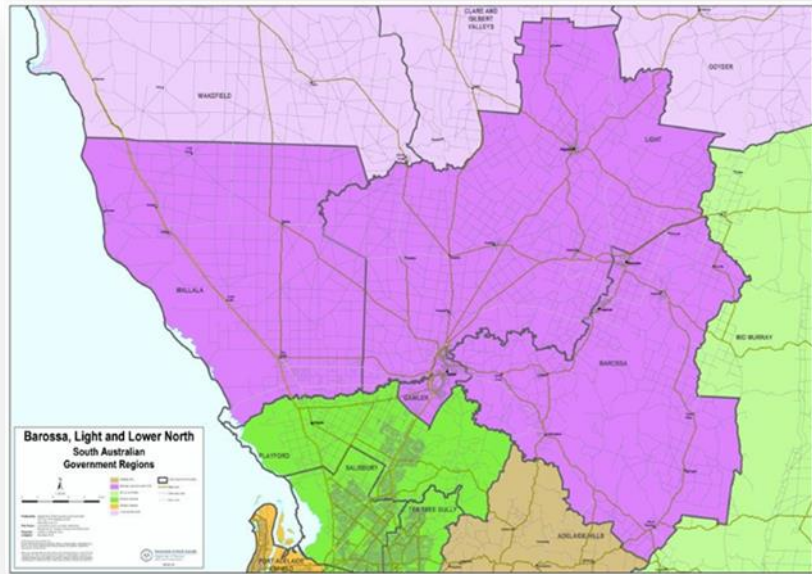
This report was prepared by the South Australian Social Inclusion Board and contains 34 recommendations that aim to “bring people with disability and their families and carers to the forefront in determining how they live their lives, pursue aspirations and contribute to our society.”

The Strong Voices report is not policy of the SA Government, however it does provide possible actions for councils, based on community feedback. These actions include the creation of Access and Inclusion Plans and the use and implementation of universal access design principles.

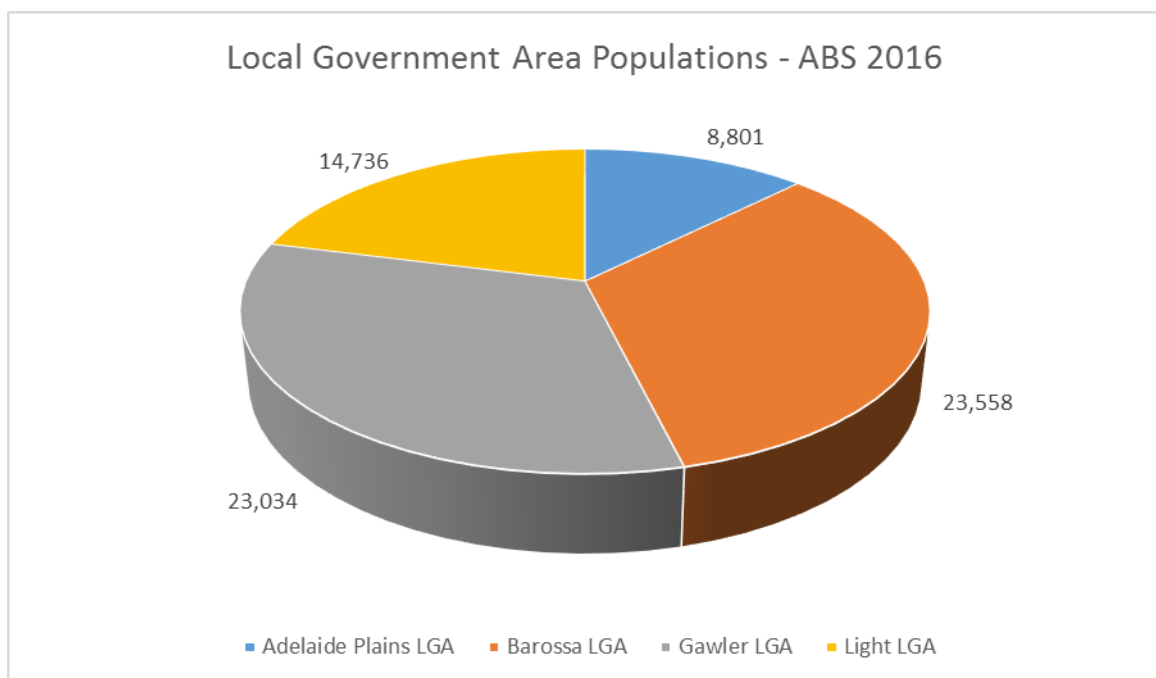
3. A Snapshot of the Region

3.1 The Local Government Areas

The Adelaide Plains Council, The Barossa Council, the Town of Gawler and the Light Regional Council comprise the Barossa, Light and Lower North Region that borders the outer metropolitan area north of Adelaide, South Australia.



The region incorporates a combined area of approximately 3,163 square kilometres and a combined population of 70,129 (Australian Bureau of Statistics 2016).



3.2 Demographic Profile

National Data

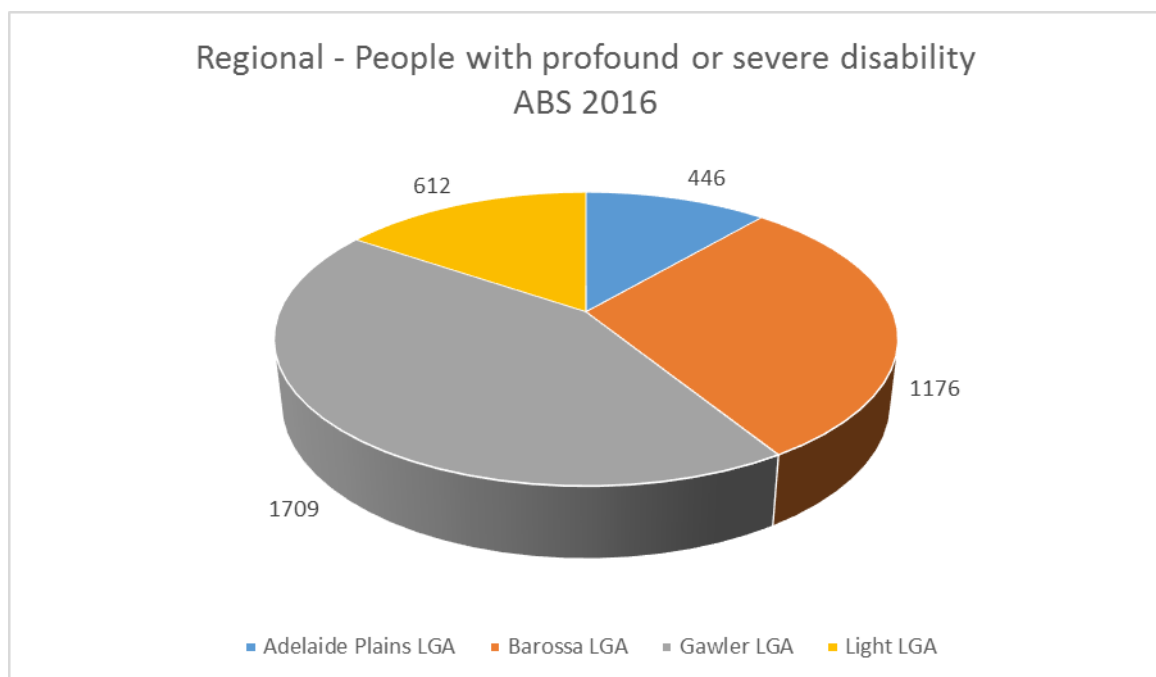
2015 National Data provided by the Australian Bureau of Statistics:

- Almost one in five Australians reported living with disability (18.3% or 4.3 million people).
- There were around 3.5 million older Australians (those aged 65 years and over) in 2015, representing one in every seven people or 15.1% of the population. This proportion has increased from 14.3% in 2012, making it increasingly important to understand the characteristics and needs of older Australians.
- Almost 2.7 million Australians were carers (11.6%), with 856,100 people (3.7%) aged 15 years and over identified as primary carers.
- Almost one in 12 Australians with disability (281,100 people or 8.6%) reported they had experienced discrimination or unfair treatment because of their disability.

Regional Data

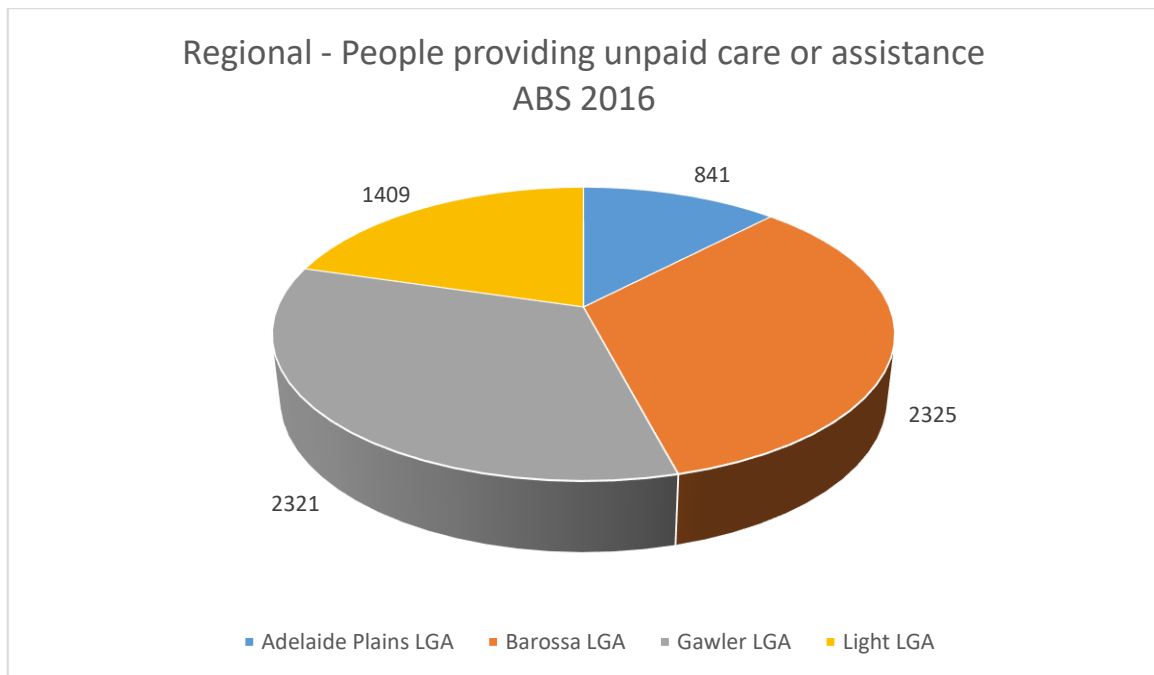
The 2016 ABS data measures the number of people with a profound or severe disability. People with a profound or severe disability are defined as those people needing help or assistance in one or more of the three core activity areas of self-care, mobility and communication, because of a disability, long-term health condition (lasting six months or more) or age.

The Barossa, Light and Lower North region has a combined total of 3,943 people (6% of the regional population) that identify as having a profound or severe disability.



The 2016 ABS data records people who in the two weeks prior to Census night spent time providing unpaid care, help or assistance to family members or others because of a disability, a long-term health condition or problems related to age. This includes people who are in receipt of a Carer Allowance or Carer Payment. It does not include work done through a voluntary organisation or group.

The Barossa, Light and Lower North region has a combined total of 6,896 people (10% of the regional population) that provide unpaid care, help or assistance to a person with a disability or health condition.



4. Why Plan for Disability Access and Inclusion?

4.1 Disability Discrimination Overview

The *Disability Discrimination Act 1992* provides protection for everyone in Australia against discrimination based on disability.

It encourages everyone to be involved in implementing the Act and to share in the overall benefits to the community and the economy that flow from participation by the widest range of people.

Disability discrimination happens when people with a disability are treated less fairly than people without a disability.

Disability discrimination also occurs when people are treated less fairly because they are relatives, friends, carers, co-workers or associates of a person with a disability.

Discrimination can be direct or indirect.

Direct discrimination occurs when a person with a disability receives less favourable treatment than a person without a disability would receive in the same or similar circumstances.

Indirect discrimination occurs when there is a requirement, condition or practice in force that applies to everyone but unfairly excludes or disadvantages people with a disability because they are unable, or find it difficult, to comply with the requirement, condition or practice due to the disability.

4.2 Statutory Awareness

Federal and State legislation require the planning, development and implementation of processes which fulfil Council's legal and moral obligations to provide access to all citizens and visitors of the Council area.

Relevant Federal and State legislation and industry best practice is outlined in Appendix B.

4.3 Aims and Objectives of the Disability Access and Inclusion Plan

The aim of the Plan is to assist Council to better meet the needs of people with a disability who live, work, volunteer and visit the region. It will also assist Council to meet its statutory requirements under relevant disability legislation, at both a Federal and State level. In addition to this, the Plan will also:

- Promote and improve access for all.

- Build an inclusive region for all people that respects the dignity and values the diversity of individuals.
- Strengthen the community.
- Ensure the protection of equal rights, the right to participate in all aspects of community life and to ensure the right of equal access to services, resources and facilities provided by Councils, in their roles as purchaser, service provider, policy adviser, planner, regulator and responsible employer.

The objectives of the Plan are to:

- Foster a region where people with a disability are afforded the same opportunities as the broader community.
- Improve access for people with a disability to Council's services and facilities.
- Encourage participation by people, regardless of ability, in Council activities.
- Promote positive and inclusive images of people with a disability within Council and the community.
- Strengthen the relationship between Council and people with disability in the region.
- Promote and increase awareness in Council staff and the broader community of the rights and needs of people with disability.
- Focus on practical, achievable and deliverable initiatives to enhance access to services, physical infrastructure and public places.

5. Development of the Regional Disability Access and Inclusion Plan

5.1 Why develop a Plan?

All Council services and facilities are covered by relevant universally accessible building standards and legislation, both Federal and State. Such services and facilities include, but are not limited to:

- Public facilities such as Council offices, parks, reserves and community centres.
- Installation and maintenance of road networks and footpaths.
- Library and information services.
- Planning and approval mechanisms.
- Council meetings.
- Council employment practices.

The development of a Disability Access and Inclusion Plan represents a commitment by Council to contribute towards social access and inclusion for all community members and visitors. This can provide many benefits including increased opportunities for social inclusion, improved physical access to facilities and buildings, enhanced community and individual wellbeing and a greater recognition of the diversity of the residents and visitors.

In developing this Plan, the following was included:

- A review of Council documentation, information and communication systems.
- A survey to assess the potential needs, experiences and ideas of individuals and the community regarding Council's existing facilities and services.
- Workshops with community members, elected members and Council staff to assess the potential needs, experiences and ideas of individuals and the community regarding Council's existing facilities and services.

5.2 Community Engagement Process

In order to gather community feedback and identify areas of concern in relation to access and inclusion for people with a disability, their families and carers, a community engagement process was undertaken during July and August of 2016. A community survey was undertaken as well as a number of community workshops held across the four Council areas.

The community survey and workshops were open to people of all ages that live, work, volunteer or visit the Barossa, Light and Lower North region. Promotion of the survey and workshops occurred via print and social media, displays at all Council facilities, and direct communication to a comprehensive list of organisations, service providers and individuals with an interest in disability access and inclusion.

A total of 486 people participated in the engagement process, including 366 people who completed a community survey and 120 people that attended a community workshop across the region. This total equates to less than one percent of the total combined population of the Barossa, Light and Lower North region.

The community survey consisted of 17 questions to collect demographic data and identify disability type if applicable. A scale was used to determine respondent perceptions of the level of improvement in accessibility and inclusivity of people with a disability or carers, in relation to Council's core business activities over the past decade. Respondents were provided the opportunity to contribute comment in relation to specific concerns or suggestions for improvement.

A series of community workshops were facilitated by consultancy firm EnvironArc across the four Council areas. Separate workshops were conducted with Council staff and elected members. The workshops consisted of a presentation outlining disability definitions, types and legislation, a practical component allowing participants to explore different types of disability and access limitations, and a discussion to identify local concerns and suggestions for improvement.

5.3 Community Survey Findings

The following provides a summary of the community survey findings:

- 72% of respondents to the community survey were female.
- 59% of respondents were aged between 35 – 64 years.
- Of the total respondents, 29% either had a disability or were a carer for a child or adult with a disability.
- 29% of respondents were associated with Council (i.e. staff member, volunteer, contractor), and 43% were interested members of the public.
- 78% of respondents were born in Australia, with 1% identifying as Aboriginal and/or Torres Strait Islander, and 1% from a Culturally and Linguistically Diverse background (CALD).
- The most common disability types noted were physical (25%), intellectual (12%), hearing (9%), with 11% of respondents having multiple disabilities.
- The majority of respondents indicated they were easily able to access Council properties and facilities. A total of 59% of respondents indicated that they considered Council implementation of programs and activities that aimed to improve access for people with a disability was poor to fair.
- In terms of Council provision of accessible facilities, respondents noted that improvements had been made for people with a disability and the community in general, however there was scope for improvement for accessible facilities for local businesses.

- In regard to Council communications with various groups in the community, respondents noted there was scope for improvement when communicating with people with a disability.
- Regarding Council provision of accessible services, respondents noted there was scope for improvement for the community in general, as well as for people with a disability.
- In relation to Council advocacy for people with a disability, respondents noted that improvements had been made in the area of transport, however there was scope for improvement in other areas such as health and community services, and local business supports.
- In terms of access for people with a disability to Council events, programs, tourism facilities and services, and public space, respondents noted that some improvements have been made in relation to parks, gardens and play spaces, however there was scope for improvement in all other areas listed especially in regard to street and public realm, recreational programs, and tourism facilities and services.
- In terms of Council provision of amenities, signage, open space, footpaths, parking and kerbing, respondents noted that improvements had been made in the provision of footpaths, parking and amenities, however there was scope for improvement in the provision of kerbing, signage, and open space.

Full results of the community survey can be obtained from each Council.

6. Regional Action Priorities

6.1 Priority Areas

The five priority areas of the Regional Disability Access and Inclusion Plan include:

1. **Governance**
2. **Corporate Services**
3. **Engineering and Infrastructure**
4. **Community and Culture**
5. **Development and Environment**

Under each of the priority areas a number of Regional Actions have been identified.

Governance

- Link the Disability Access and Inclusion Plan to all areas of Council.
- Communicate the Disability Access and Inclusion Plan.
- Decision making processes to be available in accessible formats.
- Where relevant ensure policies and procedures reference the Disability Access and Inclusion Plan.
- Investigate opportunities for ongoing regional collaboration.

Corporate Services

- Inform all Council elected members, staff and volunteers of their relevant statutory obligations.
- Commit to all Council communication being accessible and inclusive to the community.
- Identify opportunities in Council's evacuation procedures to include considerations for people with a disability.

Engineering and Infrastructure

- Improve public open space access.
- Council staff to be aware of the relevant Australian Standards for infrastructure development relevant to disability access and inclusion.
- Ensure all new signs meet International or Australian Standards to give clear directions and information.

Community and Culture

- Inclusive access to Library services.
- Council events to be more inclusive.

Development and Environment

- Council's Development Planning and Design Code to be inclusive.
- Advise builders and developers of their obligations under the *Disability Discrimination Act 1992*.

6.2 Implementing the Plan

The Barossa, Light and Lower North Regional Disability Access and Inclusion Plan Project Team will oversee the implementation of the Regional Disability Access and Inclusion Plan and the regional actions as identified in 6.1.

Each Council will be responsible for the implementation of actions within their individual plans. The roles and responsibilities of Council are outlined within these plans that can be obtained from each individual Council.

The continued engagement of key stakeholders is fundamental to the successful implementation of this Plan.

6.3 Plan Review and Reporting

The Barossa, Light and Lower North Regional Disability Access and Inclusion Plan Project Team will meet annually to monitor progress in regard to the regional actions.

Progress against individual Council plans will be reported annually to the respective Councils through standard reporting practices.

This Regional Plan is a working document and can be reviewed at any time. The Plan may be reviewed in line with changing legislation.

The timeframe for evaluation and review of the Plan is five years unless otherwise legislated.

Appendix A – Definitions

Australian Bureau of Statistics Definition of Disability

A person has disability if they report they have a limitation, restriction or impairment, which has lasted, or is likely to last, for at least six months and restricts everyday activities. Disability may affect a person's mobility, communication or learning. It can also affect their income and participation in education, social activities and the labour force.

Australian Bureau of Statistics Definition of a Carer

A person who provides any informal assistance, in terms of help or supervision, to older people (aged 65 years and over) and those with disability. A primary carer is the person who provides the most informal assistance to a person with disability with one or more of the core activities of mobility, self-care and communication.

Disability Discrimination Act (DDA) Definition of Disability includes:

- Physical
- Intellectual
- Psychiatric
- Sensory
- Neurological
- Learning disabilities
- Physical disfigurement
- The presence in the body of disease-causing organisms

This broad definition is meant to ensure that everyone with a disability is protected from discrimination.

Additionally, the Act covers disability which people:

- Have now.
- Had in the past (for example: a past episode of mental illness).
- May have in the future (eg: a family history of a disability which a person may also develop).
- Are believed to have (for example: if people think someone has HIV/AIDS).

The Act also covers people with a disability who may be discriminated against because they:

- Are accompanied by an assistant, interpreter or reader.

- Are accompanied by a trained animal, such as a guide or hearing dog, or use equipment or an aid, such as a wheelchair or a hearing aid.

Furthermore, the Act protects people who have some form of personal connection with a person with a disability, like relatives, friends, carers and co-workers, if they are discriminated against because of that connection or relationship.

Appendix B – Legislation and Industry Best Practice

Federal Government

- *Disability Discrimination Act (DDA) 1992*
- *Disability Services Act 1986*
- Disability (Access to Premises – Buildings) Standards 2010 - (DAPS)
- Disability Standards for Accessible Public Transport 2010 - (DSAPT)
- Guideline on the Application of the Premises Standards Version 2 February 2013
- National Construction Code - Building Code of Australia (most recent)
- Liveable Housing Design Guidelines – Revision 2 May 2012
- National Dialogue on Universal Housing Design - Strategic Plan

The Australian Human Rights Commission

The Australian Human Rights Commission Act 1986 (formerly called the *Human Rights and Equal Opportunity Commission Act 1986*) established the Human Rights and Equal Opportunity Commission (now known as the Australian Human Rights Commission) and gives it functions in relation to the following international instruments:

- International Covenant on Civil and Political Rights.
- Convention Concerning Discrimination in Respect of Employment and Occupation.
- Convention on the Rights of Persons with Disabilities.
- Convention on the Rights of the Child.
- Declaration of the Rights of the Child.
- Declaration on the Rights of Disabled Persons.
- Declaration on the Rights of Mentally Retarded Persons.
- Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

The Australian Human Rights Commission is responsible for administering the *Disability Discrimination Act 1992*, and has developed notes and guidelines on Access to Premises.

Australian Standards

- AS 1428.1:2009 New Building Work
- AS 1428.2:1992 Enhanced and Additional Requirements
- AS/NZ 1428.4 .1:2009 Tactile Ground Surface Indicators
- AS1428.5:2010 Communication for people who are deaf or hearing impaired
- AS/NZ 2890.6:2009 Parking Part 6: Facilities for off street parking
- AS 1735.12 Lifts, Escalators and Moving Walks
- AS 4299:1995 Adaptable Housing

State Government (South Australia)

Local Government Act 1999

This Act details the statutory obligations of Local Government in relation to its role, functions and objectives. Chapter 1 - Section 3 and Chapter 2 - Sections 6 and 7 can be seen in detail via www.legislation.sa.gov.au

Equal Opportunity Act 1984 (SA)

The purpose of this Act is to promote equality of opportunity for all South Australians. It aims to prevent discrimination against people and to give them a fair chance to take part in economic and community life.

Disability Services (Rights, Protection and Inclusion) Amendment Act 2013 (which amends the Disability Services Act 1993)

This Act acknowledges and supports the rights of people living with disabilities to exercise choice and control in relation to decision making. It ensures that services provided by the government are done respectfully and of the highest standard. The Act promotes the protection of people living with disabilities from abuse, neglect and exploitation. It sets out objectives for providers of disability services and for researchers, deals with complaints and grievances and provides for the funding of disability services, research and development activities. This Act recognises the United Nations Convention on the Rights of Persons with Disabilities as a set of best practice principles.

Planning, Development and Infrastructure Act 2016 (which is to repeal the Development Act 1993 in stages)

This Act includes a strong expectation that the built environment will facilitate improved access and inclusion outcomes for people with disability and is highlighted in several sections of the Act:

Object of the Act - promote high standards for the built environment through an emphasis on design quality in policies, processes and practices, including by providing for policies and principles that support or promote universal design for the benefit of people with differing needs and capabilities.

Principles of Good Planning - built form and the public realm should be designed to be inclusive and accessible to people with differing needs and capabilities (including through the serious consideration of universal design practices).

State Planning Policies - the Design Quality Policy must include specific policies and principles with respect to the universal design of buildings and places to promote best practice in access and inclusion planning.

Mental Health Act 2009

This Act provides for the treatment, care and rehabilitation of people with serious mental illness with the goal of bringing about their recovery as far as is possible. The Act confers powers to make orders for community treatment, or detention and treatment of such people where required and to provide protections of the freedom and legal rights of mentally ill people.