

Golden Plains Shire Council



Access and Inclusion Plan

Part A

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2.0 Introduction

Golden Plains Shire Council (Council) has developed a new Access and Inclusion Plan (AAIP). This Plan provides the framework to continue to support people with disabilities and other access challenges to engage with Council and access all areas of the organisation's operations. The Plan supports Council in meeting its obligations under the Commonwealth *Disability Discrimination Act 1992* (DDA) and other relevant legislation. The AAIP continues to assist Council in removing existing or potential barriers to access and inclusion and provide equity of access to premises, services, programs, information, communication, and employment processes and systems related to Council.

A key component in the development of the AAIP was consultation and engagement with the Golden Plains' community, as well as Council staff, to assist in identifying access barriers, issues, opportunities and potential priorities for access and inclusion improvement action. Council's commitment to a thorough consultation process has enabled engagement with a cross-section of stakeholders providing the opportunity for the community to express their views via a range of engagement and feedback options. The specific consultation mechanisms and the feedback and data received from these consultations is provided in the background information.

3.0 What is an Access and Inclusion Plan (AAIP)?

The AAIP provides the framework for Council to address disability access and inclusion issues across all areas of the organisation's operations and to support it in meeting its requirements under the DDA and other relevant access legislation.

The AAIP is designed to support Council practices to be proactive in relation to meeting the needs of people with disabilities and other access challenges and to continue to develop its services and facilities to be accessible to all.

The AAIP document:

- Identifies areas where there are access barriers or access opportunities;
- Outlines actions to remove barriers or realise opportunities;
- Includes priorities for actions;
- Identifies who has responsibility for ensuring actions are completed; and
- Outlines how communication, monitoring, review and evaluation of the AAIP will occur.

4.0 Why develop an Access and Inclusion Plan?

Developing an AAIP enables Council to meet its responsibilities under the DDA and other relevant legislation.

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The Australian Human Rights Commission (AHRC) believes that an effective Plan will:

- demonstrate commitment to eliminating discrimination;
- show clear evidence of consultation with stakeholders;
- have priorities which are appropriate and relevant;
- involve ongoing consultation, evaluation and review;
- minimise the risk of complaints;
- contribute to a successful defence in the event of complaints.

The AHRC objectives, highlighting the benefits of an effective Plan, are as follows:

- eliminates discrimination in a proactive way;
- improves services to customers generally;
- opens up new markets and services new customers;
- reduces likelihood of complaints being made;
- reduces likelihood of costly legal action;
- allows for planned change in business and services;
- enhances organisational image.

The AAIP was developed to meet the requirements of the DDA.

The AAIP provides a framework for Council to address disability access and inclusion issues across all areas of the organisation.

The AAIP aligns with the requirements of the DDA and will be registered with the AHRC, where it must be taken into account if any complaints are made against the Council in relation to disability discrimination.

5.0 Who is impacted by access and inclusion in Golden Plains Shire?

Whilst the key focus of the AAIP is related to outcomes for people with a disability and related access challenges, it is reasonable to expect that all people will be impacted by access and inclusion issues at some stage in their life. This could include:

- People who have a permanent disability including people who are born with a disability and/or people who acquire a disability due to accident or illness;
- People who have a temporary disability due to accident or illness;
- People who are ageing, and whilst not identifying as having a disability may have reduced mobility, hearing and/or vision and cognitive functions;
- People from culturally and linguistically diverse communities who may have challenges with speaking and/or understanding English. This could include experiencing challenges with completing forms, reading signs and interpreting critical information impacting on daily life activities;
- Families including parents and grandparents who are caring for children and pushing prams and strollers;
- People who are using other mobility aids.

5.1 Community Profile

In developing this AAIP, consideration was given to a wide range of people in the community. The following **Community Profile Snapshot** provides an overview of the Golden Plains Shire and its community.

The place

- Golden Plains Shire is located one hour's drive west of Melbourne, between Geelong and Ballarat;
- Golden Plains Shire comprises 2,705 square kilometres between Victoria's two largest regional cities, Geelong and Ballarat.

The people

- Population of 20,809 residents across 56 communities and 16 townships; (*ABS 2015*)
- Growth rate 1.3% p.a.
- Population projections 32,375 by 2036; (*Fed 2015 Forecast ID*)
- Bannockburn is the largest town, with population around 3,500 and most other communities have fewer than 1,000 people; (*ABS 2011*)
- Comparatively higher percentage of children and youth, with residents under 20 comprising 30.1% of the population, compared with 25.1 % in Victoria.

The community

- Golden Plains Shire is home to 14 primary schools, 7 kindergartens, 11 registered playgroups, 9 family day care providers, a long day care centre in Bannockburn and four occasional care facilities;
- Around 65% of the population travel out of the Shire each day for education, training and employment;
- There is a lack of public transport and no secondary school. (A P-12 will open in Bannockburn in 2018.)
- There is one bank and dental clinic, both located in Bannockburn;
- There are four district health services and four General Practices but no hospital;
- There are minimal community-based service providers;
- Agriculture is the Shire's largest industry sector, with the region producing a significant portion of Victoria's agricultural product.

5.2 How many people have a disability?

Extensive data in relation to the prevalence of disability is not collected systematically across Australia. This may change in the coming years with the introduction of the **National Disability Insurance Scheme (NDIS)**.

The following information from the most recent data sources provides a snapshot of numbers of people with disabilities. It highlights that people with disabilities and older adults comprise a significant customer base for Council as well as being potential employees and volunteers.

Australia

In 2015, as reported in the Survey of Disability, Ageing and Carers (SDAC) conducted by the Australian Bureau of Statistics (ABS):

- There were 4.3 million Australians with disability, that's nearly one in five people (18.3% of the total population);
- Of the 15.4 million Australians living in households who were of working age (15 to 64 years), there were over two million people with a disability, that's one in seven people;
- Just over half (50.7%) of Australians aged 65 and over reported living with disability.

Golden Plains Shire

Based on Australia wide data, in Golden Plains Shire there are approximately 3,800 people with a permanent disability and 1,300 with a temporary disability at any one time.

At the 2011 ABS census in Golden Plains Shire there were:

- 447 males (4.7%) with a profound or severe disability;
- 339 (4.3%) females with a profound or severe disability;

There was a higher proportion of 85 years and over age group in Golden Plains Shire with a disability compared with both Victoria and Australia.

The ABS Census data also identified that unpaid assistance to a person with a disability (within the Census definition) in Golden Plains Shire was as follows:

- 740 (or 10.9% of) males provided unpaid assistance to a person with a disability;
- 1,102 (or 16.4% of) females provided unpaid assistance to a person with a disability;
- In total, 1,842 (or 13.6% of all) Golden Plains residents provided unpaid assistance to a person with a disability.

According to Centrelink data for Golden Plains, in 2016, 648 people or 3.1% of the total population, receive a disability support pension which is slightly lower than the Victorian average of 3.2%.

5.3 Ageing Population

Australia

The ageing population is of particular significance when considering the impact of access and inclusion issues. As people get older the propensity for disability significantly increases and the incidence of access and inclusion issues occurring also significantly increases.

Older people make up a significant proportion of the community in Australia, and this is expected to grow at a rapid rate due to the large numbers of 'Baby Boomers' (*i.e. people born in the years following the Second World War, when there was a temporary marked increase in the birth rate*).

The Australian Bureau of Statistics (ABS) estimates that by 2056, Australia's population is projected to increase to between 31 and 43 million people, with around 23% to 25% being 65 years or older.

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In 2007 Australia's population was 21 million people, with 13% being 65 years or older. In addition, the number of people aged 85 years or over is likely to increase rapidly over the next 50 years, from 344,000 people in 2007 to between 1.7 million and 3.1 million people in 2056. By then, people aged 85 years or over will make up 5% to 7% of Australia's population, compared to only 1.6% in 2007.

Population Projections, Australia, 2006–2101 (cat. no. 3222.0)

It is expected that the impact of an ageing population and the resultant access issues that develop, will also impact on the need to further ensure that equitable dignified access is provided to all of Council's services and operations.

Golden Plains Shire

According to the *Geelong Regional Alliance – Golden Plains Region Profile 2014 –*

Between 2011 and 2031, the population of Golden Plains is projected to increase by a much greater proportion than the state average (51% v's 35%).

While the number of persons in all age groups is projected to increase notably, the 65 years and over age group is projected to increase by the greatest proportion (147% or 2,952 persons) between 2011 and 2031 and this increase is much higher than the state average (93%).

According to the *Office of Economic and Statistical Research based on ABS Population by Age and Sex, Regions of Australia*, an ageing population will result in:

- Increasing levels of impairment: physical (especially affecting mobility) and sensory (hearing and vision);
- Increasing levels of cognitive impairment. There are approximately 170,000 people in Australia with a diagnosis of dementia and it is projected by 2040 this figure will increase to 500,000 people. It is predicted that by 2016 dementia will be the main cause of "disability burden" in Australia ahead of every other chronic disease;
- Increasing community expectations that the built environment and service provision are designed to accommodate these impairments;
- Increasing community expectations for a higher standard of amenities. These may include accessible community facilities, car parking, pedestrian infrastructure such as footpaths and kerb ramps, as well as public seating and toilets designed for the needs of older people;
- Increasing community expectations of the provision of local government services appropriate to the needs of an ageing population, including increased access to tailored services.

According to *Centrelink data for Golden Plains, December 2015*, 67.6% of all Centrelink payments are for the Aged Pension (population 65 years plus) which is slightly lower than the Victorian average (68.9%).

6.0 What is disability?

The Commonwealth Disability Discrimination Act 1992 defines “disability” as:

- total or partial loss of the person’s bodily or mental functions; or
- total or partial loss of a part of the body; or
- the presence in the body of organisms causing disease or illness; or
- the presence in the body of organisms capable of causing disease or illness; or
- the malfunction, malformation or disfigurement of a part of the person’s body; or
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- a disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour.

The Victorian Disability Act 2006 defines “disability” as:

- (a) A sensory, physical or neurological impairment or acquired brain injury or any combination thereof, which —
 - (i) is, or is likely to be, permanent; and
 - (ii) causes a substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication; and
 - (iii) requires significant ongoing or long term episodic support; and
 - (iv) is not related to ageing; or
- (b) an intellectual disability; or
- (c) a developmental delay.

7.0 What is disability discrimination?

Discrimination is defined as treating people with a disability less favourably than people without the disability would be treated under the same circumstances (**direct discrimination**).

Discrimination also exists where there is a condition or requirement imposed which may be the same for everyone, but which unfairly excludes or disadvantages people with a disability (**indirect discrimination**).

It is also unlawful to discriminate against a person because their associates (family, carers, partners etc.) have a disability.

Different treatment of people with a disability is not unlawful discrimination where it is reasonably intended to ensure that they have equal opportunities or to meet their specific needs.

8.0 What is the relevant legislation?

8.1 National

United Nations (UN) Convention on the Rights of Persons with Disabilities

Australia is a Signatory to the UN Convention on the Rights of Persons with Disabilities. The United Nations Convention on the Rights of Persons with Disabilities refers to disability as “the interaction of long-term physical, mental, intellectual or sensory impairments, and attitudinal or environmental barriers that hinder ... full and effective participation in society on an equal basis with others”.

As a signatory to this convention, all levels of government in Australia have committed to comply with the Convention. Obligations are detailed in the Disability Discrimination Act 1992.

National Disability Strategy

The National Disability Strategy 2010 – 2020 is a plan which aims to improve life for Australians with a disability, their families and carers. Developed under the auspices of the Council of Australian Governments (COAG), the strategy is a partnership between all levels of government to achieve a unified, national approach to policy and program development.

The Strategy sets out six priority areas for action, namely:

- Inclusive and Accessible Communities;
- Rights Protection, Justice and Legislation;
- Economic Security;
- Personal and Community Support;
- Learning and Skills;
- Health and Wellbeing.

National Disability Insurance Scheme (NDIS)

The National Disability Insurance Scheme (NDIS) is the new administrative and funding framework for providing support to Australians with a disability, their families and carers.

The NDIS will provide about 460,000 Australians under the age of 65, with a permanent and significant disability, with the reasonable and necessary supports they need to live an ordinary life.

As an insurance scheme, the NDIS takes a lifetime approach, investing in people with disability early to improve their outcomes later in life.

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The NDIS gives all Australians peace of mind that if their child or loved one is born with or acquires a permanent and significant disability they will get the support they need.

The NDIS supports people with a disability to build skills and capability so they can participate in the community and employment.

The NDIS is being introduced across Australia in stages. It does not currently cover Golden Plains Shire however it is anticipated that this will begin 1 January 2017.

The NDIS helps people with disability to:

Access mainstream services and support

These are the services available for all Australians from people like doctors or teachers through the health and education systems. It also covers areas like public housing and the justice and aged care systems.

Access community services and supports

These are activities and services available to everyone in a community, such as sports clubs, community groups, libraries or charities.

Maintain informal support arrangements

This is help people get from their family and friends and is generally part of most people's lives.

Receive reasonable and necessary funded supports

The NDIS can pay for supports that are reasonable and necessary. This means they are related to a person's disability and are required for them to live an ordinary life and achieve their goals.

8.2 Commonwealth Legislation

Disability Discrimination Act 1992 (DDA)

Council has a responsibility under the Commonwealth *Disability Discrimination Act 1992* (DDA), to provide equitable and dignified access to goods and services and to premises used by the public. This is broadly defined and would include all aspects of Council operations. The DDA provides uniform protection against unfair and unfavourable treatment for people with a disability in Australia. It also makes it unlawful to discriminate against a person who is an 'associate' e.g., a friend, carer or family member. Disability includes:

- Physical;
- Intellectual;
- Psychiatric;
- Neurological;
- Cognitive or sensory (a hearing or vision impairment);
- Learning difficulties;
- Physical disfigurement; and
- The presence in the body of disease causing organisms.

This broad definition means that everyone with a disability is protected. The DDA supports the principle that people with a disability have the same fundamental rights as the rest of the community. Provisions apply to a wide range of life activities including:

- Access to premises used by the public;
- Education;
- Provision of goods and services;
- Employment; and
- Administration of Commonwealth laws and programs.

The DDA requires that appropriate changes be made to provide access. Where this does not occur, a person can take legal action through the Australian Human Rights Commission (AHRC) or the Federal Court. In addition to the DDA, legislative instruments that have been developed under the DDA and must be considered include:

- Disability (Access to Premises-Buildings) Standards 2010
- Disability Standards for Accessible Public Transport 2002.
- Disability Standards for Education 2005

8.3 State Legislation

Disability Act 2006 and Disability Regulations 2007 – Victoria

The Disability Act 2006 requires all public sector bodies in Victoria to develop a Disability Action Plan for the purpose of reducing barriers for persons with a disability to access goods, services, facilities, employment, inclusion and participation in community life, and to achieve tangible change in attitudes and practices which discriminate. These plans must be lodged with the AHRC in line with the DDA. Reporting against the plan is required in each Council's Annual Report.

Equal Opportunity Act 2010

The Equal Opportunity Act 2010 (EOA) prohibits direct and indirect discrimination on the basis of disability. It focusses in particular on employment, education, the provision of goods and services, accommodation, membership of clubs and associations, sport and local government. A person who believes direct or indirect discrimination has occurred may lodge a complaint with the AHRC.

Victorian Charter for Human Rights and Responsibilities

The 2006 Victorian Charter for Human Rights and Responsibilities protects equality of rights for all people in Victoria and precludes discrimination on the basis of disability, supporting every person's right to freedom of movement, privacy and reputation, freedom of expression, protection of family and children, and freedom to participate in public life.

The effect of the Charter is to require all public authorities, including all local governments, to note the compatibility of all policies, strategies and practices with the Charter during decision making.

The Municipal Association of Victoria (MAV) Framework

The Municipal Association of Victoria (MAV) has developed 'A Strategic Framework for Local Government - Creating a more inclusive community for people with a disability'. The Framework aims to assist Councils in their efforts to build "An inclusive Australian Society that enables people with a disability to fulfil their potential as equal citizens", as set out in the National Disability Strategy.

The MAV's approach emphasises incremental and ongoing change to provide equitable access, inclusion and opportunity for all community members. The Framework suggests 13 elements as the basis of an access and inclusion plan.

These are:

- A whole of Council approach;
- Incorporate access and inclusion objectives in key strategic documents;
- Facilitate civic participation and inclusive consultation;
- Systematically improve the accessibility of Council buildings and infrastructure;
- Inclusive communication and information approaches;
- Accessible and inclusive Council services, programs and events;
- Strategic use of statutory and regulatory roles;
- Improve employment opportunities;
- Influence community attitudes and perceptions;
- Exercise leadership in advocating to other organisations;
- Foster partnership and collaboration;
- Effective accountability practices;
- Reviewing and evaluating progress.

As a member of the MAV, Golden Plains Shire Council recognises The Framework as an important guide in the development of an AAIP for Council.

9.0 What is ‘Best Practice’?

Golden Plains Shire is committed to adopting ‘Best Practice’ in all areas of operation, including access and inclusion. This means the AAIP is based on the adopted principles of access and inclusion that are articulated in relevant legislation but also those that go beyond these minimum legislated requirements and standards and incorporate the principles of Universal Design.

Universal Design is a design philosophy that ensures that products, buildings, environments and experiences are innately accessible to as many people as possible, regardless of their age, level of ability, cultural background, or any other differentiating factors that contribute to the diversity of our communities.

Adoption of Universal Design principles will support improved outcomes for access and inclusion for the community and staff in relation to development and delivery of Council information, products, services, buildings and facilities as well as communication, engagement and employment with Council.

In terms of implementing Best Practice actions relating to access and inclusion, consideration is also given to how priorities for action are established to ensure the most cost effective and functional outcomes are achieved for all stakeholders.

For example, in the built environment, it is expected there would be access barriers to some Council infrastructure. This is typical of the infrastructure of all Councils as much of it is ageing and would not have considered access at the initial time of construction.

Consideration should be given to whether available funds are allocated to make one facility fully accessible to all users, or whether funds to make a number of facilities accessible to a limited numbers of users is preferred.

Best practice would indicate that the first option usually results in better outcomes. This would be the case for example in a playground, where whilst the installation of accessible play equipment may benefit a number of users, unless there is also accessible parking and an accessible toilet at the same location, then it would limit the usability of the accessible play equipment at that location.

10.0 Development of the Access and Inclusion Plan

The development of the AAIP included the following requirements specified in the DDA, which are necessary for the effective development of any Plan:

- Review of Current Activities
- Development of Policies and Programs
- Setting Goals and Targets
- Allocating Responsibility for Implementation
- Communicating and Training of Staff and Council
- Establishing Evaluation Mechanisms

The AAIP is suitable for organisational 'sign off' and lodgement with the AHRC.

11.0 Key Action Areas

In the development of the AAIP, a key element of the process was to consider a broad range of views, experiences, challenges, issues and opportunities in relation to access and inclusion in the Golden Plains community, particularly related to elements within Council's mandate.

The previous AAIP (2013-2016) identified four priority areas for access and inclusion, these were:

- Getting around;
- Getting involved;
- Getting informed;
- Council.

This is a practical and sensible approach that has been also used in the new AAIP and detailed in Part B.

Actions have been integrated into the four priority areas as follows:

- Natural and built environment - Getting around;
- Services and programs - Getting involved;
- Information and communication - Getting informed;
- Council operations - Council.

12.0 Abbreviations and Acronyms

AAIP	Access and Inclusion Plan
ABS	Australian Bureau of Statistics
AHRC	Australian Human Rights Commission
COAG	Coalition of Australian Governments
Council	Golden Plains Shire Council
DDA	Disability Discrimination Act
EOA	Equal Opportunity Act
IATA	Institute of Access Training Australia
MAV	Municipal Association of Victoria
NDIS	National Disability Insurance Scheme
SDAC	Survey of Disability Ageing and Carers
UN	United Nations

13.0 Disclaimer

This Background Paper has been prepared by the Institute of Access Training Australia (IATA).

While due care has been taken by IATA in undertaking the consultations associated with this report and developing this report, IATA does not accept responsibility or liability for the results of specific action taken on the basis of information contained in this report nor for any errors or omissions.

The comments and recommendations contained herein provide some examples of a range of initiatives that could support improved access and inclusion for people with disabilities. There may be many other initiatives that will also support access improvements. Consideration should be given to any other conditions or situations not specifically identified in this report in order to ensure an effective Access and Inclusion Plan is developed and implemented by the Golden Plains Shire Council

All actions taken by a public authority, organisation or individual in reliance on this or associated reports remain the responsibility of that public authority, organisation or individual.