

**“Living with Disability - Hornsby Shire Councils Commitment”**

**Disability Action Plan**

**2013 with 2015 updates**

The aim of the Living with a Disability Commitment is to recognise the rights to equitable participation in community life for people living with disability and carers. The Commitment is about taking a pro-active approach to creating an inclusive community by outlining the actions Council has taken, measures that are in place and opportunities for review. This document forms Councils Disability Action Plan and assists us to meet responsibilities under the Commonwealth Disability Discrimination Act 1992. With the passing of the Disability Inclusion Act in August 2014 it was decided that this document would remain as an interim plan until the NSW Disability Inclusion Action Plan was released. Council will be required to develop their own Disability Inclusion Action Plan which sits alongside and adheres to the State plan. The State Disability Inclusion Plan is being prepared by Family and Community Services (FACS) in consultation with people with disability, and will be in place by 1 July 2015.

**INTRODUCTION**

The Hornsby Shire local government area is located in Sydney’s north. The Shire of Hornsby is the second largest Local Government Area in the Sydney region, at 510 square kilometres. The Hornsby Shire takes in land from Epping North to the south up to Brooklyn and Wiseman’s Ferry in the north and north west respectively. With a population of approximately 150,000 people, the Shire is host to a diverse range of environments and people. In 2003, the Australia Bureau of Statistics in it’s Disability, Aging and Carer’s Survey, reported that, on average, one in five Australians have a disability. Extrapolating this average to the Hornsby Shire suggests that there are 30,000 people living in the Shire who have a disability.

Council recognises its role in serving the community by listening to and responding to local needs with a range of community services and facilities, and by being open and willing to be accountable for its performance. A s such, a distinct policy and plan recognising the rights and related needs of people with a disability ensures that the organisation continues to strive to create a living environment for all residents. It is the intent of this Plan to fulfill this role.

The Disability Action Plan developed in 2009 was implemented, reviewed and updated over 4 years. Through the original Disability Action Plan organisational principles and systems have become more inclusive of people living with a disability. In 2014 the Community Development Team decided that many of the policies and actions were implemented and ongoing, so it made sense to move to a commitment to people living with disability in Hornsby Shire, as a long term and integrated approach to working with anti-discrimination for people with a disability.

The Social Plan 2010 - 2014

Through integrated planning mechanisms disability considerations are incorporated into key planning documents. A main aim of Councils’ Social Plan 2010-2014 is to increase social capital and social sustainability within Hornsby Shire for the whole community. Broadly, the term “social sustainability” refers to access, inclusion, equity and quality of life. Social capital is the ability to access resources and the capability that individuals have to meet their needs through networks, connections to a community and information and education. By taking an equitable approach to encouraging participation and supporting groups that are less advantaged Council is ‘creating a living environment’ that improves the quality of life for the community of people that live in the Hornsby Shire.

**The Disability Discrimination Act 1992**

Hornsby Shire Council’s Living with a Disability Commitment is one way that the Disability Discrimination Act 1992 is implemented. The Commonwealth Disability Discrimination Act 1992 (DDA), aims to protect people from discrimination due to disability. While the NSW Anti Discrimination Act similarly makes many aspects of disability discrimination unlawful, the Commonwealth Disability Discrimination Act 1992 extends unlawful discrimination to include additional disabilities such as psychiatric and HIV/AIDS. The Commonwealth Disability Discrimination Act 1992 also applies to the disposal of land, access to public premises and sport. (*Disability Discrimination Act, A guide for local government*, ALGA 1995)

The purpose of the Commonwealth Disability Discrimination Act 1992 as set out in Section 3 of the Act;

***3.*** *The objects of this Act are:*

*(a) to eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of:*

1. *work, accommodation, education, access to premises, clubs and sport; and*
2. *the provision of goods, facilities, services and land and*
3. *existing laws; and*
4. *the administration of Commonwealth laws and programs; and*

*(b) 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*

*(c) 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.*

## What is Disability?

In the ABS *Disability, Ageing and Carers Survey 2009* “disability” was defined as any limitation, restriction or impairment which restricts everyday activities and has lasted or is likely to last for at least six months.

The disability rate increases steadily with age, with younger people less likely to report a disability than older people. As our population ages in Hornsby Shire, the incidence of disability in the community will also rise.

The definition of "disability" in the DDA includes:

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

Additionally, the DDA 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.

## What is Discrimination?

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* transpires when there is a requirement, or 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.

## Council services, initiatives and facilities for people with a disability

**People and Culture**

Council’s Recruitment and Selection determination and guidelines outlines the commitment to employing people with a disability.

Section 8 – Appointment of People with an Intellectual Disability

Council encourages the employment of people with an intellectual disability. Council commits to identifying

suitable roles as they become vacant and actively considering the employment of people with an intellectual

disability. Suitable roles are to be filled on an affirmative action basis. In most cases there should be no

barrier to the employment of a person with a physical disability where a reasonable adjustment can be made

to accommodate the individual.

**Benefits of**

**Children’s Services**

Council operates four Education and Care facilities across the Shire. The operation of these centres is based on respect for the child as an active citizen of our community and the provision of education and care in a safe, healthy and stimulating teaching environment.

Somerville Park Early Childhood Education Centre (long day care and sessional care) is a 46 place child care centre open from 7:30am to 6:00pm Monday to Friday for 51 weeks of the year. The multi-purpose children's facility accommodates the following services:

**- An early intervention program for children with special needs** - the program is operated 5 days per week by Lifestart ([www.lifestart.org.au](http://www.lifestart.org.au/)), a not-for-profit community based organisation.

- **Two consulting rooms for early childhood professionals** - provides facilities for early childhood consultative services. These services assist families of children 0-5 years by supporting their individual needs and providing a facility for social interactions to enhance the community's social wellbeing.

**- Chatter Check Speech Pathology services** - speech and language assessment and intervention

All of Council’s childcare centres have ramps or level access.

**Recreation**

To include people with a disability in Council’s Aquatic and Sporting Facilities and the planning of aquatic and sporting opportunities.

To actively include people with a disability within the Hornsby Bushcare Program

To ensure that the needs of residents with disabilities are taken into account in any initiatives that Council undertakes in regard to open spaces

To incorporate the needs of children and adults with disabilities in the planning and design of playgrounds and surrounding areas

To include people with a disability in Council’s Aquatic and Sporting Facilities and the planning of aquatic and sporting opportunities.

**Information and Library Services**

Hornsby Central Library is host to the Adaptive Technology Access Centre (ATAC). The ATAC consists of equipment and software designed to improve access to the Library's print and online resources for people with a disability. Hornsby Central Library has ZoomText, JAWS and OpenBook image magnification and/or screen reading software installed on a dedicated computer. A Closed Circuit TV screen provides magnification and the ability to change the reading mode to white text on a black background. Luxo Magnification Lamps are available at Hornsby, Pennant Hills and Epping libraries.

Council’s Library Service maintains collections of audio visual items and large print books at all branches. A Home Library Service is available for residents who are unable to visit the library due to disability, illness, or frailty. It is also available for their carers and for those who are able to visit the library and choose material but who are unable to carry it home.

Library staff are available to assist customers utilise the collection and facilities. This includes demonstrations of adaptive technology equipment. All of Council’s Library branches have wheelchair access.

**Community Facilities**

Council owns 30 Community Centres and Halls, many of which have accessible entrances and toilets. Details of Council’s Community Centres and Halls can be found on Council’s website where their accessibility is identified for each Centre. Council’s Community Services staff are also able to assist in identifying accessible Centres and answer questions.

Council has a number of playgrounds that have accessible playground facilities, such as at Willow Park, Hornsby. A number of parks and reserves are also wheelchair accessible and have accessible toilets. Lisgar Gardens in Hornsby has a wheelchair inclinator installed to allow people with a disability to access the gardens, and an accessible toilet. Under “Access and Inclusion” on Council’s website a list of public toilets is provided which identifies wheelchair accessible public toilets.

Council also has two bush walks that are wheelchair and pram accessible. A bushwalks program is developed each season incorporating accessible tracks and programs. The Mambara Track also has a “five senses walk” which has been specifically designed for people with visual and or hearing impairment. Details of these can be found on Council’s website.

**Community Services**

Community Services aims to include people with disabilities in opportunities provided for the community to access and participate in arts and cultural activities.

Council’s Access & Inclusion Community Development Officer is responsible for helping people with disabilities gain access to services, advocate for their rights, and raise community awareness of their needs and achievements.

Consultation on disability issues is effected through Hornsby Shire Council’s Access and Social Justice Consultative Group which comprises Council staff and local residents. Council’s Donations Program provides some financial assistance for community organisations, including groups and services for people with a disability.

**Public Works**

An annual program of facility upgrades including:

* Wheelchair accessible toilets to all Council owned facilities.
* Upgrading of existing kerb ramps and footpaths to comply with current standards, including the Building Code of Australia
* Upgrading of public wharves

Residents are also able to call Councils customer service line (9847 6666) and notify them of footpaths or curb cuts that are difficult to manoeuvre or dangerous. Issues are attended to and rectified promptly where possible. The Community Development Officer is able to advocate on more complex issues.

**Building and Development**

Council will ensure that building applications meet the accessibility requirements set out in the Building Code of Australia. Access and Mobility considerations are included in the Development Control Plan for Hornsby Shire. For major works the Access and Social Justice group are consulted with and access consultants are used to develop building plans.

**Council Administration**

Council’s Administration Building, Community Services Offices and Council Branch Libraries are physically accessible, as is the Council Chambers which also has a hearing loop. Council staff is able to take service requests over the phone and a TTY facility is available for people who are deaf or have a speech or hearing impairment. Council’s website has been designed to be accessible.

Disability Action Plan Table

The Disability Action Plan table has been updated in June 2013. Many of the original objectives have been met or are ongoing. The Access and Social Justice Consultative group at Council will review the Action Plan Table to identify any new objectives required. The new plan will also incorporate the National Disability Strategy NSW Implementation Plan guidelines which call for a more integrated approach to planning to create systemic and cultural change.

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| **Objective** | **Strategy** | **Responsibility** | **Timeframe** | **Budget** | **Status/Outcomes June 2013** |
| **Community Information and Library Services** | | | | | |
| To provide information relating to Council’s services and facilities in formats that are accessible to people with a disability | Provision for organisations to indicate access features in the Community Information Directory | Manager – Library and Information Services | On going | Within Current Budget | Completed and ongoing. |
| Include known information on access features of services and facilities within all Council promotional materials and website | Manager Community and Cultural Facilities | On going | Within Current Budget | Completed and ongoing. |
| To make external Council publications and marketing material accessible to people with disabilities to facilitate their inclusion and participation in community life. | Develop, adopt and implement print standards in publications, letters, marketing material and the like that meet disability access requirements, by reference to the Vision Australia Web Page. | Branch Manager – Community Relations. | March 2010 | Within Current Budget | Completed and ongoing.  New web pages compliant with accessibility recommendations. |
| Maintain regular disability access audits on Council’s website. | Manager Community Relations  Web Committee | On going | Within Current Budget | Completed and ongoing.  2 staff attended accessibility workshop by Vision Australia in November 2012  February 2013 staff reviewed the website to comply with Vision Australia’s recommendations prior to the refresh of the website.  Web accessibility compliant. |
| Development of “Mobility Maps” which feature public accessible toilets, appropriate kerb cuts, accessible parking and facilities using the Public Toilets Web Page as a starting point. | CDO Access and Inclusion | June 2010 | Within Current Budget | Ongoing.  Public toilets map is accessible via the Council website.  CDO to further develop parking and kerb cut sites information. |
| **Council Buildings** | | | | | |
| To ensure that access is available and signage is prominent in all Council and Council leased buildings | Determine the extent to which Council facilities are accessible and develop a staged plan to ensure full access where appropriate, applying for Government grants where available. | Community Services,  Parks and Landscapes, Commercial Property, Bushland  Community Facilities & Halls | June 2011 | Within Current Budget | Ongoing  Undertake accessibility upgrades whenever an upgrade is planned. |
| Disability Access Training for staff involved in customer service and also the refurbishment, building or management of Council Facilities | Learning & Development | On going | Within Current Budget | Completed and ongoing.  Access to buildings is covered in the Building Code Australia adhered to by Council.  Customer Service courses cover ‘working to ensure access for people with disabilities’. |
| **Community Events** | | | | | |
| To include people with disabilities in all opportunities provided for the community to access and participate in arts and cultural activities. | Develop, in conjunction with the Access Committee, an accessibility checklist to ensure all Council endorsed and operated events are marketed and managed as accessible events | CDO Access & Inclusion  Manager Community Services | June 2009 | Within Current Budget | Accessible events checklist recommended and su0pplied to the Council Events Team. Advocacy and advice provided by relevant Community Development Officer and Access and Social Justice Consultative Group on event access options, issues and solutions. |
| Update a register of Council owned accessible venues available for public events | CDO Access & Inclusion/ Community and Cultural Facilities | September 2009 | Within Current Budget | Completed.  Accessibility options indicated on website for each facility. |
| Develop fact sheets for event organisers external to Council to ensure an understanding of and compliance with disability access requirements. | CDO Access & Inclusion | June 2009 | Within Current Budget | Done on a case by case basis. |

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| **Works Division** | | | | | | | | |
| To incorporate the physical mobility and access needs of people with disabilities in the design, construction and maintenance program for roads, footpaths, drains and other infrastructure | Apply for RTA funding to create, implement and review a pedestrian access mobility plan ensuring all shopping areas, priority routes and Council facilities are accessible and accessible facilities are linked | Transport Officer  CDO Access & Inclusion | | September 2009 | | RTA Grant Funding | | Ongoing. |
| Incorporate accessible pathway and kerb cut requirements in traffic management schemes | Manager Design & Construction Branch  Manager Traffic Branch | | On-going | | Within Current Budget | | Complete.  Works are Australian Standards compliant incorporating accessibility. |
| Consult with Access Committee when planning traffic facilities | Manager Traffic Branch | | On-going | | Within Current Budget | | Complete.  Works are Australian Standards compliant incorporating accessibility. |
| Develop policies to ensure priority paths are maintained regularly and provide clear uninterrupted access | Manager Assets Branch | | September, 2009 | | Within Current Budget | | Complete.  Works are Australian Standards compliant incorporating accessibility. |
| Ensure all new footpath construction provides accessible kerb ramps conforming with AS1428.1 | Manager Design & Construction Branch | | On-going | | Within Current Budget | | Complete. |
| **Transport** | | | | | | | | |
| To incorporate the physical mobility and access needs of people with disabilities in Council’s transport planning | Provide an adequate number of accessible car parking spaces (complying with AS 2890) in suitable locations throughout Hornsby Shire | Access Committee  Traffic Branch | | On-going | | Within Current Budget | | Complete.  Works are Australian Standards compliant incorporating accessibility. |
| Review all accessible spaces and ensure spaces comply with AS 2890. | Manager Traffic Branch | | June 2010 | | Within Current Budget | | Complete.  As upgrades occur, ensure compliance with Australian Standards. |
| Ensure accessible car parking is linked to accessible routes | Manager Traffic Branch  Manager Assets Branch | | Ongoing | | Within Current Budget | | Ongoing. |
| **Parking Permits** | | | | | | | |  |
| To increase community awareness in the proper use of accessible parking spaces in Council car parks | Identify suitable locations for drop-off zones | | Access and Social Justice Consultative Group.  Traffic Branch. | | On-going | | Within Current Budget | Complete but can review. |
| Ensure that parking officers are aware of, and respond to correct use of accessible parking permits. | | Traffic Branch | | On-going | | Within Current Budget | Complete and ongoing. |
| **Planning** | | | | | | | | |
| To ensure the rights of people with disabilities are taken into account in the design of all proposed developments within Council’s planning controls | Review and update the Access & Mobility DCP to equitably provide for the needs of people with disabilities in the design of all proposed developments within the Shire including the provision of accessible public toilets and parking. | | Manager Town Planning Services | | June, 2010 | | Include as a priority in 2009/2010 Consultancy Budget. | Completed.  Access and mobility has been incorporated into the Draft DCP adopted by Council 2013. |
|  | Continue to refer Development Applications for all buildings used by the public to the CDO Access & Equity to ensure Access Audits are carried out on the proposal where appropriate, and comments made on access issues. | | Manager Assessment Team 2  CDO Access & Inclusion | | On-going | | Within Current Budget | Complete. No longer need to refer DA’s to the Access and Equity CDO as building applications must comply with accessibility items in the Building Code of Australia. |
|  | In cooperation with the Learning and Development Team, encourage staff involved in the assessment of Category 1 Development Applications to undertake training in Disability Access Awareness | | Manager Assessment Team 2  Team Leader Learning and Development | | Ongoing | | Within current budget | No longer relevant due the new Building Code of Australia access requirements. |

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| **Waste Management**  **Waste Management**  **Objectives**  **Strategies**  **Parks and Reserves** | | | | | | | | | | |
| To ensure that all waste management initiatives and services for which Council is responsible consider the needs of frail aged or people with a disability and develop appropriate services where necessary | Review options for offering assistance with garbage disposal for frail aged and people with a disability in liaison with the Coordinator Over 55 Services and the CDO Access & Inclusion. | | Waste Management Services | | March 2009 | | Within Current Budget | | Complete.  Residents with a disability or frail aged can call the Waste Team to arrange pick up. | |
| **Parks and Reserves** | | | | | | | | | | |
| To ensure that the needs of residents with disabilities are taken into account in any initiatives that Council undertakes in regard to open spaces | Ensure that development of new open spaces take into account accessible transport and pathways. | | Manager Parks & Landscapes | | On-going | | Within Current Budget | | Ongoing. | |
| Develop marketing material that includes access features in Council’s open spaces. | | Manager Parks & Landscapes  Access Committee | | On-going | | Within Current Budget | | Complete and ongoing. Accessible paths and bushwalks identified in marketing material | |
| To incorporate the needs of children and adults with disabilities in the planning and design of playgrounds and surrounding areas | Explore opportunities for funding to provide accessible park furniture and playground equipment on an ongoing basis. | | Manager Parks & Landscapes | | On-going | | Recurrent Budget & Government Grants | | Complete and ongoing. | |
| **Recreation and Leisure** | | | | | | | | | | |
| To include people with a disability in Council’s Aquatic and Sporting Facilities and the planning of aquatic and sporting opportunities. | Undertake an access audit of all Council’s Aquatic Facilities. Develop a works program using the information obtained through the audit and implement with progressive upgrade of aquatic facilities where possible and as budget allocations are made and in addition explore opportunities for grants for this purpose. | | Manager Aquatic & Recreational Facilities | | June 2010 | | Recurrent Budget & Government Grants | | Ongoing. After consulting with access professionals and the Access and Social Justice Consultative Group accessibility options have been incorporated included in the new Hornsby Pool Complex. | |
|  | In the case of the Epping Aquatic Centre, as funding is available, achieve best possible result in accessibility for people with a disability. | | Manager Aquatic & Recreational Facilities | | June 2010 | | Recurrent Budget & Government Grants | | Ongoing –website will be updated to identify accessibility options at the pools ie. Toilets and hoists. Parking is still an issue to be addressed. | |
| **Bushland and Biodiversity** | | | | | | | | | | |
| To actively include people with a disability within the Hornsby Bushcare Program | Ensure Bushcare program is open to people with a disability joining where the bushland location or activities are suitable to both the program and the individual | | Manager Bushland & Biodiversity Team | | On going | | Within Current Budget | | Complete and Ongoing. | |
| To promote accessibility to Hornsby Shire’s Bushland. | Develop a brochure identifying bushland reserves that are accessible to people with a disability including Mambara Track for people with a disability within Council’s Guided Bushwalks Program. | | Manager Bushland & Biodiversity Team | | June 2011 | | Within Current Budget. | | Complete. | |
|  | Promote a guided bushwalk of the Mambara Track, Brooklyn Boardwalk, Carrs Bush, Bambara Track. | | Manager Bushland & Biodiversity Team. | | On going | | Within Current Budget. | | Complete. | |
| **Natural Waterways** | | | | | | | | | | |
| To actively include people with a disability and promote accessibility to the Hornsby Shire’s natural waterways | Undertake an access audit of all public wharfs | | Manager Assets Branch | | December 2009 | | Within Current Budget | | Complete. | |
| Develop a works program using the information obtained through the audit and implement with progressive upgrade of public wharfs and public facilities near waterways where possible including toilets and parking spaces and in addition explore funding opportunities for grants for this purpose. | | Manager Assets Branch  Building Services Coordinator  Manager Engineering Services Branch | | June, 2010 | | Current Budget and Government Grants | | Complete.  As wharfs and facilities are upgraded they are compliant with Building Code of Australia access requirements. | |
| **Management** | | | | | | | | | | | |
| To consolidate, and publicise Council’s commitment to its Disability Action Plan | | Integrate the Access and Equity Policy into all Council policies, strategy plans and job descriptions and in the development of all such future documents. | | Executive Manager Strategy | | December 2009 | | Within Current Budget | Complete and ongoing. | | |
| Include a module on the Disability Action Plan in induction of all new staff | | Learning & Development Officer | | On going | | Within Current Budget | No longer applicable. | | |
| **Community Involvement** | | | | | | | | | | | |
| To establish mechanisms which facilitate the representation of the interests and views of people with a disability and their carers in all consultation and collaboration processes. | | Advertise Access provisions along with material on the subject of the consultation | | All Staff | | December 2009 | | Within Current Budget | | Complete | |