

## POLICY STATEMENT

# COMMUNITY ACCESS POLICY

**POLICY ADOPTED:** 15 July 2014

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### **Policy Objective:**

Bland Shire Council seeks to be at the forefront of promoting and facilitating an accessible community for all members and visitors. Council has direct involvement in community leadership through the provision of community assets, the provision of programs and conducting of events. Council also will encourage other community leaders to be mindful of access issues.

Council will encourage businesses and community groups to develop a holistic and achievable access approach to the way they deliver their services and conduct their affairs so that the Bland Shire becomes known as an “access friendly” region.

### **Policy Statement:**

*Bland Shire Council seeks to be a leader in promoting and providing an accessible community for all members and visitors.*

*Bland Shire Council works in partnership with organisations to provide sustainable access and inclusion opportunities for everyone in the community, and seeks to ensure that physical access is an essential consideration in all planning processes.*

- No person who lives in, works in, or visits the LGA shall be denied access to any Council information, communications, facilities, services or employment on the grounds of disability.
- The rights of people with a disability to fully participate in all aspects of life will be recognised and upheld
- The Council will endeavor to improve physical access in all areas for which it is responsible; including open space, recreation areas, roads and transport infrastructure, community buildings, Council owned buildings and facilities.
- All work undertaken by the Council on its assets will meet the minimum standard of the Building Code of Australia AND the Australian Standards for access. The Council will attempt to exceed the minimum standards where it believes the minimum standards are inadequate.
- The Council shall actively enforce the relevant building regulations and the Council requirements relating to the provision of access to new and existing premises and facilities.
- The Council may require developers to optimise access in their projects and encourage all non-council bodies to maximise access to their facilities, programs and services.
- The Council will consider access, especially physical access, in all its policies.
- The Council shall consult the community regarding the needs of people with disability.
- The Council’s community, social, recreation, environmental and infrastructure planning shall incorporate those needs identified.

### **Definitions:**

“Accessible”

Accessible means having features to enable use by persons regardless of disability.

### “Access”

Access means developing an inclusive environment where all individuals regardless of disability, can actively participate as valued members of the community. Access is ongoing.

### “Disability”

The Disability Discrimination Act (DDA) 1992 (Section 4) defines a disability as:

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

### “Discrimination”

The DDA 1992 defines (Section 4) discrimination as

- treating people with a disability less favourably than people without the disability would be treated under the same circumstances
- a condition or requirement imposed which may be the same for everyone but which unfairly excludes or disadvantages people with a disability (for example in employment, education, or access to goods and services)
- the failure to make, or proposition not to make reasonable adjustments which has, or is likely to have, the effect of disadvantaging persons with the disability

The DDA 1992 prohibits discrimination not only against people who have a disability but also against a person who is an “associate” of a person with a disability (eg: a spouse, relative, carer, or a person in a business, sporting or recreational relationship with a person with a disability).

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

### **Responsibilities:**

The administrative management of access issues falls within the responsibility of the Community Development Officer. This position is accountable to the Community Relations Officer, and then to the Director of Corporate, Community and Development Services. However all staff will have day-to-day dealings with situations that will involve consideration of access issues.

The Community Access Policy is the guiding document to Council on Access issues. Council seeks the advice of the Access Advisory Committee in regard to matters concerning access within the community.

### **Recommended Practices:**

The policy has the following guiding principles:

1. The needs of people change across their lifespan.

2. The importance of access is recognised for all members of and visitors to our community. A person with a disability is firstly and foremost an individual and is not to be defined by his/her disability.
3. Individuals with disabilities have differing needs.
4. The rights of people with disabilities to fully participate in all aspects of the community will be promoted
5. When providing services to people with disabilities, our focus will be on the whole-of- life needs of individuals in their own communities.
6. Better outcomes for people with disabilities will result from co-operation among service providers (in the Shire) with the active participation of people with disabilities.
7. The unique needs of people with disabilities of Aboriginal and Torres Strait Islander background will be recognized.
8. The legal rights of people with disabilities will be recognised and protected, where Bland Shire has opportunity to provide input and support.
9. Plans and actions will be developed to ensure planning and service provision takes into account the needs of people with disabilities.
10. All new facilities operated by the Council shall be designed to be fully accessible to persons with all types of disability and all existing facilities operated by the Council shall, where possible, be progressively modified to optimize their accessibility.
11. Council staff should be given the opportunity to undertake in-service training related to disability.
12. No suitable applicant for employment with the Council shall be rejected on the basis of disability.
13. The Council shall, where possible, make available its resources to bodies in the area, to assist in community education and the full and effective participation and inclusion of persons with disabilities in all aspects of life in the community.
14. The Council shall encourage developers to optimise the accessibility of their projects and incentive schemes to encourage this shall be investigated.
15. The Council shall encourage all non-council bodies to maximise the accessibility of their facilities, programs and services.
16. The Council shall actively enforce the relevant building regulations and the Council's requirements for the provision of access to new and existing buildings.

**References:**

- a. Bland Shire Council Community Plan, 2001
- b. NSW Government Disability Policy Framework 1998
- c. Disability Discrimination Act (Commonwealth) 1992
- d. Anti-Discrimination Act (NSW) 1977
- e. Australia Bureau of Statistics
- f. Government Policy and Services to Support and Include People with Disabilities 2007
- g. Local Government Act 1993
- h. Local Government (General) Amendment (Community and Social Plans) Act 1998
- i. Australia Bureau of Statistics Survey of Disability, Ageing and Carers (SDAC) 2012
- j. Australia Bureau of Statistics 2011 census

**Authorisation:**

<b>Status</b>	<b>Committee</b>	Access Advisory Committee	
	<b>Manex</b>	N/A	
<b>Owner</b>	<b>Director of Corporate, Community and Development Services</b>		
<b>EDRMS Doc. ID</b>	437087		
<b>Superseded Policy</b>	Community Access Policy – 23 May 2003 Disability Access Policy – 23 May 2003		
<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
23 May 2003	0		
15 July 2014	1	17072014	July 2019

<b>Related Council Policy / Procedure</b>