

DRAFT INCLUSION (DISABILITY) ACTION PLAN

2007- 2011

CITY OF SYDNEY

- JANUARY 2008 -

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CONTENTS

- 1. Executive Summary**
- 2. Summary of Recommendations**
- 3. Significance of Disability Discrimination Legislation**
- 4. Physical Disability Council of NSW (PDCN)**
- 5. Discussion on the Draft Inclusion (Disability) Action Plan 2007- 2011**
 1. Reporting Mechanisms
 2. Availability of Resources for Implementation of Disability Action Plan
 3. Limited time to Implement Disability Action Plan
 4. Integrated Accessible Public Transport
 5. Access Development Control Plan (DCP) 2004
 6. Heritage Status

1. EXECUTIVE SUMMARY

The Physical Disability Council of NSW (PDCN) would like to thank the City of Sydney for conducting the Inclusion Study in preparation of the Draft Inclusion (Disability) Action Plan 2007- 2011.

PDCN would like to stress the importance of increasing the awareness and understanding of Council Officers and Councillors, to assist with the successful implementation of this Action Plan. The City of Sydney needs to consider the adoption of an Access Development Control Plan as a high priority.

2. SUMMARY OF RECOMMENDATIONS

Recommendation 1: That information is provided and promoted in all formats so that interested stakeholders are advised well in advance when a significant document is on public exhibition.

Recommendation 2: That the Disability Action Plan include actions on the following broad categories:

1. Access to services and events;
2. Equitable opportunities for participation;
3. Accessible information;
4. Positive community attitudes;
5. Advocacy for people with a disability;
6. Staff training; and
7. Equitable employment practices.

Recommendation 3: That following Council adoption, that the Disability Action Plan 2007- 11 be submitted to the Human Rights and Equal Opportunity Commission (HREOC) for inclusion on their website.

Recommendation 4: That strategies are implemented to increase understanding and awareness of Senior Council officers and Councillors.

Recommendation 5: Those effective reporting tools are implemented with the adoption of the following:

- Council adoption of minutes from the Access Forum via the Cultural and Community Services Committee;
- Recognition of the Inclusion Committee as a Council Committee, with an adopted constitution; and
- Council adoption of minutes from the Inclusion Committee also via the Cultural and Community Services Committee.

Recommendation 6: That information needs to be available to the general community in a number of formats.

Recommendation 7: Those differences between the 'Internal Inclusion Reference Group' and the 'Inclusion Committee' are identified.

Recommendation 8: That the annual income and predicted expenditure for each project is accurately itemised before the implementation of the project.

Recommendation 9: That implementation of the Disability Action Plan to be extended a further five years until 2015.

Recommendation 10: That the City of Sydney reports annually on implementation of the Plan, within the Council Access and Equity Plan and Council annual report.

Recommendation 11: That the City of Sydney continue to advocate for the immediate access improvements to the following train stations:

- Martin Place
- St James
- Museum

Recommendation 12: That the City of Sydney and NSW Ministry of Transport work corporately to ensure that public transport infrastructure is located, designed and constructed appropriately, including:

- Public wharves
- Bus stops/ shelters
- Taxi ranks
- Light train facilities
- Train stations
- Accessible parking
- Pre pay facilities
- Ticket vending machines and counters
- Accessible sanitary facilities
- Food and drink vending machines
- Signage

- Audio messaging

Recommendation 13: That the City of Sydney uses the HREOC Access to buildings and services: Guidelines and Information until completion of the Access DCP.

Recommendation 14: That the City of Sydney urgently develops an Access DCP including all aspects of the built environment.

Recommendation 15: That the Draft Inclusion (Disability) Action Plan City reinforces the need for affordable, visitable housing.

Recommendation 16: That the new Access DCP includes a statement on heritage, requiring Council to consider access via usual entry points as the first option. Only when this is not feasible should other mechanisms be considered.

3. SIGNIFICANCE OF DISABILITY DISCRIMINATION LEGISLATION

The Senate Legal and Constitutional References Committee has summarised citizenship as consisting of the following four linked elements:

- (demonstrating) the quality of full membership and active participation;
- (occurring) in a just, democratic and mutually supportive political community;
- including the individual and collective rights and responsibilities - legal, social,
- economic, cultural and environmental - that go with such membership; and
- (having) the public and private policies and resources needed to sustain it.¹

4. THE PHYSICAL DISABILITY COUNCIL OF NSW (PDCN)

The Physical Disability Council of NSW Inc (PDCN) is the peak body representing people with physical disabilities in NSW.

PDCN was formed in late 1994 by a group of people with physical disabilities, committed to change, and received seed funding in 1995.

Today, PDCN is funded by the NSW Department of Ageing, Disability and Home Care.

Our Philosophy : “Ordinary People: Ordinary Lives”

PDCN believes that people with physical disabilities need to have the opportunity to make ordinary life choices, to lead the lives they want to lead, in the manner of their choosing. In short, to have the same choices and opportunities as everyone else in their communities.

People with physical disabilities are not special, extraordinary people, transcending their disabilities, but ordinary people wanting to create a life for themselves. Some will become extraordinary achievers in their chosen paths, but this will be as a result of the original ordinary choices and paths taken, not due to disability.

These ordinary lives are brought about by the creation of “level playing fields” from which people with physical disabilities are able to choose their paths in life. These “level

¹ Productivity Commission Inquiry into the DDA - Disability Council of NSW (2003)

playing fields” consist of systems, structures, programmes and funding throughout the community that support an individual to make ordinary choices. Equal access to education, employment, housing, health, recreation, leisure, together with personal assistance, equipment, accessible public transport, accessible buildings and facilities are all examples of the components of these “level playing fields”. In isolation these individual components have minimal impact.

Our Vision:

Creating change through collaborative leadership.

Our Mission:

We do this by representing people in NSW who experience physical disability, using community development approaches.

Our Values:

- Integrity
- Inclusion - within the community
- Committed - to our philosophy
- Independence - without fear or favour
- Communication

Our Key Priority Areas

- Reform
- Research
- Governance
- Organisational Development

5. DISCUSSION OF THE DRAFT CITY OF SYDNEY DISABILITY ACTION PLAN 2007- 11

Recommendation 1: That information is provided and promoted in all formats so that interested stakeholders are advised well in advance when a significant document is on public exhibition.

Recommendation 2: That the Disability Action Plan include actions on the following broad categories:

1. Access to services and events;
2. Equitable opportunities for participation;
3. Accessible information;
4. Positive community attitudes;

5. Advocacy for people with a disability;
6. Staff training; and
7. Equitable employment practices.

Recommendation 3: That following Council adoption, that the Disability Action Plan 2007- 11 be submitted to the Human Rights and Equal Opportunity Commission (HREOC) for inclusion on their website.

The Physical Disability Council of NSW (PDCN) appreciates the opportunity to provide feedback on the City of Sydney Draft Disability Action Plan 2007-10. It is understood that Council endorsed this Action Plan for public exhibition on Monday 15 October 2007 and closes on Monday 25 January 2008.

Due to the demographic, historical, economic and political importance of this Council area the City of Sydney needs to be seen as a leader and role model for other local government areas to follow.

It is understood that actions identified in the draft City of Sydney Inclusion (Access and Equity) Study-Attachment A were prepared in response to a consultation conducted by Westwoodspice in November 2006.² Approximately ninety recommendations from this consultation were included in this draft plan. Actions identified in this consultation were then grouped together within the following broad categories:

1. Access to services and events;
2. Equitable opportunities for participation;
3. Accessible information;
4. Positive community attitudes;
5. Advocacy for people with a disability;
6. Staff training; and
7. Equitable employment practices.

The categories outlined above are those commonly found in Disability Action Plans. It is recommended that once adopted by the City of Sydney, that it is then submitted the Human Rights and Equal Opportunity Commission (HREOC) website.

1. Reporting Mechanisms

Recommendation 4: That strategies are implemented to increase understanding and awareness of Senior Council officers and Councillors.

Recommendation 5: That effective reporting tools are implemented with the adoption of the following:

- Council adoption of minutes from the Access Forum via the Cultural and Community Services Committee;

² [Attachment A | PDF 5.6Mb](#) Inclusion Study - City of Sydney (November 2006)

- Recognition of the Inclusion Committee as a Council Committee, with an adopted constitution; and
- Council adoption of minutes from the Inclusion Committee also via the Cultural and Community Services Committee.

Recommendation 6: That information needs to be available to the general community in a number of formats.

Recommendation 7: That differences between the 'Internal Inclusion Reference Group' and the 'Inclusion Committee' are identified.

To obtain feedback from interested stakeholders, it is understood that the City of Sydney hosts a quarterly Access Forum, and an External Inclusion Committee to advise on the implementation of the Disability Action Plan 2007-11. An effective reporting mechanism is fundamental so that all Council staff and Councillors become familiar with issues affecting people with disabilities. With this increased understanding senior staff and Council will have a better understanding of the structural, financial, social and attitudinal barriers affecting people with disabilities living or visiting the City of Sydney.

The Draft Plan refers to the establishment of the 'Internal Inclusion Reference Group' in Action 1.2. PDCN believes that Council should clarify the membership, roles, responsibilities and legal parameters of members of the Internal Inclusion Reference Group.

A greater understanding and commitment would ensure that sufficient resources were allocated where required, and this will facilitate the inclusion of people with disabilities in all activities, similarly to other members of the community. PDCN believes that adopting the following reporting mechanisms could enhance implementation of the Disability Action Plan and attendance at the quarterly Access Forums, by implementing the following strategies:

- Adoption of minutes from the Access Forum via the Cultural and Community Services Committee;
- Recognition of the Inclusion Committee as a Council Committee, with an adopted constitution; and
- Adoption of minutes from the Inclusion Committee also via the Cultural and Community Services Committee.

2. Availability of Resources for Implementation of Disability Action Plan

Recommendation 8: That the annual income and predicted expenditure for each project is accurately itemised before the implementation of the project.

To assist with this review, PDCN attempted to locate relevant budgets on the Council website, but with little success. Relevant information could not be sought from the current Council Corporate Plan. Though limited information was provided in the Capital Works Program. Since improvements to access need to be included as part of other infrastructure programs such as 'Streetscape, Footways, Open Spaces and Parks',

PDCN was not able to determine which programs would be exclusively included within 'Accessibility Upgrades'. Nor could PDCN locate any reference to an access audit of Council facilities.

It is understood that Council has allocated funds and resources to each action included in the draft Action Plan. Though this vital data has not been documented as part of this Plan, and hence it is hard to be confident that some unforeseen event will not occur, such as the translation of a Council document into a number of different formats, impacting on the implementation of this or other programs. To prevent this from occurring, PDCN would recommend that each project be separately itemised with expected annual income and expenditure.

3. Limited time to Implement Disability Action Plan

Recommendation 9: That implementation of the Disability Action Plan to be extended a further five years until 2015.

Recommendation 10: That the City of Sydney reports annually on implementation of the Plan, within the Council Access and Equity Plan and Council annual report.

It is understood by PDCN that implementation of the Plan has been extended from 2010 to 2011. Since this Plan is still in draft, implementation will not begin well into the 2007/08 financial year, it concerns PDCN that insufficient time has been allocated for the implementation of the Plan, and hence needs to be extended until 2015. A gradual transition would assist with the inclusion of access into all Council programs, rather than actions within the Plan being seen as rapid, one-off event.

As the existing draft Plan indicates that nearly 60% of actions have been completed or otherwise near completion by the end of 2007, it is recommended that Council provide interested stakeholders with feedback regarding the progress of implementation of these actions. Feedback on the implementation of these actions should be provided as part of the following Community Forum in February-March 2008, followed by a Council report.

4. Integrated Accessible Public Transport

Recommendation 11: That the City of Sydney continue to advocate for the immediate access improvements to the following train stations:

- Martin Place
- St James
- Museum

Recommendation 12: That the City of Sydney and NSW Ministry of Transport work corporately to ensure that public transport infrastructure is located, designed and constructed appropriately, including:

- Public wharves
- Bus stops/ shelters
- Taxi ranks
- Light train facilities

- Train stations
- Accessible parking
- Pre pay facilities
- Ticket vending machines and counters
- Accessible sanitary facilities
- Food and drink vending machines
- Signage
- Audio messaging

The need for accessible public transport is recognised as a priority within the Council Social Plan 2006-10 for all members of the community.³ But the draft Disability Action Plan fails to incorporate this recommendation identified within the Social Plan. It is essential that access improvements to the following train stations be urgently implemented:

- Martin Place
- St James
- Museum

This need is further reinforced in the Sydney CBD Emergency Plan.⁴ PDCN recommends that the City of Sydney should continue to advocate for access improvements to train stations located in the Council area, particularly those identified above.

5. Access Development Control Plan (DCP) 2004

Recommendation 13: That the City of Sydney uses the HREOC Access to buildings and services: Guidelines and Information until completion of the Access DCP.

Recommendation 14: That the City of Sydney urgently develops an Access DCP including all aspects of the built environment.

Recommendation 15: That the Draft Inclusion (Disability) Action Plan City reinforces the need for affordable, visitable housing.

Action 1.1 identifies the urgent need for a new Access DCP to be completed by December 2007. Due to the importance and urgency of this action it is recommended that Council Officers use the HREOC Advisory Notes on Access to Premises until this action has been complete, or the Willoughby City Council Access, Mobility and Adaptability DCP.^{5, 6}

³ City of Sydney Social Plan 2006- 10

http://www.cityofsydney.nsw.gov.au/Council/documents/policies/SocialPlan_v2.pdf

⁴ City of Sydney- Lets Get Sydney Ready, NSW Government Sydney CBD Emergency Plan

http://www.catprotection.org.au/pdf/Factsheet_Disaster_Preparedness.pdf

⁵ Willoughby City Council <http://www.willoughby.nsw.gov.au/ignitionSuite/uploads/docs/Part%20C-1.pdf>

PDCN believes that a comprehensive Access DCP would effectively incorporate all aspects of the built environment; with electronic versions using links to other planning resources were appropriate. With one comprehensive Access DCP other actions already identified in the Draft Inclusion (Disability) Action Plan could be eliminated, such as:

- 1.5 Develop rationale to increase the percentage of adaptable housing in all suitable developments with the percentage to be determined on a class and application basis individually. Investigate the adoption of the standards for 'visitable' housing. Include in the DCP requirements for access to the entry level of all Class 2 developments.
- 2.3 Develop guidelines using HREOC notes and best practice examples for application of the Transport Standards to bus stops and adhere to accessibility targets, including as necessary auditing of bus stops for the correct placement of shelters.
- 2.4 Research the impact of set automatic door opening times in public toilets on users who have a disability and develop alternative solutions if needed to provide a longer time until doors open.

The current Council Social Plan recognises the need to provide affordable, secure, appropriate and accessible housing. This Plan further reinforces this by stating 'a person's home influences their well-being, sense of worth, their relationships with family and community and work. Research in Australia and overseas demonstrates that there is a strong correlation between the wellbeing of local communities and their capacity to develop and sustain networks and relationships. Subsequently PDCN would recommend that the Access DCP include a requirement for universally visitable housing as identified in Action 1.5 of the draft Plan- 'Investigate the adoption of the standards for 'visitable' housing. Include in the DCP requirements for access to the entry level of all Class 2 developments'.⁷

6. Heritage Status

Recommendation 16: That the new Access DCP includes a statement on heritage, requiring Council to consider access via usual entry points as the first option. Only when this is not feasible should other mechanisms be considered.

The Council Strategic Plan 2006- 09 recognises the importance of retaining the 'value of our natural, cultural and urban heritage. By building upon this strong foundation and through our commitment to sustainability, equity and civic collaboration.'⁸ Additionally the Inclusion (Access and Equity) Study recognises that older people are more likely to choose to settle as close to the city as possible, particularly as the population ages.

All members of our community, whether visitors, residents or employees, have a right to visit and use all domains of the built environment, including heritage facilities.

⁶ HREOC Advisory Notes on Access to Premises

http://www.hreoc.gov.au/disability_rights/standards/Access_to_premises/premises_advisory.html

⁷ City of Sydney 2006- 2010 Social Plan - Community Planning and Infrastructure Action 5.4

⁸ City of Sydney 2006- 2009 Strategic Plan

With the large amount of assets having a heritage status within this Council area, PDCN believes that the Council needs to incorporate a clause into the new Access DCP regarding heritage. This clause would need to be consistent with the objects of the Disability Discrimination Act (Cth) 1992, and would need to replace the current clause in the City of Sydney Heritage DCP 2006.

The HREOC website suggests that a compliant clause would state that organisations that occupy or are responsible for heritage buildings need to preferably provide access through the usual entrance and pathways and only consider alternative means if prevented by heritage considerations.