

Policy

Access and Inclusion

Version 1.1

Adopted by Council at its meeting on xxx

Minute No. xxx

Division: Community and Natural Resources
Section: Community and Cultural Services
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Access and Inclusion Policy

Policy Objective

The objective of this Policy is to outline Council's commitment to the principles of universal access and social inclusion. The Policy ensures that Council planning and decision making is guided by appropriate standards and guidelines and that Council fulfils responsibilities under state and federal legislation.

Definitions

Access (sometimes referred to as universal access): means that regardless of ability a person can approach, enter, pass to or from and make use of an area and its facilities without assistance.

Inclusion: Social inclusion refers to a sense of being included in the social life of the community and treated with equality and dignity.

Universal design: A product, environment, building design and construction that aims to accommodate the functional needs of everyone. The word universal is often seen coupled with specific design environments or products such as universal kitchen design or universal bathroom design. (Institute Access Training Australia, Unit 1 Access Terminology V3).

Policy Background

This Policy is a response to the **Commonwealth Disability Discrimination Act 1992**. In particular **Part 1 which outlines** the objects of this Act which are:

- (a) To eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of:
 - (i) Work, accommodation, education, access to premises, clubs and sport; and
 - (ii) The provision of goods, facilities, services and land; and
 - (iii) Existing laws; and
 - (iv) 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.

Part 3, Clause 60 and 61 of **Commonwealth Disability Discrimination Act 1992** concerns the provision of Action Plans. This Policy will guide Council's Access and Inclusion Action Plan.

Policy

Council has a responsibility to meet commitments under state and federal legislation, and to follow standards and guidelines for universal access and social inclusion in its provision of services, facilities, programs, planning and regulatory processes.

The principle of universal access and design has a broader scope in terms of creating communities that are liveable for everyone.

Tweed Shire Council is committed to:

- The principle of universal access with a broader commitment to access and inclusion for all people who live, work in and visit Tweed Shire
- The development of policy and planning processes that incorporate the principles of universal design
- Promoting access and inclusion in the community through leadership by example and through the provision of information and advice
- Planning, building and maintaining an accessible, inclusive community within the scope of its role and functions
- Providing accessible and inclusive services
- Providing information and communications in accessible formats
- Maintaining workplaces that are accessible and inclusive for staff, trainees, volunteers and students
- Achieving these commitments through the implementation of the Access and Inclusion Action Plan

Related Legislation

- *Commonwealth Disability Discrimination Act 1992 (DDA)*
This is a complaints based mechanism available to individuals or a delegate. The DDA takes a whole of society approach to the prevention of discrimination based on disability as defined under the Act.
- *NSW Disability Services Act 1993 (currently under review)*
The Act sets out an important framework that guides how support and funding for people with disability are provided.

The NSW Government is reviewing the Act. The purpose of the review is to develop new disability laws that reflect contemporary approaches to supporting people with disability. The Act was made in 1993. It was developed in response to the requirements of the 1991 Commonwealth and State Disability Agreement and mainly provides for delivering, funding, and regulating specialist services for people with disability. The Act sets out a progressive, rights-based, approach to supporting people with disability.

- *NSW Anti-Discrimination Act 1997*
The Act makes it unlawful to discriminate against a person on the grounds of disability and other types of discrimination in certain circumstances and aims to promote equality of opportunity between all persons.
- *Disability Access to Premises Standards - Buildings 2010*
Any building construction or building renovation work in the categories of buildings listed in the *Commonwealth Disability Discrimination Act 1992* where a Development Application is required must comply with the *Disability Access to Premises Standards - Buildings 2010*

Relevant Australian Standards

- *Australian Standard 1428.1-2009, 2001 Design for Access and Mobility*
Part 1: General requirements for access-New Building work
- *Australian/New Zealand Standard 2890.6-2009 Off street parking for people with disabilities*
- *Australian/New Zealand Standard 1158-2010 Street Lighting Applications*
- *Australian Standard 4685.1-2004 Playground Equipment*

These standards can be purchased from www.saiglobal.com

Compliance

Council Officers and Work Units responsible for:

- delivering services to the community
- planning, design, construction and regulation of infrastructure including community buildings
- planning, design and construction of open space environments and streetscapes

must consider relevant Australian Standards and Guidelines for accessibility.

Forms

N/A

Review Period

This Policy will be reviewed within 12 months of the election of each new Council and in association with the review period determined for the Access and Inclusion Plan.

Useful Links

[Tweed Shire Council website](#)

[Division of Local Government](#)

[Disability Discrimination Act 1992](#)

[Disability Access to Premises Standards \(Buildings\) 2010](#)

[Guidelines to the Application of the Premises Standards](#)

[Anti-Discrimination Board of NSW, Anti-Discrimination Guidelines for Local Councils 2011](#)

