ballina shire council DISABILITY INCLUSION ACTION PLAN 2023-2026



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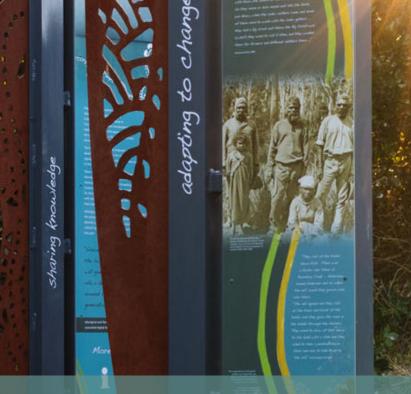
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## Acknowledgement of Country

Ballina Shire Council acknowledges that we are here on the land of the Ngangbul people of the Bundjalung nation. Council pays respect to Elders, past and present. The Bundjalung people are the traditional custodians of this land and are part of the oldest surviving continuous culture in the world.

## Message from the Mayor



It is a pleasure to present Council's Disability Inclusion Action Plan (DIAP) 2023-2026. Council has worked over many years to improve access and inclusion in our shire as we believe that this will increase opportunities for people with a disability to participate in community life.

We aim to ensure that access and inclusion is a key consideration in all areas of our services and operations. The actions in the DIAP are linked to the strategies found in Ballina Shire Council's Community Strategic Plan and are integrated into Council's delivery program, meaning that access and inclusion is a whole of council responsibility.

Council has had the benefit of the ongoing input and advice on disability issues from our Access Reference Group (ARG). I would like to take this opportunity to acknowledge and thank the current and past members of the ARG for their invaluable service.

The actions in this plan have been developed through the many conversations and responses to our recent community engagement in reviewing the previous DIAP and in preparing our Community Strategic Plan.

Cr Sharon Cadwallader Ballina Shire Council Mayor

# **Guiding Principles**

Ballina Shire Council is committed to continuing to work towards building an inclusive and accessible community that meets the needs of all its residents, regardless of ability. The NSW State Government requires that each Council in NSW develop its own Community Strategic Plan (CSP), and this sits above all other Council plans and policies in the organisational and governance planning hierarchy.

The CSP identifies the community's main priorities and aspirations for the future, to promote a positive lifestyle and improve the quality of living for our residents and visitors.

Our CSP documents the vision for Ballina Shire as:

## Ballina Shire is safe, with a connected community, a healthy environment and a thriving economy.

The CSP is based on social justice principles determined by the NSW Government:

- **Equity** there is fairness in decision making and prioritising and allocation of resources.
- Access All people have fair access to services, resources and opportunities to meet their basic needs and improve their quality of life.
- **Participation** Everyone has the maximum opportunity to genuinely participate in decisions which affect their lives.
- **Rights** equal rights and opportunities for everyone to participate in community life.

These social justice principles are entrenched in the actions of the DIAP and in Council's other planning documents. Our DIAP will guide the actions that Council and others will need to take to improve access and inclusion in our community.

Working with our community partners to make Ballina Shire accessible and inclusive for all our residents and visitors regardless of ability

Ballina Shire's Vision for Inclusion

# Policy and Legislative Context

## **Principal Legislation**

### NSW Disability Inclusion Act 2014

The NSW Disability Inclusion Act 2014 (DIA 2014) provides the legislative framework for local government disability inclusion and access planning. The DIA 2014 outlines the NSW Government's commitment to ensuring that we continue to develop an inclusive and accessible community. The DIA 2014 requires that all councils in NSW must prepare a DIAP in consultation with people with a disability.

The diagram adjacent shows the connection between the DIA 2014, NSW Disability Inclusion Plan and Council Disability Inclusion Action Plans.

The DIA 2014 and all DIAPs are aligned with a range of international, Commonwealth and State legislation and policies that aim to increase opportunities and reduce barriers for access and inclusion.

## International

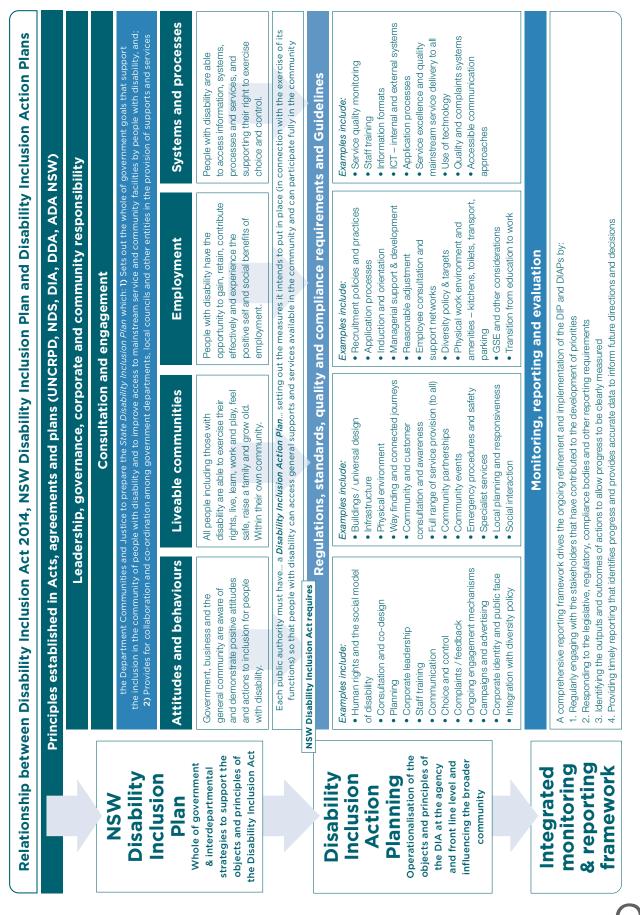
## United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

In 2008, the Australian Government ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) "to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity." (United Nations (2006), Convention on the Rights of Persons with Disabilities).

## Commonwealth

#### Disability Strategy 2021 - 2031

Australia's Disability Strategy 2021-2031 replaces and builds on the National Disability Strategy 2010-2020.



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The Strategy presents a national framework that all governments in Australia have signed up to. It sets out a plan for continuing to improve the lives of people with disability in Australia over the next ten years. It supports Australia's commitment under the United Nations Convention on the Rights of Persons with Disabilities.

The Strategy's vision is for an inclusive Australian society that ensures people with disability can fulfil their potential as equal members of the community. It includes targeted action plans for each of the outcome areas.

The Strategy drives change in seven outcomes areas:

- 1. Employment and financial security: Providing jobs and career opportunities for people with disability and making sure they have enough income to meet their needs.
- **2. Inclusive homes and communities:** Increasing the number of accessible, affordable and well-designed homes and creating a community that is inclusive and accessible.
- **3. Safety, rights and justice:** Ensuring the rights of people with disability are promoted, upheld and protected, and people with disability feel safe and enjoy equality before the law.
- **4. Personal and community support**: Providing people with disability access to support so they can live independently and engage in their communities.
- **5. Education and learning:** Supporting people with disability to access education and learning throughout their lives so they reach their full potential.
- 6. Health and wellbeing: Increasing support and capability in the healthcare sector to meet the needs of people with disability and ensuring disaster preparedness and emergency responses include the needs of people with disability.

7. Community attitudes: Recognising the positive contribution people with disability make to society and building confidence in the community to work and engage with people with disability.

#### **Commonwealth Disability Discrimination Act 1992**

The *Commonwealth Disability Discrimination Act 1992* (DDA 1992) recognises the rights of people with disability to equality before the law and makes discrimination based on disability unlawful. The DDA 1992 covers many areas of life including employment, education, access to premises and provision of goods, services and facilities. DDA 1992 sections 60 and 61 set out the provisions for the completion of DIAPs that fulfil the intent of the DDA and sets measurable and accountable goals. Public authorities may wish to draft their DIAPs under the DIA in such a way as to comply with both the DIA 2014 and the DDA 1992.

### State

#### NSW Anti-Discrimination Act 1977 (ADA)

The NSW Anti-Discrimination Act 1977 (ADA) relates to discrimination in places of work, the public education system, delivery and goods and services including services such as banking, health care, property and night clubs.

#### **NSW Government Sector Employment Act 2013**

The Government Sector Employment Act 2013 (GSE Act) and the associated Regulation and Rules provide a statutory framework focused on NSW government sector employment and workforce management. The GSE Act repealed the requirement for Equal Employment Opportunity Management Plans under the ADA. Instead, strategies for workplace diversity are now required to be integrated into workforce planning across the government sector. Integrating diversity requirements into workforce planning represents a shift in the way diversity is addressed in public sector employment.

### Additional NSW Acts

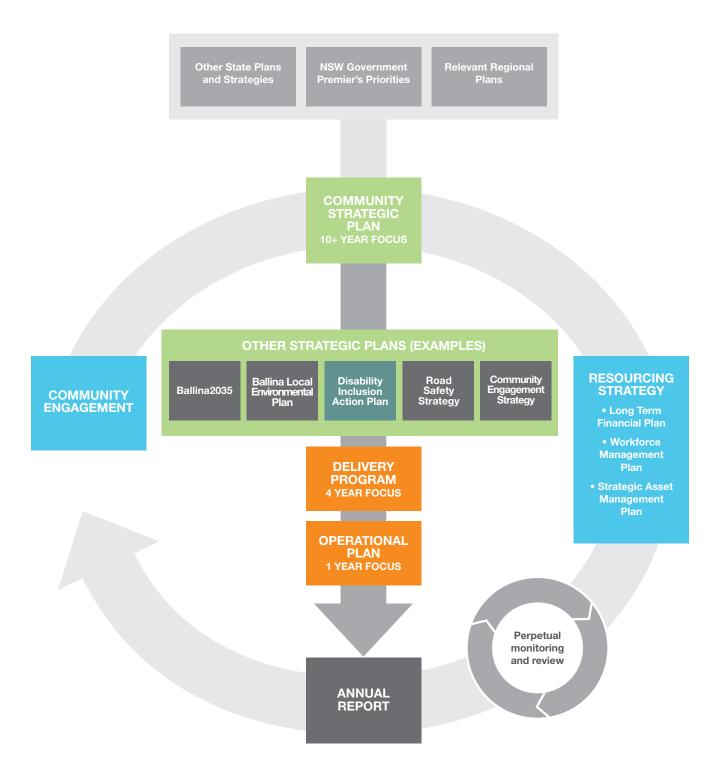
- Carers (Recognition) Act 2010
- Ageing and Disability Commissioner Act 2019

In addition to aligning with the above-mentioned international, Commonwealth and State policies, our DIAP also aligns with existing council plans and policies including

- Ballina Shire's Community Strategic Plan
- Council's Delivery Program and Operational Plan
- Pedestrian Access and Mobility Plan
- Equal Employment Opportunity Plan
- Child Safety Policy.

The linkages between our plans will assist in ensuring that the needs of people with disability will be included in all aspects of Ballina Councils' services, infrastructure and resources.

#### Ballina Shire Council's Integrated planning and reporting framework



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## What is a disability?

The *Disability Discrimination Act 1992* (DDA) defines **disability** in relation to a person as:

- total or partial loss of the person's bodily or mental functions
- 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, malformation or disfigurement of a part of the person's body
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour and includes a disability that<sup>1</sup>:
  - Presently exists
  - Previously existed but no longer exists
  - May exist in the future (including because of a genetic predisposition to that disability); or Is imputed to a person.

<sup>1</sup> To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

## Our community

The Ballina Shire is in the Northern Rivers region of NSW, the traditional country of the Bundjalung people. According to the 2021 census data, the estimated residential population of Ballina Shire was approximately 46,172. The total area of the Ballina Shire is 485km<sup>2</sup> and some 93% is zoned rural or environmental protection. A large proportion of existing native vegetation is on private land.

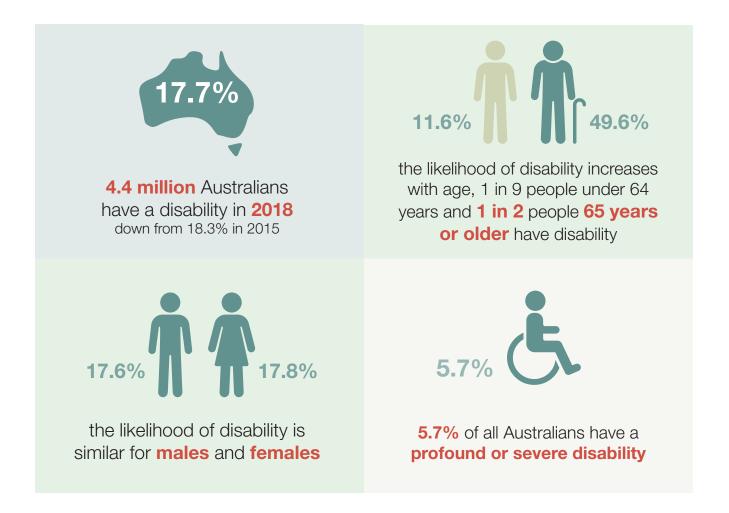
Our main town and commercial centre is Ballina, which is supported by other small towns and centres including Lennox Head, Alstonville, Wollongbar and Wardell. There are also a number of small villages and districts along the coast and in the hinterland. Our coast, the Richmond River and the escarpment and plateau near Alstonville are the standout geographic features in the shire. Their associated waterways, natural habitats, farming landscape and cultural and heritage values, along with the beaches and ocean, help to define our place and communities.



## **Disability Data**

The Australian Bureau of Statistics (ABS) conducts a survey of Disability, Ageing and Carers. The most recent survey was completed in 2018. The survey measures the incidence of disability in Australia, to measure the need for support for older people and people with disabilities, to provide a demographic profile of people with disability compared with the general population.

The following summary of results provides a profile of people with disability in Australia.



DISABILITY INCLUSION



almost **one quarter** of people with disability have a **mental or behavioural disorder** as their main condition, up from 21.5% in 2015



1 in 6 aged 15 years and over have a **bachelor's degree or above**, up from 14.9% in 2015



33.4%

one third of those with a disability aged 15 years and over have completed year 12 or equivalent, up from 31.4% in 2015



37.9% of those aged 15-64 years said their main source of personal income was a government pension or allowance, down from 41.9% in 2015



**59.7%** of people had their **need for assistance fully met**,

down from 62.1% in 2015 the need for assistance by age groups



**labour force participation** for people with a disability aged
15-64 years has remained stable at 53.4%, while people without disability have increased labour force participation (84.1%) since 2015



1 in 10 aged 15 years and over had experienced discrimination in the previous 12 months because of their disability, up from 8.6% in 2015

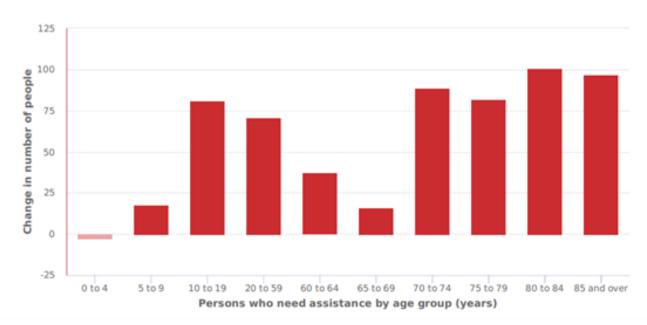


**11.4%** of those with a profound or severe disability aged 15-64 years were **working full-time** up from 7.9% in 2015

## **Disability in Ballina Shire**

In 2021, 3,117 people (or 6.7% of the population) in Ballina Shire reported needing help in their day to-day lives due to disability. This was a percentage increase from 2016.

Ballina Shire's disability statistics relate directly to need for assistance due to a severe or profound disability. The data helps in understanding the prevalence of people who need support in the community and, along with information on unpaid care received by a person with a disability, how that support is provided. As can been seen from the table below there has been an overall increase in the number of people who identified as needing assistance.



### Change in need for assistance with core activities, 2016 to 2021

Ballina Shire - Total persons

## Need for assistance with core activities

#### Ballina Shire persons (usual residence)

assistance		2021			change		
needed by age group (years)	no.	% of total age group	% regional NSW	no.	% of total age group	% regional NSW	2016 to 2021
0 to 4	29	1.3	1.6	32	1.5	1.3	-3
5 to 9	113	4.5	5.0	95	3.9	3.8	+18
10 to 19	246	4.7	4.8	165	3.4	3.6	+81
20 to 59	672	3.3	3.5	601	3.2	3.6	+71
60 to 64	183	5.4	6.5	146	4.5	7.0	+37
65 to 69	184	5.3	7.8	168	5.4	7.9	+16
70 to 74	263	8.1	10.4	174	7.4	9.6	+89
75 to 79	266	11.5	14.9	184	10.0	14.1	+82
80 to 84	361	21.9	24.8	260	19.1	23.1	+101
85 and over	792	43.8	46.2	695	39.5	43.8	+97
total persons needing assistance	3,117	6.7	6.8	2,518	6.0	6.3	+599

Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021

## **Emerging groups**

The major differences in the age groups reporting a need for assistance between 2016 and 2021 in Ballina Shire were in the age groups:

- 80 to 84 (+101 persons)
- 85 and over (+97 persons)
- 70 to 74 (+89 persons)
- 75 to 79 (+82 persons)

### **Dominant groups**

Analysis of the need for assistance of people in Ballina Shire compared to Regional NSW shows that there was a similar proportion of people who reported needing assistance with core activities.

Overall, 6.7% of the population reported needing assistance with core activities, compared with 6.8% for Regional NSW.

The major differences in the age groups reporting a need for assistance in Ballina Shire and Regional NSW were:

- A smaller percentage of persons aged 75 to 79 (11.5% compared to 14.9%)
- A smaller percentage of persons aged 80 to 84 (21.9% compared to 24.8%)
- A smaller percentage of persons aged 65 to 69 (5.3% compared to 7.8%)
- A smaller percentage of persons aged 85 and over (43.8% compared to 46.2%)

#### Ballina Shire Regional NSW 50 40 % of the population 10 0 5 to 9 10 to 19 60 to 64 0 to 4 20 to 59 65 to 69 70 to 74 75 to 79 80 to 84 85 and over Persons who need assistance by age group (years)

#### Need for assistance with core activities, 2021

<image>

In Ballina Shire there were 5,287 carers providing unpaid care to a person with a disability, long term illness or old age in 2021. The proportion of people providing unpaid care can be an important indicator of the level of demand for care services and the need for local and state governments to make provision for local facilities. An increasing proportion of carers among the population may indicate inadequate care provision, the need for in-home support, or support for the carers themselves.



## **Unpaid care**

#### Ballina Shire persons aged 15+ (usual residence)

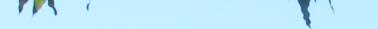
assistance to a person with a		2021			2016			
disability, long term illness or old age	no.	%	% regional NSW	no.	%	% regional NSW	2006 to 2011	
provided unpaid assistance	5,287	13.6	13.1	4,445	12.8	12.6	+842	
no unpaid assistance provided	30,978	79.9	79.3	26,872	77.1	77.0	+4,106	
not stated	2,485	6.4	7.6	3,542	10.2	10.3	-1,057	
total persons aged 15+	38,750	100.0	100.0	34,859	100.0	100.0	+3,891	

Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021

## Achievements of the previous DIAP

From 2017 - 2022 Council has delivered a range of projects and implemented actions that directly support the needs of people with disability including:

- Supporting the role and function of the Access Reference Group.
- Construction of the first fully accredited Changing Place toilet facility in NSW.
- Amendment of design templates for construction of footpaths to improve accessibility.
- Construction of an extensive network of accessible shared pathways and ongoing condition audits of the pathway network.
- Alteration of the design specification for public amenities such as picnic tables, drinking fountains and garbage bins.
- Installation of accessible pool entry ramps and change facilities in redeveloped public swimming pools in Ballina and Alstonville.
- Provision of adult size changing table and electronic hoists in changing rooms at the Ballina and Alstonville swimming pools.
- Provision of a network of accessible unisex toilets with the Master Locksmith Access Key (MLAK) free of charge to eligible residents. MLAK keys can be used to open accessible toilets across Australia.
- Upgrade works to Shaws Bay including accessible parking spaces, obstruction free pathways, covered shade area and access ramp to water.
- Construction of above-standard accessible toilets at the Ballina-Byron Gateway Airport and the Ballina Indoor Sports Centre.
- Lake Ainsworth embellishment works include accessible pathways, amenities and access ramps to the water.
- Council web pages made compliant with Web Content Accessibility Guidelines 2.0 AA.
- Assessment of Council facilities to ensure accessibility.
- Continued support of the employment of the Regional Works Crew, which is made up of people who have intellectual disabilities.
- Training of Council staff in disability awareness.
- Provision of accessible beach wheelchairs free of charge.



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Shaws Bay access ramp to water

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Ballina Street, Lennox Head

Lennox Gelato & Coffee Co.

Pop Denison Park, East Ballina

Ballina Shire Council has been supported in achieving many outcomes of the DIAP 2017-22 via the input and direction of the Disability Access Reference Group. This group has assisted Council for over 25 years, with two members having been part of the group since its inception.

The group comprises individuals with a range of abilities and lived experiences. The group regularly provides Council with advice on proposed development via the review of development applications and Council infrastructure plans, and continues to provide advice to council on a broad range of access and inclusion issues.





## **Development of the Plan**

This plan was developed through research of best practice examples in the creation of more accessible places; demographic analysis of disability rates in our local government area; review of other DIAP's and relevant literature; and through several community engagement sources.

#### Consultation

Council regularly consults with residents to better understand local issues and needs. This plan has been formulated from feedback gained from a review of the previous DIAP 2017-2022, numerous one-on-one conversations with people with disabilities, representations from disability support organisations, and feedback received as part of the development of Council's Community Strategic Plan (CSP).

The key messages received from community feedback are summarised as follows:

- The importance of enabling people with disabilities to participate in community life was a constant theme raised. Feedback to Council highlighted the importance of continuing to maintain and improve our pathways and amenities for accessibility.
- The importance of wayfinding, particularly for people living with dementia, has been raised as an area that should be improved in our community.
- Advocating for and promoting improvement in employment opportunities for people with disabilities was identified as an area that should be supported.
- Ensuring that accessible design elements are included in the construction of community infrastructure was identified as a key action Council can take to ensure accessibility for all residents.



# Strategies and Actions

This section sets out actions that Council will follow to ensure that we are building a community that is inclusive and accessible. The Actions have been prioritised:

high	medium	low
priorities within	priorities within	priorities within
2 years of the adoption	2-3 years of the	3-4 years of the
of the DIAP	adoption of the DIAP	adoption of the DIAP

The DIA 2014 sets out four focus areas that councils must address in their DIAPs:

1	promote positive community attitudes and behaviours to increase awareness and change negative perceptions over time
2	work to create liveable communities to ensure that the built environment in Ballina is accessible to all people regardless of ability
3	implement systems and process to ensure people with disabilities are able to access information and services
4	support employment opportunities to support initiatives that increase opportunities for people with disabilities to enter into the workforce



#### 1. ATTITUDES AND BEHAVIOURS

Council will work to improve the perceptions of people with a disability by undertaking the following actions:

actio	on	priority	resource required	measures and targets	Community Strategic Plan direction
1.1	Continue to support the role and function of the Ballina Shire Access Reference Group (ARG)	High	Integrated into existing staff processes	Meetings held bi-monthly	CC1.3 Monitor the built infrastructure and the services delivered to the community to ensure relevant standards are being met
1.2	Establish a portfolio of positive images of people with disability	High	Existing budget allocation	Portfolio created	CC2.1 Encourage community interaction, volunteering and wellbeing within all our communities
1.3	Incorporate images of people with disability into corporate documents	High	Integrated into existing staff processes	Images included	CC2 We have a sense of belonging within the community
1.4	Utilise Community Connect publication to promote the importance of access and inclusion	High	Integrated into existing staff processes	Articles published	CC2 We have a sense of belonging within the community
1.5	Include disability awareness training during induction of new staff	High	Integrated into existing induction processes	Training delivered	CC2.1 Encourage community interaction, volunteering and wellbeing within all our communities
1.6	Acknowledge and promote International Day for People with Disability (IDPWD)	High	Integrated into existing staff processes	Promoted in Community Connect and social media	CC2 We have a sense of belonging within the community



### 2. LIVEABLE COMMUNITIES

Council aims to improve access and inclusion in the built environment

action		priority	resource required	measures and targets	Community Strategic Plan direction
2.1	Apply the principles of universal design in the planning and construction of new and updated public spaces/ infrastructure	High	Integrated into existing staff processes	Universal design incorporated into design process	CC1.3 Monitor the built infrastructure and the services delivered to the community to ensure relevant standards are being met
2.4	Maintain existing accessible toilets in working order	Medium	Integrated into existing staff processes	Accessible toilets open	CC1.3 Monitor the built infrastructure and the services delivered to the community to ensure relevant standards are being met
2.6	Promote the location of Accessible toilets in the shire	Low	Integrated into existing staff processes	Toilet location updated on national toilet map	CC3 There are services and facilities that suit our needs
2.7	Undertake an audit of public Accessible parking spaces	Medium	Integrated into existing staff processes	Audit undertaken	CC1.3 Monitor the built infrastructure and the services delivered to the community to ensure relevant standards are being met
2.8	Investigate best practice wayfinding systems	Low	Integrated into existing staff processes	Improved wayfinding	CC3 There are services and facilities that suit our needs

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#### 3. SYSTEMS AND PROCESS

Council aims to ensure its systems and process are inclusive and meet the needs of people with a disability

actio	on	priority	resource required	measures and targets	Community Strategic Plan direction
3.1	Maintain Council's website compliance to WCAG21 AA standards	Medium	Integrated into existing staff processes	Website compliant	CC3 There are services and facilities that suit our needs
3.2	Ensure that Council documents and publications are available in alternative formats	Medium	Integrated into existing staff processes	Alternative formats available	CC3 There are services and facilities that suit our needs
3.3	Update Council's web page to include information about disability access services and amenities in the LGA	Medium	Integrated into existing staff processes	Website updated	CC3 There are services and facilities that suit our needs
3.4	Undertake audit of current disaster response systems in terms of appropriateness to meet the needs of people with disabilities during disasters	High	Integrated into existing staff processes	Audit undertaken	CC1.3 Monitor the built infrastructure and the services delivered to the community to ensure relevant standards are being met



### 4. MEANINGFUL EMPLOYMENT

Council aims to assist in increasing work opportunities for people with disabilities

acti	on	priority	resource required	measures and targets	Community Strategic Plan direction
4.1	Review current recruitment process to ensure it is inclusive	Medium	Integrated into existing staff processes	Review undertaken	CC2 We have a sense of belonging within the community
4.2	Work with community partners in increasing job opportunities for people with disability	Medium	Integrated into existing staff processes	Partnerships established	CC2 We have a sense of belonging within the community
4.3	Support council staff with disabilities to continue to work with Ballina Shire Council	High	Integrated into existing staff processes	Staff supported	CC1 We feel safe and resilient



## Monitoring and Reporting

Council will continue to ensure that access and inclusion is embedded into our systems and processes, and be responsive to issues as they arise, responding accordingly.

Management of the implementation, monitoring and reporting of the actions within the DIAP will sit with Council's Strategic Planning section. Council's Access Reference Group will also support the implementation of the plan by providing ongoing feedback on the progress of the actions.

The priorities associated with the actions listed will provide a framework for completing each action.

Several of the actions are ongoing and these will be reported against as examples are completed. Implemented DIAP actions will be reported against quarterly as part of Council's Delivery Program and Operational Plan reporting cycle. These quarterly reports are available on Council's website at *ballina.nsw. gov.au/agendas-and-minutes*.

Ongoing assessment of actions within this Strategy will be conducted to make sure individual actions are relevant and meeting community needs throughout the DIAP timeframe.

Circumstances may occur where minor administrative changes to this document are made. Where an update does not significantly alter this document, such a change may be made administratively. This may include a change to the name of a Council, Commonwealth or State Government department or a minor update to legislation which does not have a significant impact. Any modifications that significantly change or update the document will only be done by resolution of Council.

As per the legislative requirements of the DIA 2014, an end of year report will also be lodged with the Disability Council of NSW.

*ballina* shire council DISABILITY INCLUSION ACTION PLAN 2023 - 2026



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