



AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

12 May 2017

Jeanette Radcliffe
Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Ms Radcliffe,

The Australian Local Government Association (ALGA) appreciates the opportunity to make a submission to the committee's inquiry into the delivery of outcomes under the National Disability Strategy 2010-2020.

ALGA has consulted with its state and territory associations in preparing the submission. Comments in this paper should be read in conjunction with submissions made by state and territory associations and councils.

Should you require any further information in relation to the matters raised in this submission, please contact Monica Telesny on telephone (02) 61229433 or email monica.telesny@alga.asn.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Adrian Beresford-Wylie', is written over a faint, illegible printed name.

Adrian Beresford-Wylie
Chief Executive



AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

ALGA SUBMISSION TO THE SENATE STANDING COMMITTEE ON COMMUNITY AFFAIRS INQUIRY INTO DELIVERY OF OUTCOMES UNDER THE NATIONAL DISABILITY STRATEGY 2010-2020

The Australian Local Government Association (ALGA) appreciates the opportunity to make this submission to the Senate Community Affairs Committee's inquiry into the delivery of outcomes under the National Disability Strategy 2010-2020 to build inclusive and accessible communities. ALGA is the national voice of Australia's 537 local councils. Its membership is comprised of the state and territory local government associations across the country. ALGA's President represents local government as a member of the Council of Australian Governments and several other ministerial councils. ALGA has consulted its member associations and the comments made in this submission should be read in conjunction with submissions from state and territory associations and individual councils. The comments contained in this paper reflect feedback received from ALGA's members.

The National Disability Strategy 2010-2020 sets an expectation that councils will not only plan for compliance with the Disability Discrimination Act 1992, but will engage with their communities, including people with disability to fully understand the issues that need to be addressed and work towards sustainable and appropriate outcomes for their communities.

Disability planning at local government level

Councils have been involved in disability inclusion planning for 20 years. Some councils are in their second or third iteration of preparing Disability Access and Inclusion Planning.

In 1995, ALGA released a Guide to assist councils in meeting the requirements of the *Disability Discrimination Act 1992*. Councils were responding to disability access and inclusion issues, to try to remove direct and indirect discrimination in their communities. Councils are often at the vanguard of change, responding to the unique needs of their communities.

Local government has a major contribution to make in enabling people with disability to participate equally in their communities. All councils are required to prepare a range of plans, in consultation with their communities, to ensure they deliver the services and infrastructure required by their communities and forecast their future activities. Most local governments have a disability action or equal access plan, or include disability action under their strategic plan or their social inclusion plan. In Western Australia, Victoria and New South Wales, Disability Action and Inclusion Plans (DIAPs) for local government are mandatory under state government legislation. In 1996, Western Australia became the first state to mandate local government disability plans.

In jurisdictions where disability access and inclusion plans are not mandatory, many local governments nevertheless plan for the needs of people with disability. Often, local governments are innovators and leaders in how they respond to the special needs of their communities, developing local level solutions to meet the needs of people with disability.

Through this planning role, council demonstrates its commitment to ensuring that the needs of people with disability are taken into account in creating a community which allows everyone to fully participate.

To further assist councils in meeting their requirements under the National Disability Strategy, ALGA developed a new disability planning guide. A copy is attached to this submission and is available on the ALGA website, the DSS website and the Australian Human Rights Commission website.

Disability Guide for Local Government – a new resource for local government, released in November 2016

A new Guide, *Disability Inclusion Planning – A Guide for Local Government* was produced by the Australian Local Government Association (ALGA) in 2016, to assist councils meet their obligations in supporting people with disability under the National Disability Strategy.

The Guide was commissioned by ALGA with funding support from the Commonwealth (Department of Social Services) and launched in November 2016. The Guide is an important resource to assist councils to understand and respond to the obligations and requirements of the National Disability Strategy.

The National Disability Strategy has changed the way we look at disability, moving away from a compliance focus, to a holistic way of responding and providing people with disability the opportunity to fully participate in all aspects of society. The Guide encourages councils to put a disability lens over all planning and activities, conscious that small changes can have a big impact on people with disability. The Guide also highlights the benefits of an inclusive society – social, economic and legal. However, the most important aspect is that people with disability deserve the same treatment and opportunities as anyone else in the community.

The Guide is designed to provide councils with the tools they need to set priorities and goals in partnership with their communities. In addition to summarising all Commonwealth and State and Territory legislation relating to disability, the Guide contains practical information such as case studies, templates, checklists and a wealth of information for councils to either prepare their first Disability Access and Inclusion Plan, or to update an existing Disability Access and Inclusion Plan.

The Guide emphasises the benefits of including people with disability in the planning process and on advisory committees.

Whether or not a State or Territory mandates Disability Access and Inclusion Plans, ALGA encourages all councils to develop a DIAP. Developing a DIAP is not only good council practice, but demonstrates a council's commitment to creating a more inclusive and accepting community.

Local government's role in creating an inclusive society

Local government plays an important role in creating an environment inclusive of all people, through its planning role and through its involvement in the management and delivery of many community activities and services. Councils are providers of a myriad of goods, services, and infrastructure for their communities, and have been proactive in providing facilities which are inclusive of all people in their communities for decades.

Councils are often the first port of call for information on services and programs, such as the NDIS, even if they are not provided by councils – councils provide an important information role in connecting residents to community facilities and services.

Councils also work in partnership with local community organisations, and assist them through in-kind or other support, to improve community inclusion and cohesion.

It is important, however, to note that local government is responding to a range of community needs and demands and is doing as much as possible within limited existing resources. Councils face a myriad of priorities emanating from their communities, as well as the other levels of government, and do their best to meet the needs of their communities, with limited resources, legislative constraints and capacity constraints.

The Federal Government's decision to freeze the indexation of the Financial Assistance Grants (FAGs) in the 2014-15 Budget for a period of 3 years, has impacted the financial capacity of councils. The decision will cost councils an estimated \$925 million in FAGs to the end of 2017-18. The untied FAGs funds are used to fund diverse infrastructure services such as roads, bridges, parks, pools and halls as well as providing services to the young, the elderly and local community and sporting groups. The freeze in indexation affects all levels of council activities, including delivery of outcomes under the National Disability Strategy.

Regional and remote councils experience additional challenges to their metropolitan counterparts in terms of financial sustainability and resourcing constraints. They are more reliant on grants and have been hit harder by the FAGs freeze.

Smaller, remote and regional councils need assistance in implementing the requirements of the *Disability Discrimination Act 1992* and the requirements under the National Disability Strategy – both financial and resourcing. These councils will struggle to meet the requirements of the NDS without assistance from either the Commonwealth or the relevant State or Territory.

LG works within state government frameworks

The National Disability Strategy 2010-2020 (NDS) was developed under the auspices of the Council of Australia Governments (COAG) to be a shared vision for an inclusive Australian society which enables people with disability to fully participate in their communities. The Strategy aims to improve the planning, design and delivery of policies, services and infrastructure under six key policy outcome areas.

Each of these policy outcome areas - inclusive and accessible communities; rights protection, justice and legislation; economic security; personal and community support; learning and skills; and health and wellbeing - have relevance to Local Government.

Local governments operate within state and territory legislation and policy frameworks, and the implementation of the strategy at the jurisdictional level is driven by state and territory disability plans.

Local governments in all states and the Northern Territory are required to prepare a series of plans to determine community goals and aspirations. All members of the community, including people with disability, have the opportunity to provide input into local government planning and programs, ensuring that strategic plans respond to the unique needs, requirements and expectations of the local community. The strategic plan may be supported by a corporate plan and a range of other plans addressing social inclusion, ageing, road safety, public health, land use, and so on. In this way, local governments shape the physical environment, including the infrastructure that supports public transport; parks; buildings and housing; information; and civic life, including social, sporting, recreational and cultural life. Local governments can also assist in creating employment opportunities, providing accessible services and advocating within the local community.

Due to the different requirements across jurisdictions, councils need to meet the various requirements of their State or Territory, as well as national requirements. Creating better linkages between jurisdictions and local government state and territory associations can improve the implementation of the NDS, as well as improve data collection on progress. It is important to ensure that Commonwealth and State legislation are consistent in terms of requirements and objectives, to incorporate the practicalities of implementation, and that local government is engaged in discussions and decisions on local priorities.

ALGA works with its state and territory associations to encourage councils to develop disability plans that align with the aims of the Strategy, and to ensure the needs of people with disability are taken into account in the planning process.

Under the National Disability Strategy, the Local Government Disability champion (ALGA's former President, Dr Felicity-Ann Lewis), was the longest serving Disability Champion, and played an active role in promoting the National Disability Strategy to councils and promoting the benefits of developing and renewing a DIAP.

Accessible infrastructure and transport

The Access to Premises standards and Access to Public Transport standards set out the accessibility standards which apply to new buildings, upgrades of existing buildings and to public transport services. Local government is committed providing access to the buildings and facilities they own or manage.

Councils have met and continue to meet the requirements of the premises standards. However, rural and regional councils experience greater financial challenges and are more reliant on Government

grants for funding. The cost of making buildings, footpaths, bus stops and other infrastructure compliant, means that councils must schedule these upgrades over time. For example, installing lifts in heritage council buildings can be difficult and expensive and requires large injections of funding.

Additionally, there is a need for better guidance to local government on other accessibility issues. For example, the Institute of Public Works Engineering Australasia is working with Local Government New South Wales to develop a guide on applicable infrastructure in relation to accessible infrastructure outside buildings, including public footpaths, parks, playgrounds, landscaping and road crossings. Detailed guidelines on these aspects of accessibility are not currently available. Once completed, they could be shared across local government.

For many years, ALGA has argued that although councils are endeavouring to upgrade facilities, the cost of upgrading many buildings and bus shelters is significant. Councils, particularly rural and regional councils, require assistance to help them to meet the requirements. ALGA has urged the Commonwealth to address these funding issues, by providing the necessary assistance to councils and by ensuring that future policies and legislation are developed in a manner which takes more account of implementation issues for councils.

ALGA has encouraged councils to incorporate a schedule proposed infrastructure upgrades into their DIAPs or Strategic Plan, to demonstrate their commitment to improving accessibility, as resources allow.

ALGA
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