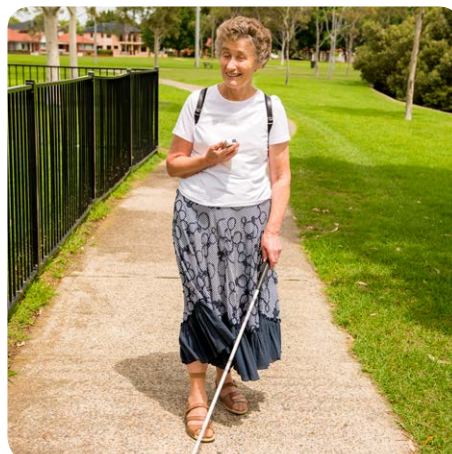




Pathways to Inclusion

Recommendations for preparing Local Government Disability Inclusion Action Plans in the key area of Living Accessible Communities.

Living Accessible Communities Taskforce is a collaboration between Guide Dogs NSW/ACT, Blind Citizens NSW, People with Disabilities Australia and Inner West Council.



Contents

Introduction	3
Impact and implementation process of DIAPs within Local Government	4
Footpaths	6
Lack of Footpath	6
Uneven Footpaths	7
Low Hanging Branches	8
What Can Councils do?	9
Barriers in the Path of Travel	10
Street Furniture	10
Obstacles on Footpath	11
Cars parked on Footpaths	11
Council Works/Temporary Barricades	12
What can Councils do?	13
Outdoor Dining and Footpath Trading	14
What can Councils do?	15
Shared Pathways and Shared Zones	16
What can Councils do?	16
Kerb Ramps and Road Crossings	17
Misaligned Kerb Ramps	17
Blended Kerbs	17
Kerb Gradient	17
What can Councils do?	17
Dog Issues	18
Dogs off Leash	18
Responsible Dog Handling in Public	18
What Can Councils do?	19
Determining measurable outcomes and the way forward	20
Legislative context	22

Introduction

Liveable, accessible communities and environments are communities that include everyone and enable people to move safely and independently. Liveable, accessible communities are essential to ensuring equitable opportunity for people with disability to confidently and safely participate in education, employment, sporting, cultural and social activities.

We recognise significant consultation has occurred during the production of the 2015 Local Government NSW's, 'NSW Disability Inclusion Access Planning Guidelines'¹ and for the Australian Local Government Association's 'Disability Inclusion Access Planning – a Guide for Local Government'² (the Guidelines).

Those Guidelines “provide Local Government with the necessary tools to develop a stand-alone Disability Inclusion Action Plan (DIAP) or to undertake a disability inclusion action planning process that is delivered through their Integrated Planning and Reporting (IP&R) framework. Whatever the choice, councils must show that people with disability have been regularly engaged and that inclusion is effectively delivered.”³

Guide Dogs NSW/ACT, Blind Citizens NSW, People With Disability Australia and Inner West Council have collaborated to undertake consultation and research to provide practical

advice which will assist Councils to develop and implement their DIAPs and monitor practical outcomes to make their local communities accessible. In their continued advocacy roles, often providing advice to State and Local Government, the consultation process administered by the NGO's identified practical access issues encountered by almost 500 people with disability with commonalities across many local government authorities.

The following recommendations have been informed by the substantial specialist expertise imbued within Guide Dogs NSW/ACT's Orientation and Mobility Specialists & Access Consultants, People With Disability Australia, Blind Citizens NSW and Inner West Council Access and Inclusion staff, advising on local government inclusion planning. This combined knowledge and expertise, as well as the survey outcomes have resulted in a practical supplement to the thorough Guidelines that Councils are already using as a reference guide.

It is acknowledged that there have been activities, strategies and measures already put in place by Councils. Considerable action has been taken to date to improve infrastructure, policy, enforcement, maintenance and regulation. However, there continue to be barriers to access that have been identified through our consultation and this document attempts to address these issues as they relate to Liveable Accessible Communities.

Impact and implementation process of DIAPs within Local Government

Local Councils are a significant and critical player in the creation of inclusive communities. Without the understanding and application of universal design through design, development, maintenance and ongoing management of the public domain, people will not be able to effectively participate in their communities. Simply put, inclusion will not occur.

Inclusion planning is now an ongoing mandated responsibility of NSW Councils formally expressed through the provisions outlined within the NSW Disability Inclusion Act 2014. Annual reporting of your progress is also required under the Act. Many Councils have chosen to develop plans to respond to these responsibilities.

Councils' role now is to proactively integrate such plans, strategies and actions that promote inclusion into core business through your Integrated Planning Framework and Community Strategic Plan and Delivery Plan. This ultimately relies on well researched data, investigation and understanding of the nature of issues and context from which barriers to inclusion occur. Consultation with local users of the area, the infrastructure and systems is essential to this knowledge. Likewise forming partnerships with your community and key providers to develop solutions to these pressing issues will be an important step in realising goals.

“Pathways to Inclusion” can be used as either the start of that understanding or to augment data you have already captured along your own journey to inclusion.

Survey Methodology

Throughout November and December 2016, a Survey Monkey Questionnaire was distributed amongst Guide Dogs NSW/ACT client base (people with vision impairment who were over the age of 18) across metropolitan and regional NSW. Blind Citizens NSW also distributed the questionnaire. The survey was advertised through both Guide Dogs NSW/ACT and Blind Citizens NSW electronic newsletters as well as their social media channels. Participation in the survey was conducted either online or via telephone survey.

Recognising the benefit to local government and the value of capturing broader responses from a wider cross section of people with disability, a slightly amended survey was circulated through both People With Disability Australia (PWDA) and The Physical Disability Council of NSW (PDCN) in January 2017.

Both surveys contained qualitative and quantitative components. In total 488 people participated in the survey giving their viewpoints of their direct experience when accessing their local communities in NSW.

The findings and recommendations from the survey evidence the most commonly reported access issues and barriers preventing people from moving about independently and safely in their community. We are aware of other issues related to Liveable Accessible Communities also affecting people with disabilities. We plan to address these specific issues in further publications.

The findings of this survey reflect the considerable experience of the collaborators involved in administering the survey and also confirm similar findings from previous surveys conducted by Guide Dogs NSW/ACT.

Research findings – outcome of survey

The outcomes address the specific questions posed in the survey but they are not a complete

comprehensive list. The majority of respondents had vision impairment so the outcomes and recommendations highlight their needs.

We also acknowledge that ongoing surveys are necessary to ensure that access issues are raised, and more importantly, that improvements are evident over time.



Footpaths

Overwhelmingly the greatest access concerns reported from respondents attributed to footpath use, whether it be the state of the footpath, lack of footpath or obstructions on the footpath or into the path of travel, both temporary or permanent.

All pedestrians rely upon the ability to travel safely from A to B, to ensure that they can stay active and independent. People with disability rely on being able to travel safely to their destination.

People with vision impairment cannot usually see the hazards and risks in their path, so it is vital that Council understands pedestrian needs in order to reduce risk of injury when travelling on footpaths. It is also important to understand that a person using a cane may not detect the hazards or risks in their path. A person with low vision may not see the hazard. A person using a Guide Dog may be taken off the path to avoid the hazard. A person with mobility difficulties may be unable to safely navigate the path if it is blocked/obstructed or poorly maintained.

When an uneven footpath or obstruction is encountered, a person must:

- recover from the unexpected shock
- find their way around the hazard, which can force them into another hazardous situation
- relocate their path
- re-establish their direction
- continue on their journey with trepidation until their next encounter with a hazard

In order to help reduce the incidence of this happening, a few simple actions can make a big difference. We have attempted to address this under the section, **“What can Councils do”**.

Lack of Footpath

Lack of footpaths was found to be a notable barrier to safe or effective travel. It is difficult to maintain orientation when there is no distinct pathway. Pathways are also essential for pedestrians who use wheelchairs or scooters, those with an ambulatory disability and those pushing a pram.

With only one footpath on one side of the street, it means that pedestrians have to cross the road to continue to use the pathway, often at an unsafe and inaccessible location.

The more a person has to deviate from the desired line/direct route the more energy is required. Everyone has different fitness and fatigue levels. If the person has a chronic health condition and/or a disability the extra distance could be the deciding factor on if the person is able to continue the journey.



Uneven Footpaths

Uneven footpath surfaces were consistently noted as one of the most problematic and frequently encountered issues that impacts the respondent's mobility. This arises often because of poor maintenance, less than ideal design or surface material and is sometimes due to incorrect installation.

- Uneven footpaths present as a trip hazard, which can lead to falls and significant injuries
- Raised edges or sections of footpath can cause a person's foot to catch
- Lowered or eroded sections may lead to a person stumbling or turning an ankle
- A footpath that is undulating can be hard to recognise visually and can cause jarring and discomfort. This also affects people who are older, those with balance impairments and people using wheelchairs.

An uneven ground surface can result in trips and falls for those with vision impairment and ambulatory disability and poor access for those using wheeled devices. Falls can occur for wheelchair users when the irregularity or sudden level change impairs the motion of the mobility device, particularly those with smaller front wheels. When even small irregularities occur, the momentum of the device is destabilised and can result in the user being thrown from the chair.

Uneven footpaths need to be repaired when there is an alert or identified through regular footpath audits. Causes of irregular footpaths such as tree roots, sunken services access, temporary repairs that leave inconsistent surface levels or soil erosion should be monitored to ensure they are not causing damage and present a safety hazard.



Low Hanging Branches

Branches and foliage that hang at head height and below over a pathway were reported as major concerns for pedestrians with vision impairment. A person who uses a long cane when travelling will not be able to detect these hazards, as the cane will only pick up obstacles below waist height. Travellers who use a Guide Dog may not have sufficient room to safely walk around overhanging branches.

Whether the bushes or branches are overhanging from the sides or above, they are an unexpected and dangerous hazard. This is made even worse when the branches are wet as they usually hang lower into the path of travel. This can negatively affect the person's confidence and independence.

Trees should be maintained so that branches do not overhang footpaths. Maintenance staff should also be responsive to requests for trimming from members of the public as well as promoting this need to property owners/residents where the branches originate from private property adjoining the footpath. Branches need to be trimmed above a height that would be problematic for pedestrians when rain will weigh branches down to be lower than other times.



What can Councils do?

- Promote how the public can report any locations that have uneven footpaths to Council so that they can be fixed. This mechanism should be clear, easy and accessible for the public to use.
- Respond in a timely fashion to reports of uneven paths.
- Regularly inspect footpaths and repair uneven sections.
- Ensure that footpaths are suitably repatriated to a safe condition after services have been accessed underneath.
- Ensure that paved footpaths be central in urban planning and be provided where they do not currently exist in a pedestrian environment.
- Provide continuous footpaths on both sides of the street including kerb ramps where a road or lane intersects the footpath.
- Ensure the road/lane surface between the kerb ramps is even and without holes or trip edges.
- Ensure that the street trees selected will not cause future issues with paving.
- Keep trees and bushes trimmed vertically and horizontally away from footpaths.
- Respond promptly to complaints from the public about the need for trees to be trimmed.
- Keep vertical clearance on paths to a minimum of 2 metres in wet weather when branches hang lower.
- Trim trees and shrubs so that they are well clear from the pedestrian area.
- Ensure that footpaths are swept regularly to minimise slip hazards caused by fallen leaves and seed pods. Priority/high volume pathways should be addressed first where resources are limited.
- Check and review progress with users on a regular basis to measure improvement and identify priority areas. Develop your own KPIs and service standards that address these action items and are appropriate to the area.

Barriers in the Path of Travel

Predictability of street furniture location is important. Care needs to be paid in ensuring the most direct trafficable surface is clear of such objects. Constant meandering around objects creates uncertainty and difficulty for users to negotiate where mobility devices have to be controlled. It also creates unpredictable movement patterns in pedestrians as they try to gauge speed and direction of others around them. People with ambulant disabilities can find this particularly difficult as well where it requires additional balance and pressure on joints.

The pedestrian area of the footpath should be located adjacent to the building line and kept clear of dining, goods and signage.

Street Furniture

Street furniture is an object installed on the street for public use, for example, benches, bollards, phone/Wi-Fi, bins, planter boxes, 'A frame' signs, parking meters and water fountains.

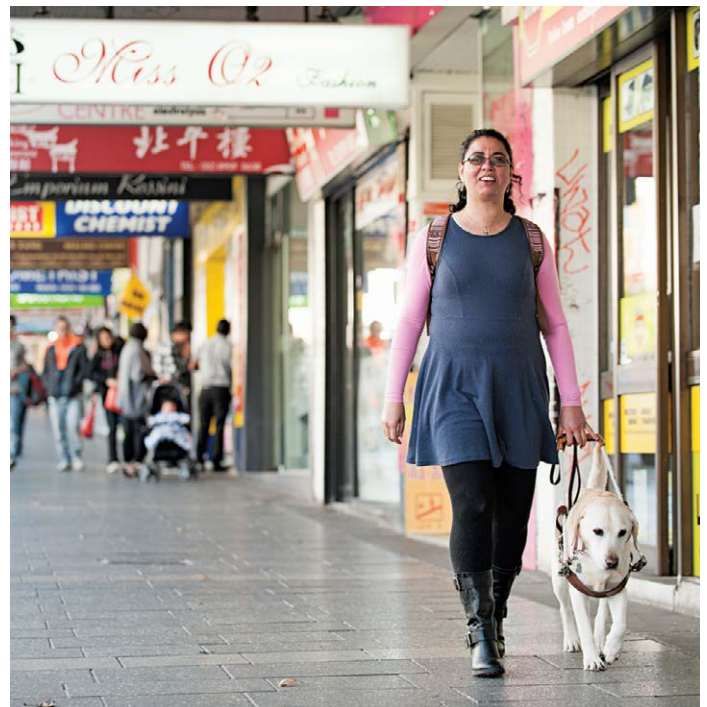
The survey found street furniture placed in the path of travel to be a significant barrier to access. Respondents also had major concerns with other

obstacles on the path of travel including dining, footpath trading, parked cars, shared pathways and construction and repair works.

Street furniture in the path of travel is unpredictable for the pedestrian, particularly those with vision impairment. Having tables and chairs, sandwich boards and goods on display adjacent to doorways make it very difficult for all people to locate the entrances to shops. For people who are blind or vision impaired that are unable to use visual clues to locate the entrance, this situation is even more complicated.

We recommend that all street furniture be positioned outside the clear path of travel and the use of pedestal objects avoided.

Where street furniture restricts the navigable width of the existing pathway, Council needs to be aware of the altered pedestrian movement. This is especially evident where it coincides with an entry to the path, (i.e. shop, kerb ramp) and then reduces the minimum circulation space required by all users. Often 'pinch points' are created whereby the object, through its location, reduces the capacity of the path to allow easy movement. People who have a larger spatial footprint (i.e. use a mobility device) are less agile on their feet will be disadvantaged.



Obstacles on Footpath

The most frequently reported obstacles on the footpath reported by respondents included; wheelie bins/rubbish bins, leaf litter, broken glass, food scraps and hard waste

The location of wheelie bins on and after bin day are difficult to predict and can be difficult to pass. Where footpaths are narrow, this can set up an irregular pattern of obstruction with no viable alternative.

Leaf litter can pose a slip hazard and be hard to detect for those with impaired vision. It may also be unavoidable for those using crutches and other walking aids or prosthetics.

Broken glass is hazardous to both pedestrians and Guide Dogs and food scraps provide a dangerous distraction to Guide Dogs.

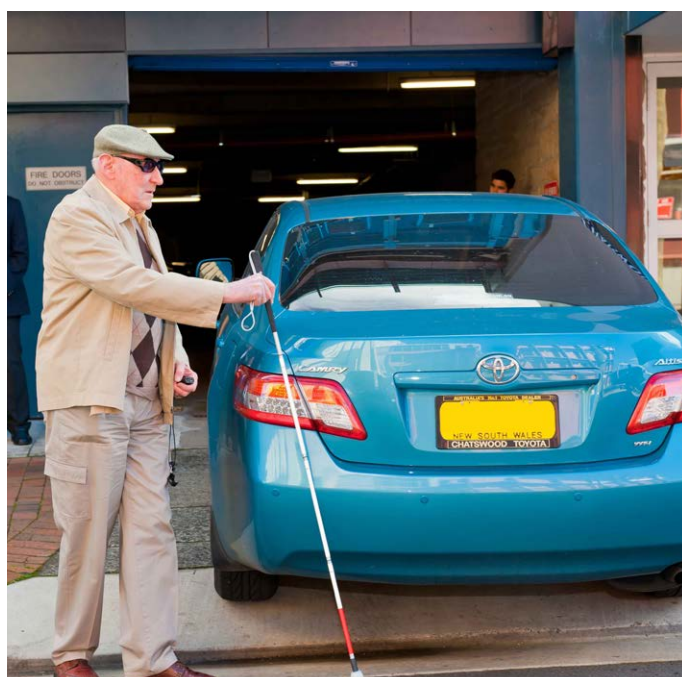
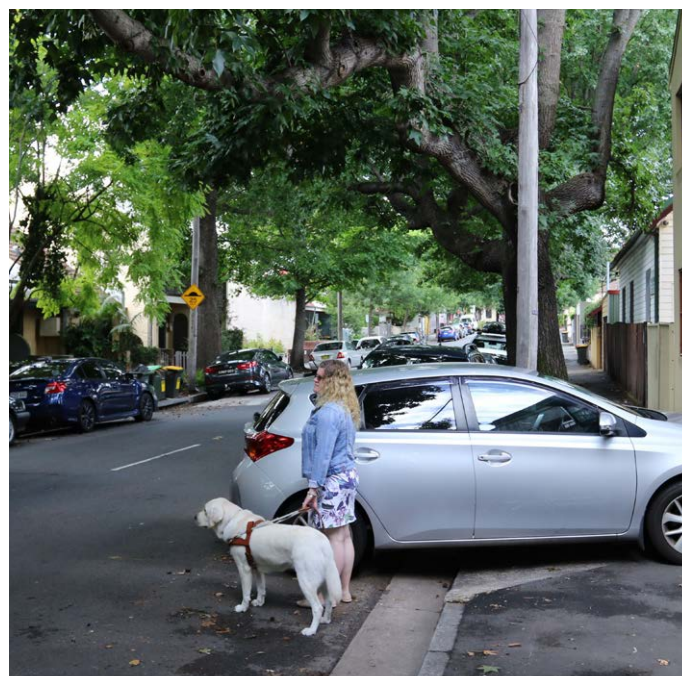
Hard waste and associated debris awaiting collection often spill from the nature strip onto the footpath, creating an obstacle and trip hazard.

Cars Parked on Footpaths

A frequently reported problem was the issue of cars parked over the footpath on a driveway or on the street across a kerb ramp.

When a vehicle is parked across a footpath it is annoying for any pedestrian, but for someone with vision impairment or using a mobility device it can force the person into unsafe situations such as having to venture out onto the road. It can also be disorienting, or the person might sustain an injury from objects like ladders protruding from the back of a tradie's ute. Sometimes there is no option but to pass the vehicle by going onto the road. The pedestrian must return to the last pathway exit and travel on the road until there is an opportunity to get back onto the footpath. Cars parked over a kerb ramp can obstruct a safe entry or exit to a road crossing.

Think before you park. Clear footpaths are safer and needed for people who are blind, safer for families and safer for all pedestrians.



Council Works/Temporary Barricades

Construction and repair works along the footpath and surrounding areas can create temporary and permanent barriers along the path of travel. These obstacles are unpredictable and can force the pedestrian to deviate from their path of travel, often onto the road, to pass the area of disruption. Associated construction noise can be disorienting and distracting. It can also mask traffic noise that a pedestrian with vision impairment would need to listen to carefully to accurately judge a safe moment to cross the road.

Temporary barricades around construction sites or to guide pedestrians along an alternative path are unexpected and can be difficult to negotiate. The alternative path provided must also be accessible and appropriate assistance provided by construction staff if requested.

Debris from construction can create a slip hazard on the footpath and should be consistently cleared.



What can Councils do?

- Ensure regular maintenance and clean up occur on all public walkways and timely response to requests for rubbish or obstacle removal.
- Enforce the removal of wheelie bins to their place of storage in a timely manner after bin day.
- Ensure a consistent practice of placement of bins (kerb side) be employed and that waste removal crews return bins to these positions to ensure the path is passable for all users.
- Council Rangers prioritise streets to ensure cars are not parked across driveways or over kerb ramps.
- Regularly sweep streets, especially after heavy rains and winds when foliage and seeds can fall onto the paths.
- Keep the pedestrian zone on footpaths located next to the building line.
- Keep the accessible area of footpath at 1.8 metres wide.
- Keep the footpath free from trip hazards.
- Make the footpath as even as possible.
- Ensure that the footpath has all weather slip resistance.
- Ensure debris and rubble from construction along footpaths is cleared as a condition of consent.
- Council construction staff receives training on how to assist someone with a disability upon request.
- Check and review progress with users on a regular basis to measure improvement and identify priority areas. Develop your own KPIs and service standards that address these action items and are appropriate to the area.

Outdoor Dining and Footpath Trading

Outdoor dining refers to dining in public space, generally associated with an approved restaurant or cafe. Public space refers to footpaths, roads, public squares, nature strips, parks and access ways, i.e. the spaces between buildings that are available for public use. An absent or inconsistent outdoor dining policy can create an unpredictable and inaccessible path of travel for all pedestrians.

When dining furniture such as tables, chairs, heaters, barriers and signage are placed along the building line, the shoreline used by those with vision impairment is interrupted. "Shoreline" refers to a visual or tactile line or audible cue where two different structures or surfaces meet. In this case, the shoreline is the intersection of the building and the footpath. When followed, it can be used to maintain straight-line travel and orientation. A clear path along the building line is an important element that provides a consistent guiding line for people to follow.

People who are blind or vision impaired usually prefer to travel along the clear path next to the building line as this provides many clues for directionality and entry location. When the

primary pedestrian zone is moved towards the kerb line due to such activities, attention is needed to ensure users are not exposed to the drip line at the edge of awnings. This creates an inconsistent and slippery surface where falls are more likely.

In addition, attention is needed where pedestrian 'pinch points' are created as a result of such activity. This makes negotiating the pathways more difficult and requires more energy for pedestrians with a mobility restriction. Negotiating passage among other pedestrians (especially for wheelchair and/or scooter users) is more difficult as passing space, speed and manoeuvring all have to be effectively judged by all parties. This is more complex and leads to collisions in areas where the pedestrian volume is greater.

It is recommended that all outdoor dining furniture be placed off the building line and this to be stipulated in a published Outdoor Dining Policy. It is also recommended that this Policy be consistently applied and enforced.

Keeping the building line clear also allows the user to be able to identify the premises.



What can Councils do?

- Keep all footpath dining areas, street furniture, signage and goods on display away from the building line.
- Ensure all footpath dining areas have suitable barriers enclosing the whole area and clearly identify the entry and exit.
- Adopt an Outdoor Dining and Footpath Trading Policy ensuring that the footpath is clear, outdoor dining is kerbside and footpath trading does not create hazards or obstruct the continuous accessible path of travel.
- If footpath dining barriers are used they require:
 - Suitable luminance contrast
 - Suitable height
 - Sturdiness
 - Have no trip hazards for footings
 - Footpath dining barrier openings align with the premises opening
 - Clear entry and exit points
 - Replicate the key features of the building to maintain the essence of a building line



Shared Pathways and Shared Zones

Shared pathways refer to those areas used by pedestrians as well as bicycles.

Pathways that are designed to address the competing requirements of pedestrians and cyclists have features that make it difficult for those with a disability.

Bicycles, which are silent by nature, can be difficult for those with a range of vision impairment to detect and to accurately judge the amount and direction of bicycle traffic. This is of particular concern when using a shoreline to maintain orientation and, if using this shoreline, it means that the pedestrian could be travelling against the flow of bicycle traffic.

Signs and painted pavement markings that indicate that a footpath is a shared pathway are not accessible to those with vision impairment so these pedestrians may not be aware they are traveling in such a zone.

Shared zones are those areas that are shared by pedestrians, bicycles and cars.

We believe that clear markers, (other than signage) are necessary to indicate the existence of a shared zone, especially to designate the delineation between road and footpath. In the absence of other indicators such as a kerb or change in gradient, it can be particularly

dangerous for people with impaired vision to know if they are on a footpath or in the path of a car.

Shared pathways and shared zones present risks and dangers to pedestrians with disabilities and should be avoided where other traffic management strategies can be implemented to achieve the same aims.

What can Councils do?

- Paths are clearly separated between pedestrians and cyclists.
- Shared zones are clearly marked with tactile ground surface indicators where necessary.
- Explore alternative traffic management strategies other than shared pathways and zones.
- Check and review progress with users on a regular basis to measure improvement and identify priority areas. Develop your own KPIs and service standards that address these action items and are appropriate to the area.



Kerb Ramps and Road Crossings

Misaligned Kerb Ramps

Kerb ramps that are not directly opposite each other on either side of the crossing are dangerous and disorienting for those with mobility difficulties. Aligned kerb ramps allow for quick passage across the crossing, reducing the amount of time spent on the road. A diagonal crossing increases the amount of time spent on the road. When a kerb ramp is not predictably in the corresponding position on the other side of the road, those with vision impairment also increase their time spent on the road searching for it. Aligning kerb ramps should be considered when designing and constructing crossings.

Blended Kerbs

Blended kerbs refer to those areas where the road and footpath are at grade, that is, there is no kerb ramp or change in gradient to indicate the demarcation. These kerbs are undetectable for those travellers using a long cane and difficult for a Guide Dog to determine as a road crossing. As such, these travellers may unwittingly find themselves on the road with no notice. Where provided, these crossings should be clearly marked with warning tactile ground surface indicators.

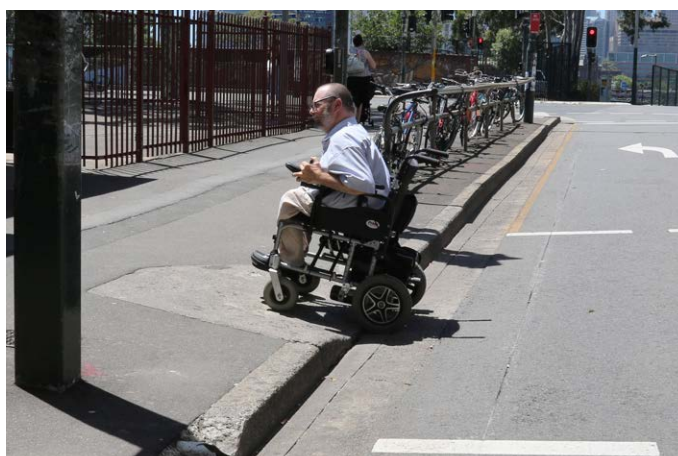
Kerb Gradient

Kerb gradients that are too steep can be difficult to negotiate for travellers who use wheelchairs, older people and those with other mobility difficulties. When the angle between the road and the kerb is too steep, therefore making the kerb ramp unusable, it may mean that the pedestrian is unable to exit the road or enter the footpath.

Conversely, kerb gradients that are too shallow are difficult to detect for travellers using a long cane. Kerb ramps need to be designed in accordance to current RMS guidelines. Those with a gradient less than the prescribed guidelines should have warning tactile ground surface indicators in the absence of any other detectable cues.

What can Councils do?

- Provide for aligned kerb ramps in the urban planning process.
- Where blended kerbs exist, install warning tactile ground surface indicators.
- Install kerbs as per the RMS guidelines or modify through reconstruction or installation of tactile ground surface indicators where appropriate.
- Check and review progress with users on a regular basis to measure improvement and identify priority areas. Develop your own KPIs and service standards that address these action items and are appropriate to the area.



Dog Issues

In a survey⁸ conducted in 2015, 83% of Guide Dog handlers reported that their Guide Dog had been distracted by an off-leash dog in the past 12 months.

Distracting a working Guide Dog reduces its capacity to do what it has been trained to do, potentially putting its handler's safety at risk. A well-intentioned pat can undo months of training, and frequent distraction can cause anxiety or serious injury for Guide Dogs and their handlers.

Dogs off Leash

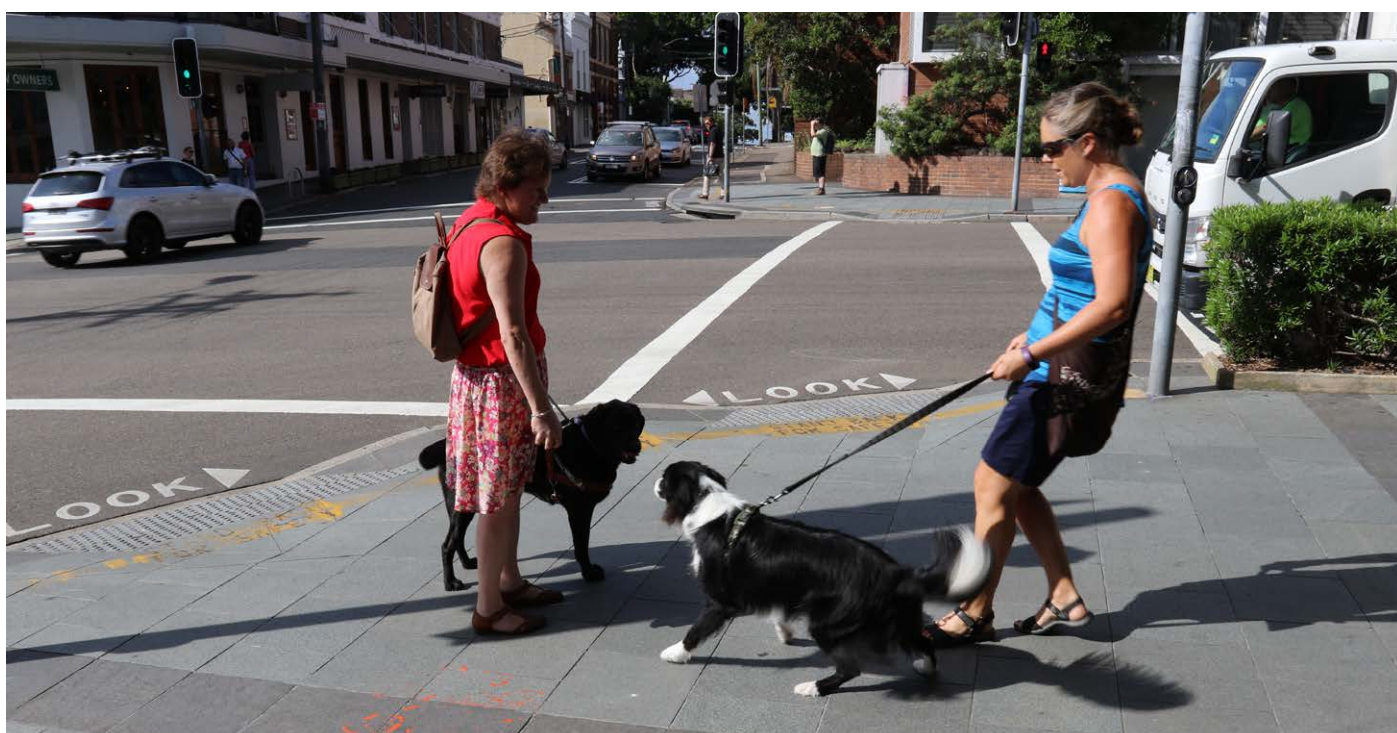
Dogs off leash are a major concern for Guide Dog handlers. They can pose serious risk to a working Guide Dog by approaching the Guide Dog, thereby diverting their attention away from keeping the handler safe. In this situation the guide dog handler may or may not be aware that the dog off leash is approaching, and thus will not be prepared to deal with a situation which may lead to an attack on the Guide Dog. Dogs off leash can distract a working Guide Dog so much that their long term work can be affected potentially leading to early retirement.

Dogs off leash can also be a trip hazard for people who use long canes as they can unexpectedly approach a person.

Some dogs react to wheels. This includes barking, chasing and even more aggressive behaviour towards people using wheelchairs or similar. Where the dog is larger and approaches wheelchair users the dog can be at face height, therefore causing a menacing and traumatic experience with few escape routes. It is not uncommon for several off leash dogs to be encountered along a path. These repeated encounters can be extremely stressful and potentially dangerous for people using wheelchairs.

Responsible Dog Handling in Public

Irresponsible dog handling in public can compromise the safety of any person who is blind or vision impaired. Unattended dogs outside shops was highlighted in the survey as a major concern. Unattended dogs can unexpectedly approach or jump on a person who is blind or vision impaired walking past them. They can distract a working Guide Dog by jumping or barking. Further, the leash with which dogs are tethered can be a trip hazard for a person using a long cane.



What can Councils do?

- Enforce a policy where dogs must be on a leash in all public places under immediate control of their owner.
- Enforce a policy that ensures responsible dog handling in public, including limited tethering of dogs away from footpaths and outside shops.
- Issue of fines where dogs are tethered unaccompanied on footpaths and major pedestrian walkways.
- Promote awareness of and enforce the Companion Animals Act 1998 (NSW).
- Promote awareness of and enforce Australia New Zealand Food Standards Code.
- Educate community about responsible management of pets in public areas.
- Check and review progress with users on a regular basis to measure improvement and identify priority areas. Develop your own KPIs and service standards that address these action items and are appropriate to the area.



Determining measurable outcomes and the way forward

Local Government is now very much in the spotlight as a key player in creating liveable communities.

Recent reforms at international, domestic and state level all confirm that there is still substantial change required before our communities can be equally enjoyed by all of their citizens. These matters are now firmly understood as rights rather than an aspirational goal.

Through the auspices of the NSW Disability Inclusion Act, Local Governments are the agencies where significant responsibility now resides and have an opportunity to show great leadership.

It is clear from the survey responses which informed many of the above recommendations, that many access issues preventing people with a disability from moving about independently and safely in their community, and in fact the general population, can be addressed by Local Councils continued commitment.

In an environment of fast paced infrastructure and community growth, development and innovation, research, monitoring and review of the accessibility of each LGA is essential.



Guide Dogs NSW/ACT 2014 Take the lead campaign

Through an ongoing commitment to consulting with stakeholders and community members and ensuring a culture that embeds accessibility for all as a bedrock principle into the everyday processes of Councils' activities, we have great hope that we will all see an increasingly accessible community for all over the next four years of the DIAP cycle and beyond.

Many barriers to equitable and dignified access are persistent and will require careful planning to overcome conflicts, however through the collaborative efforts of Councils liveable communities can be created that realise the modest goals people have to move about independently and safely in their communities.

The Liveable Accessible Communities Taskforce (LACT) came together with the aim to make known the barriers people face as identified

through research undertaken by its members and thus make Local Councils task easier. Armed with this knowledge and advice Councils can make a difference by incorporating strategies and actions into their planning frameworks that will facilitate the necessary improvement.

The LACT invites you to take on board these recommendations and to contact Guide Dogs NSW/ACT, Inner West Council, People with Disabilities Australia and Blind Citizens NSW to discuss any of these matters or to support you along your pathway to inclusion.



Footpath Obstructions

Uneven Paths

Guide Dogs NSW/ACT 2010 Don't Turn a Blind Eye campaign

Legislative context

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)⁴

The UNCRPD, ratified by Australia in 2008, acknowledges that people with disability have the same human rights as those without disability. This commits participating governments to ensure these rights can be exercised and that barriers are removed. The UNCRPD supports the social model of disability.

Broadly this regards disability as not residing in the individual or as an inherent characteristic of a person, but rather as a restriction caused through society's lack of accommodation in addressing that person's needs and rights such that they can participate on an equal basis with others.

This recognises that attitudes, practices and structures are the disabling agent and can create barriers to people from enjoying economic participation, social inclusion and equality. The impetus for the research undertaken by Guide Dogs NSW/ACT and our collaborators lies within a commitment to advocacy for and providing expert and practical advice to facilitate the implementation of the numerous principles enshrined within Article 9 of the UNCRPD.

Article 9 - Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

- (a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
- (b) Information, communications and other services, including electronic services and emergency services.

2. States Parties shall also take appropriate measures to:

- (a) Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- (b) Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
- (c) Provide training for stakeholders on accessibility issues facing persons with disabilities;
- (d) Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- (e) Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;

(f) Promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;

(g) Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;

(h) Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Disability Discrimination Act⁵

The Commonwealth Disability Discrimination Act (DDA) makes it unlawful for any person or organisation to directly or indirectly discriminate against a person with disability.

Direct discrimination occurs when a person or organisation treats, or proposes to treat, a person with disability less favourably than they would have if the person did not have a disability. This includes not making, or proposing to make, reasonable adjustments for the person with disability.

Indirect discrimination occurs when a person or organisation requires a person to comply with a requirement that, because of their disability, the person is not able to comply with, which causes the person with disability to be disadvantaged.

An example of this would be if the footpath has no kerb ramp. To step off the kerb, a pedestrian would be required to find the edge visually and be able to use steps.

National Disability Strategy⁶

The National Disability Strategy 2010-2020 provides a ten-year national policy framework and plan for improving life for Australians with disability, their families and carers to support the commitment made to the UNCRPD

It is intended that actions and initiatives taken under the Strategy to improve the accessibility of mainstream services for people with disability will complement specialist disability services and programs currently provided by Commonwealth, state and territory governments, including those provided through the National Disability Insurance Scheme.

The National Disability Strategy sets out six priority areas for action to improve the lives of people with disability, their families and carers.

These are:

1. Inclusive and accessible communities—the physical environment including public transport; parks, buildings and housing; digital information and communications technologies; civic life including social, sporting, recreational and cultural life.
2. Rights protection, justice and legislation—statutory protections such as anti-discrimination measures, complaints mechanisms, advocacy, the electoral and justice systems.
3. Economic security—jobs, business opportunities, financial independence, adequate income support for those not able to work, and housing.
4. Personal and community support—inclusion and participation in the community, person-centred care and support provided by specialist disability services and mainstream services; informal care and support.
5. Learning and skills—early childhood education and care, schools, further education, vocational education; transitions from education to employment; life-long learning.
6. Health and wellbeing—health services, health promotion and the interaction between health and disability systems; wellbeing and enjoyment of life.

National Disability Insurance Scheme (NDIS)⁷

The NDIS is a national system, which subject to eligibility, provides disability support focused on the individual needs and choices of people with permanent and significant disability. The NDIS gives participants more choice and control over how, when and where supports are provided.

The NDIS provides for a national insurance system to enable the funding and administrative systems to support people with disability to access the reasonable and necessary supports they need to lead an ordinary life. The NDIS will enable eligible people with a disability to pursue their interests in the community through individualised packages of funding.

Local government inclusion planning seeks to make local communities and environments accessible and inclusive, so that persons with disabilities can use their individualised funding for the specialist supports they need, rather than using such funding to access environments and services that are their right to access as citizens.

¹NSW Disability Inclusion Access Planning Guidelines', Local Government NSW, published 2015

²Australian Local Government Association's 'Disability Inclusion Access Planning – a Guide for Local Government; Alison Wallace (Director), Poppy Wise (Associate Director), Diane Fase (Senior Consultant) and Christina Griffiths (Consultant) from Urbis and Monica Telesny (ALGA Senior Policy Adviser)

³NSW Disability Inclusion Access Planning Guidelines', Local Government NSW , Pg 4,

⁴<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx#9>

⁵http://www.austlii.edu.au/au/legis/cth/consol_act/dda1992264/

⁶<https://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/government-international/national-disability-strategy>

⁷<https://www.dss.gov.au/disability-and-carers/programmes-services/for-people-with-disability/national-disability-insurance-scheme>

⁸Survey conducted by Sweeney Research across Guide Dog NSW/ACT clients in NSW, VIC, SA, ACT, TAS and NT in 2015.



Contributors

Guide Dogs NSW/ACT

Jaci Armstrong – Principal Policy Officer
Karen Carrigan – Orientation and Mobility Specialist / Access Advisor
Nicole Holmes – Access and Technology Officer
Tiffany Mitchell – Community Education
Jennifer Moon – Community Education / Access Advisor
Jo Weir – Community Education / Client Feedback Officer

Blind Citizens NSW

Krystal Malcolm – Executive Officer

Inner West Council

Glenn Redmayne – Strategic Community Project Officer / Access & Inclusion

People With Disability Australia

Samantha French – Advocacy Projects Manager

Guide Dogs NSW/ACT
ABN 52 000 399 744

Guide Dogs NSW/ACT receives less than 2% of its funding from Government and is financially dependent on the generosity of the people of NSW and the ACT.