

# Community Access and Inclusion Plan

**2007 -2011**



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## **1. Introduction**

### **Overview**

#### **Our Vision, Mission and Commitments**

*“Loddon will be a proud community leading rural Australia as a great place to live, work and visit.”*

The Shire will ensure a safe, enjoyable, diverse and comfortable experience through the provision of good quality facilities and services. Whether you are living, working or just visiting, Loddon Shire will provide opportunity for growth, education, job security and adventure.

#### **Our Mission**

- To continue to lead and maximise community growth and development
- Building viable small communities with strong links to regional centres

**A long term measure of our success will be a growing population**

#### **Our Commitments to citizens and businesses**

- Leadership                      Provide direction, information and support to the community.
- Partnerships                    Encourage and support strategic partnerships and alliances, locally and regionally.
- Teamwork                        Work as a team with our community and our staff.
- Decision Making                Engage in transparent and rational decision making.
- Communication                Maintain open, friendly communication with citizens and customers.
- Customer Service              Deliver quality services that are value for money at all times.
- Competence                    Ensure all staff and contractors have the skills and approach necessary for excellence.
- Self Reliance                    Encourage and empower the community to participate in identifying and meeting their own needs and aspirations.

### *Loddon Shire and its people*

The Loddon Shire covers approximately 6,700 square kilometres of north central Victoria and is the seventh largest municipality by area in Victoria.

The southern area of the Shire is part of the region known as the Goldfields and consists of undulating farmland interspersed with grassy woodlands and extensive areas of State forest. Natural features include Mount Korong, Melville Caves, Mount Kooyoora, the Kingower Ranges, Wychitella Granites and Mount Brenanah.

To the north, the land is part of the Riverina district which is characterised by sweeping riverine plains broken up by significant granite outcrops at Pyramid Hill and Mount Hope and the lunettes of Boort.

The Shire is home to approximately 8,600 people, half of whom reside in the eleven townships dispersed throughout the Shire.

With a median age 7 years higher than the state average (Census 2001) and a relatively high level of residents on disability support pensions, the community has its challenges. However, in typical self reliant Loddon style, it is responding. Loddon is rated in the top eight municipalities in Victoria for community involvement and volunteering (Department of Sustainability & Environment, 2004).

Loddon's economy is centred on the agricultural industry. Traditional broad acre grain, sheep and dairy farming activities are prevalent, however in recent times more intensive crops, including wine grapes, tomatoes, oil seeds, pulses, olives and fodder, have developed. Little wonder as, according to a study conducted in 1998, the Loddon Shire has a diversity and scale of agricultural opportunities unequalled in most other municipalities in Australia (Miller).

## **Mayor's Message**

The Loddon Shire community now has a new Access and Inclusion Plan 2007-2010. This recently developed Plan follows the vision and mission in the Shire's Corporate Plan 2007--2011.

The new Plan replaces Council's previous Community Access Plan 2003-2006. It considers disability access within the context of universal access and social inclusion. This shift in emphasis is gaining increasing credibility as it has the capacity to deliver 'flow on' benefits to other groups within the community, namely:

- Ageing community members
- Parents with young children
- Injured sports people who find themselves with a short-term disability that limits their mobility or changes their access needs
- Community members who may have episodes of chronic ill health
- People from culturally diverse backgrounds.

The guiding principles of the State Disability Plan 2002-2012 - equity, dignity and self-determination, diversity, and non-discrimination are reflected in this new document. It acknowledges the ever-increasing synergy between the State and Local Governments as they work to create new opportunities for people with disability to participate more fully in civic life.

The Plan commits to a number of actions to be completed over a three years in the areas of education to raise awareness, improved practice, and the provision of improved services. It also evaluates access and equity issues with regard to Loddon Shire Council policies and programs and proposes practical and realistic strategies.

Council's Rural Access Project Officer developed the Plan, assisted by a part-time consultant. Interviews with Council staff complemented community consultation via media promotion, a community survey and informal community meetings. The Plan has been developed in close consultation with community and has contributed to building a strong partnering relationship.

With the support of the community, the Loddon Shire can continue to gain momentum in building a community that is willing to work towards universal access and social inclusion for all.

Cr Gavan Holt  
Mayor

### **Key Policy Statement**

The Loddon Shire Council acknowledges that people living with disability are valuable members of the community who have the same fundamental rights and responsibilities as all citizens. It commits to act in accordance with the Commonwealth Disability Discrimination Act 1992 (DDA) to ensure there is no discrimination based on disability in any of its functions, services or corporate framework. It commits to a pro-active 'whole of organisation' approach informed by principles of universal access and social inclusion.

The Loddon Shire Council, in partnership with all its citizens, commits to the following guiding principles, adopted from the State Disability Plan ([www.dhs.vic.gov.au/disability](http://www.dhs.vic.gov.au/disability)), fundamental to demonstrating best practice in building a truly inclusive Community:

- **Equity** - recognising that all residents have the right to be respected and to have equitable opportunities to participate in the social, economic, cultural, political and spiritual life of their community. As citizens, people also have responsibilities towards their local community and should be supported in order to be able to exercise these.
- **Dignity and Choice** - respecting and valuing the knowledge, abilities and experiences of people, supporting them to make choices about their lives, and enabling each person to live the life they want to live.
- **Diversity** - recognising and valuing individual differences. Inclusive communities are strengthened by the diversity of their populations and by the contribution that each person makes to the social, economic, cultural, political and spiritual life of the community.
- **Non-Discrimination** - implying that all people have the right to live their lives free from discrimination. This means that the community must set right all forms of discrimination - including both active and passive forms of discrimination, and unfair and outdated standards, laws, policies and practices. It also means recognising and valuing people's differences. Failing to embrace these differences is itself discriminatory. (Adopted from the State Disability Plan 2002-2012)+

### **The Development Process**

Council's Rural Access Project Officer developed the Plan, assisted by a part-time consultant. Interviews with Council staff (16) complemented community consultation via media promotion (2 print media stories), a community survey (4 surveys returned) and informal community meetings (2). Rural Access is a State Government funded initiative whereby dedicated resources have been placed within Local Government authorities with the specific intent of improving access and inclusion for people living with disability.

Due to time constraints, a working party was not established as for the previous plan, however, the information gathered in 2003 by extensive community consultation was built upon with interviews, surveys and more informal meetings to gather feedback on the outcomes of the previous Plan and priorities for the future.

The knowledge and experience shared by the Strategy unit of The City of Greater Bendigo has been instrumental to the development of this Loddon Shire Plan. Guidance from the Municipal Association of Victoria (MAV) was particularly pertinent as it was able to incorporate the preliminary findings from its 2006 state-wide survey work with local government seeking up to date information with regard to the current status of their Plans addressing the needs of their citizens living with disability. The MAV provided interpretation of the Disability Act 2006 as applied to Local Government and advice about the advantages of a 'whole of Council' approach.

## 2. The Legislative Framework

### The Commonwealth Disability Discrimination Act (1992)

The Commonwealth Disability Discrimination Act (1992) (DDA) came into effect on 1<sup>st</sup> March 1993. The DDA 1992 is designed to complement State and Territory Equal Opportunity legislation and in this context alongside the Equal Opportunity Act, Victoria (1996). It provides uniform protection against unfair or unfavourable treatment for people with disabilities in Australia, and seeks to fill the gaps in State and Territory legislation. Disability is broadly defined and the Act's provisions apply to a wide range of life activities.

The specific intent of the DDA is:

- To eliminate, as far as possible, both direct and indirect discrimination against persons on the grounds of disability
- 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
- To promote recognition and acceptance with the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

The definition of disability in the D.D.A is:

**Disability**, in relation to a person, means:

- (a) Total or partial loss of the person's bodily or mental functions; or
- (b) Total or partial loss of a part of the body; or
- (c) The presence in the body of organisms causing disease or illness; or
- (d) The presence in the body of organisms capable of causing disease or illness or
- (e) The malfunction, malformation or disfigurement of a part of the person's body; or
- (f) A disorder or malfunction that results in the person learning differently from a person without the disorder; or
- (g) A disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour; and includes a disability that: presently exists or previously existed but no longer exists; or may exist in the future; or is imputed to a person.

The definition of discrimination as defined by the D.D.A is clear and comprehensive:

- It is discriminatory to treat people with a disability less favourably than people without the disability would be treated under the same circumstances.
- Discrimination also exists where a condition or requirement is imposed, which may be the same as everyone, but which unfairly excludes or disadvantages people with a disability.
- It is prohibitive to discriminate not only against people who have a disability, but also against a person who is an associate of a person with a disability, e.g. a spouse or carer.

Discrimination as defined by the D.D.A. is documented as having a broad legislative application:

- (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.

### **The Victorian Disability Act 2006**

The Disability Act 2006 was introduced to enact a new legislative scheme for people with disabilities, which reaffirms and strengthens their rights and responsibilities and which is based on the recognition that this requires support across the government sector and within the community.

Sections 1 and 2 of the Act, which outline the purpose and commencement of the Act, have already come into effect. The rest of the Act will come into operation on 1 July 2007 unless proclaimed earlier.

A number of areas of the Act will be underpinned by extensive policy and/or guidelines. These will be developed by the Department of Human Services in consultation with disability service providers, with final documents available to disability service providers before commencement of the Act. This timeframe also allows for the establishment of new bodies under the Act, such as the Disability Services Commissioner and the provision of education and information to disability service providers and service users.

#### Main points of the Act:

- The Act will replace the Intellectually Disabled Persons' Services Act 1986 and the Disability Services Act 1991
- The Act prescribes the leadership role of government in making services accessible to all members of the community
- The Act strengthens the commitment by councils to the development of Disability Action Plans and is a key strategy to make public services accessible to people with a disability
- The Act prescribes the establishment of the Victorian Disability Advisory Council, its functions and membership, thus formalizing its role
- It provides for a streamlined process for people to access supports, with an emphasis on priority for services rather than assessment of disability
- It better protects the rights of people in all forms of residential services funded by State Disability Services and sets out the requirements and duties of service providers and residents

- A key component of the Act is the establishment of an independent Disability Services Commissioner who will have powers to investigate and conciliate complaints about Disability Services and the establishment of the Office of the Senior Practitioner, which will be responsible for ensuring that the rights of people who are subject to restrictive interventions and compulsory treatment are protected.

### **The Role of Local Government**

By 1 July 2007, Councils must ensure that they have produced a Disability Action Plan or ensure that actions are included in their Council Plan. Action Plans should be lodged with the Human Rights and Equal Opportunity Commission (HREOC), who will place them on their website. Councils will need to ensure that they have appropriately considered the issue of disability access and inclusion, which includes taking a whole-of-council approach and incorporating access and inclusion issues into every relevant strategic policy document. Councils will need to ensure that a program of awareness-raising regarding disability access and inclusion has taken place throughout the management, staff and councillor teams and where further training needs have been identified, will need to ensure these are met.

Increasing numbers of people with disabilities are living in our communities and receiving services from Local Government and other organisations. Local Government as a key planner, developer and provider of physical and social infrastructure has both a legal and moral obligation to ensure that people living with a disability can participate equally in the broad range of community activities on offer. Local government is being required under the DDA to assume greater responsibility for ensuring access for people with disabilities. Local Government is ideally placed, to make an enormous contribution in protecting and promoting the human rights of people with a disability. Councils can lead the way in creating communities, which are not only free of disability discrimination but also openly embracing of principles of inclusion and full participation.

The DDA has, arguably, a more significant impact on Local Government than on any other sector of government or industry. It is the level of government most likely to be providing direct services, linking with other service providers, developing planning regulation with access and inclusion clauses, and acting as both an advocate and role model to the broader community. As such, local government is in a unique position to make a real difference. However it's positioning also exposes it to a greater potential for litigation.

Under the DDA people with disabilities can now take action against either individuals or organizations if they feel they have been discriminated against. The need to minimize the potential for future claims against Local Government Authorities under the DDA will require a continued commitment to the culture shift currently gaining momentum across all Local Government Authorities. However, the role of Local Government in building inclusive communities free of discrimination should not merely reflect reactive thinking that simply responds to the threat of litigation. Local Government must take a pro-active role in eliminating discrimination on the basis of disability.

### **3. Reflections - Community Access Plan 2003-2006**

The Loddon Shire Community Access Plan 2003-2006 was adopted in April 2003. This was the Shire's first Plan specifically developed to respond more pro-actively to its legal requirements under the DDA and also its civic obligation to all constituents regardless of ability.

The first Plan identified significant work required across the Shire to consolidate the understanding of disability. While Councillors and Council Officers report increased and informed understanding, further and ongoing awareness raising amongst Staff and Councillors is required to ensure that service responses become more relevant and responsive to contemporary need.

Certainly, the operational achievements of the first plan are many and varied. The Accessible Parking Bay Scheme is nearing completion and the Bridgwater Fishing Pier an exciting step forward in the development of an accessible recreational space. The key to success moving forward, is the need to embed a 'whole of Organisation' response to people living with disability.

## **The Current Context**

When the Loddon Shire developed its Community Access Plan in early 2003, it was very much framed as a response to its legal obligations under the DDA. While this piece of legislation remains critical to the framing of the 2007-2010 CAIP, it will now also be considered in the context of the State Disability Plan 2002-2012.

### **The Victorian State Disability Plan 2002-2012**

The State Disability Plan 2002–2012 ([www.dhs.vic.gov.au](http://www.dhs.vic.gov.au)) provides a strong and flexible agenda for change. The Victorian Government believes that people with a disability should be able to live and participate in the life of the Victorian Community, with the same rights, responsibilities and opportunities as all other citizens of Victoria. It brings into focus the State Government’s commitments to building safe and caring communities in which opportunities are fairly shared.

The Plan outlines a new approach to disability that is based on fundamental principles of human rights and social justice. It is the first disability plan in the history of Victoria to take such a holistic approach to disability. It is the first Plan that looks at all aspects of life for people with a disability - including disability support, health and community services, recreation, education, employment, transport and housing.

This State Plan and its progress to date, is largely responsible for the Loddon Shire Council changing the name of its Plan from Community Access Plan to Community Access and Inclusion Plan. The simple addition of this word in the title should alert the Community to an increased emphasis on social inclusion.

### **A Fairer Victoria**

The Victorian Government has also been active in its consideration of social policy in its strategic planning framework, A Fairer Victoria ([www.vic.gov.au](http://www.vic.gov.au)), released in 2005. A Fairer Victoria promotes a ‘whole of Government’ approach in creating new opportunities and addressing disadvantage for people living with disability. The State Government is quite clear about the leadership role that it must adopt and the measures that must be undertaken to ensure that the policy becomes reality for its citizens:

- Review current guidelines to improve capital works in line with contemporary standards in disability access;
- Ensure that consideration is given to compliance with contemporary disability access standards when making funding decisions about all major public events;

- Drive innovative building design by ensuring contemporary disability access standards are a competitive criteria in tender documentation for government procurement processes; and
- Promote whole-of-government communications guidelines to encourage the positive representation of people with disability in Victorian Government publications and campaigns.

These initiatives are designed to complement the Disability Action Plans that are being developed across all Victorian Government departments, including Local Government Authorities.

**WRITING ACCESS INTO POLICY**

**In line with contemporary thinking, move away from the more operational approach of the previous Plan towards a more rigorous policy focus. This has greater potential for effecting sustainable outcomes.**

ACTION	RESPONSIBLE MANAGER	TIMELINES	PARTNERS	INDICATIVE COST	PROGRESS
1.1 Undertake a Universal access audit provided by an accredited access consultant (Association of Consultants in Access Australia – <a href="http://www.access.asn.au">www.access.asn.au</a> ) for at least one capital works project annually.	Manager Infrastructure	Ongoing	Rural Access Project Officer	Nil	
1.2 Ensure all public tenders include full access audit as part of tender documentation.	Director Operations	Ongoing	Rural Access Project Officer Manager Building, Maintenance & Contracts	Nil	
1.3 Ensure any adopted asset management plans comply with contemporary disability access standards.	Management Executive Group	Ongoing	Rural Access Project Officer		
1.4 Enter into formal contractual partnership with an appropriate organisation to assist with the recruitment of people with disability where skills match available employment opportunities.	Manager Organisational Development	2008 ongoing	Rural Access Project Officer	Nil	
1.5 Register all Loddon Shire owned venues and/or activities as participating organisations i.e. affiliates, of the Companion Card Program, ( <a href="http://www.companioncard.org.au">www.companioncard.org.au</a> ).  Make acceptance of the Companion Card a condition of all lease/hire agreements for Loddon Shire owned venues.  Maintain and promote a register of participating venues and activities within the community.	Manager of Tourism	Ongoing	Rural Access Project Officer	Nil	
1.6 Ensure all applications for State or Federal Government Grants demonstrate commitment to universal access and social inclusion.	Management Executive Group	2007 ongoing	Rural Access Project Officer	Nil	

**BUILDING ON OUR OWN SKILLS**

Maintain a continuous cycle of professional development aimed at supporting council staff to be inclusive of people with disabilities

ACTION	RESPONSIBLE MANAGER	TIMELINES	PARTNERS	INDICATIVE COST	PROGRESS
2.1 Hold one annual forum that promotes a ‘whole of organisation’ response to people living with disability as it relates to work practices and customer service. Include awareness of; National Relay Service offered by the Australian Communication Exchange, Community Access and Inclusion Plan, Disability Discrimination Act.	Manager Organisational Development	Ongoing	Rural Access Project Officer	\$200 Funding Source – Corporate Training	
2.2 Facilitate the participation and support of appropriate staff in one annual Barrier Free Access Design technical workshop. The workshop to be conducted by a suitable regional provider for professional development highlighting good practice and professional responsibilities under the DDA, 1992 and the current Building Code of Australia (Refer to Appendix 1).	Manager Building Maintenance & Contracts	Ongoing	Building Surveyor Planner Works Infrastructure Building Services Human Resources	\$1,000 Funding Source – Corporate Training	

**PARTNERING WITH COMMUNITY**

Consolidate and sustain the work being done within the organisation by partnering more effectively with the broader Community.

<b>ACTION</b>	<b>RESPONSIBLE MANAGER</b>	<b>TIMELINES</b>	<b>PARTNERS</b>	<b>INDICATIVE COST</b>	<b>PROGRESS</b>
3.1 Facilitate the participation and support of Community Architects, Building Designers, Building Surveyors, Developers, Engineers, Urban Planners and Landscape Designers in at least one annual Barrier Free Access Design technical workshop. The workshop will highlight both good practice and professional responsibilities under the DDA, 1992.	Manager Building Maintenance and Contracts	Ongoing	City of Greater Bendigo Economic development unit – Peter and Kate	\$1,000 – Funding Source Corporate Training	
3.2 Include community access and social inclusion as criteria for selection in the Shire's Business and Tourism awards.	Manager of Economic Development and Agribusiness	Annually	Rural Access Worker	In Kind Support	
3.3 Undertake two Community forums annually (rotating through two different local townships each year) that promote a 'whole of Community' response to people living with disability. Develop forums in conjunction with a range of providers including the Loddon Service provider Network, Primary Care Partnerships, Department of Human Services (DHS) Rural Health Team, SCOPE, and/or Educational Institutions.	Manager Community Planning		Community planning groups & Rural Access Worker	\$2,000 per forum	
3.4 Support Community Planning groups to consider access and inclusion as part of their project planning and implementation processes.	Manager Community Planning	Ongoing	Inglewood and Bridgewater CBI	In Kind Support	

**MAINTAINING THE MOMENTUM**

Identify new opportunities to further enhance the organisational cultural shift that must ultimately mainstream issues of universal access and social inclusion

<b>ACTION</b>	<b>RESPONSIBLE MANAGER</b>	<b>TIMELINES</b>	<b>PARTNERS</b>	<b>INDICATIVE COST</b>	<b>PROGRESS</b>
4.1 Formalise and actively promote a Resident Request System as a centralised and efficient customer service mechanism. Through this process all residents can legitimately lodge issues relating to universal access and social inclusion	Customer Services Customer service Charter	Ongoing	Marketing and Events	In Kind Support	
4.2 Ensure all Council publications use appropriate symbols to complement written text and can be provided in alternative format on request.	Economic Development Officer		Director of Corporate Services Manager of Executive Services HACC Coordinator	In Kind & Printing and Stationery budgets	
4.3 Facilitate one technical workshop to skill Council staff in maintaining web accessibility as outlined by the Web Content and Accessibility Guidelines 1.0 ( <a href="http://www.W3.org">www.W3.org</a> ).	Record Officer	2008	Rural Access Project Officer La Trobe University Vision Australia	\$1,000 Funding Source – Corporate Training	
4.4 Facilitate one workshop for kindergarten staff and the cluster manager to work with a consultant to develop a plan for all kindergartens to maintain an accessible and inclusive environment for all families.	Manager of Community Services	2007	DHS	In kind support	
4.5 Utilise existing service mechanisms to advocate for universal access and social inclusion.	Environmental Health Officer	Ongoing (1 training session per year)	Rural Access project Officer COGB & Building Surveyor	In Kind support	
4.6 Facilitate one planning workshop for managers to work with an access consultant to integrate accessibility as an important feature in the roll out of all new initiatives.	Management Team				

**MAXIMISING THE OPPORTUNITIES**

Join together with relevant Loddon Shire initiatives to demonstrate commitment to universal access and social inclusion.

ACTION	RESPONSIBLE MANAGER	TIMELINES	PARTNERS	INDICATIVE COST	PROGRESS
5.1 Implement the Loddon Shire Recreation Plan 2007 to demonstrate Shire's commitment to community access and social inclusion. All new projects, including new playgrounds, to comply with contemporary disability access standards (Refer 4.6).	Manager Community and Recreation	2007 ongoing	Rural Access Project Officer & Assistant Manager of Works	In Kind support	
5.2 Implement the Loddon Shire Tourism Plan to demonstrate commitment to community access and social inclusion (Refer to 4.6).  Implement the walking path's strategy to improve and promote opportunities for people of all levels of ability to enjoy the Shire's many walking tracks. Make and maintain at least two walking tracks fully wheelchair accessible.	Manager of Tourism	2007 ongoing  2008	Inglewood walking strategy Recreation	Refer Works Program	

**GOVERNANCE FOR SUSTAINABLE OUTCOMES**

Ensure the adopted plan remains a living document by fostering Council, ‘whole of Organisation’ and Community ownership and accountability.

ACTION	RESPONSIBLE MANAGER	TIMELINES	PARTNERS	INDICATIVE COST	PROGRESS
Feature updates on the progress and implementation of the Community Access and Inclusion Plan in the monthly Mayoral column.	Director of Corporate Services	Quarterly for the life of the plan	All Managers	Nil	
Complete an annual review and measure progress against performance indicators (timelines and costs).	Rural Access Project Officer	Annually for the life of the plan	Director of Corporate Services & Council	Nil	
Provide regular updates on the progress of the implementation schedule to Councillors, Loddon Shire Council Employees and the community.	Rural Access Project Officer	Annually for the life of the plan	Community development officer	Nil	
Ensure Councillors, Loddon Shire Council Employees and the community are informed of changes that affect people with a disability. For example: New Disability Act effective 1 July 2007 and new United Nations Bill of Rights. Make presentations at Quarterly Combined Staff Functions.	Rural Access Project Officer	As new legislation becomes effective	Other Managers where required	Nil	

## **6. REFERENCES**

A Fairer Victoria – Creating Opportunity and Addressing Disadvantage, (2005), Department of Premier and Cabinet, Melbourne

State Disability Plan – 2002 – 2012, Disability Services Division, Victorian Government Department of Human Services, Melbourne

Human Rights Equal Opportunity Commission (Online) [www.hreoc.gov.au](http://www.hreoc.gov.au)

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**Disability Act 2006 (online)-**

[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/edfb620cf7503d1aca256da4001b08af/0B82C05270E27961CA25717000216104/\\$FILE/06-023a.doc](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/edfb620cf7503d1aca256da4001b08af/0B82C05270E27961CA25717000216104/$FILE/06-023a.doc)

**Disability Discrimination Act 1992 (online) –**

[http://www.austlii.edu.au/au/legis/cth/consol\\_act/dda1992264/index.html#p1](http://www.austlii.edu.au/au/legis/cth/consol_act/dda1992264/index.html#p1)