Inclusive and Accessible Public Domain Policy

The City of Sydney (the City) is committed to Sydney being an inclusive and accessible city for all, now and in the future. The City seeks to meet its legislative obligations under the Disability Inclusion Act 2014 and the Disability Discrimination Act 1992 and to create a truly inclusive city.

Every day, people with disability experience barriers that make it difficult to participate and work in our community. Barriers may be physical, such as inaccessible streetscapes; or social, such as a lack of information in accessible formats; or attitudinal, such as assumptions that people with disability cannot participate in certain activities. When these barriers are reduced, the majority of people with disability will experience greater independence and equitable opportunities for social and economic inclusion. Local government is well placed to address and reduce physical barriers within the streets, footways, parks and open spaces.

The public domain is a critical link between accessible public transport, services and destinations for employment, social and cultural life.

The City's vision is for an inclusive and accessible public domain:

- provides equity of access in the public domain for people with disability,
- provides people with disability with more equitable opportunities to participate in employment, social and cultural life in the City of Sydney,
- enables people with disability to visit, travel through, explore and enjoy the City's outdoor spaces with independence and dignity, and
- enables people with disability to make informed decisions about their journey in the public domain.

Purpose

The purpose of this policy is to assist the City and third parties to meet their obligations under section 23 of the Disability Discrimination Act 1992 and section 12 of the Disability Inclusion Act 2014.

This policy, in conjunction with the associated public domain design codes, guidelines and the performance standards included within those documents, will:

- provide a consistent approach to accessibility and inclusion in the design of new outdoor places, spaces and infrastructure, and the management of outdoor spaces and infrastructure that the public enter or use,
- identify applicable standards and best practice approaches and how and when they are to be applied by the City of Sydney, and
- detail action to be taken in relation to complex design scenarios for outdoor spaces the public enter or use, where full compliance with relevant access standards and performance standards is not easily achievable (for example, the presence of steep inclines in Sydney's natural topography or narrow streets in heritage neighbourhoods).

This policy details the City's approach to the maintenance of public domain spaces and infrastructure to ensure equitable access.

This policy also details how the City uses information and community education to enhance the accessibility of the public domain, particularly in circumstances where accessibility is difficult to achieve or behaviours of the community can impede physical access in the public domain.

Scope

Public Domain

This policy applies to public domain premises (as this term is defined in the Disability Discrimination Act 1992) owned and or managed by the City of Sydney, that the public enter or use other including:

- Streets
- Footways
- Roadways and areas where vehicles and pedestrians share space
- Parks
- Playgrounds, playgrounds and outdoor recreations spaces, and;
- Civic spaces such as malls, squares and forecourts.

This policy does not apply to:

- buildings,
- aircrafts,
- vehicles, and vessels.

Where

Public domain premises and infrastructure may be located on public land as defined by the Local Government Act 1993 and certain roads under the Roads Act 1993. Significantly, some land within the City of Sydney Local Government Area, is owned and managed by other authorities including :

- Botanic Gardens, Domain and Centennial Parklands Trust,
- Department of Communities and Justice
- Department of Education,
- Infrastructure NSW
- NSW Land and Housing Corporation,
- NSW Maritime,
- Place Management NSW,
- Transport Asset Holding Authority,
- University of Sydney,
- University of Technology and
- Notre Dame University.

While this policy does not apply to the public domain located on land owned and managed by other authorities or corporations, the City of Sydney will, where possible, pursue opportunities to ensure consistency in accessibility of the public domain across the City of Sydney local government area.

Who

This policy applies to City of Sydney employees, contractors and various other entities in the carrying out of activities outlined in this policy. Specifically:

- in the design and construction of spaces and/or infrastructure within the public domain.
- maintaining spaces and infrastructure within the public domain.

The policy also applies to contractors, and other entities (including, members of the public, business and other organisations) who seek to us the public domain for activities listed in the management section (page 9).

What activities

This policy describes the City's approach to accessibility in the public domain in the following activities.

Design:

The design of new and upgraded spaces and infrastructure within the public domain that will be delivered as part of programs of works or redevelopment by the City or others.

The policy does not apply retrospectively to the design of existing spaces and infrastructure within the public domain, unless upgrades are proposed.

This policy does not determine future public domain renewal and upgrade programs and associated expenditure.

Maintenance:

The ongoing maintenance of spaces and infrastructure within the public domain, including inspection, repair and restoration.

Management:

How the City, as the guardian of public land, manages the use of the public domain for a range of activities, including events, filming activity, construction activity, and community and footpath gardens in the public domain.

Information and Education:

The use of information about the accessibility of spaces and infrastructure in the public domain within the City of Sydney Local Government Area to enhance access, and any education activities the City may undertake to promote equitable and safe use of spaces within the public domain and a greater understanding of the benefits of an accessible and inclusive public domain to everyone.

Definitions

Key terms referenced in this policy are defined below. A more comprehensive set of definitions is also provided in the corresponding Inclusive and Accessible Public Domain Guidelines and Inclusive and Accessible Event Guidelines.

Term	Meaning
Accessible	Commonly associated with mobility standards and safety compliance, accessibility refers to the physical ability of people to access a place or thing.
Civic Spaces	Open public squares and malls in urban areas that have high visitation with formal and informal use. They are typically hard-paved areas like plazas and malls.
Continuous accessible path of travel	An uninterrupted route to and within an area providing access to all features, services and facilities for a pathway to be a continuous accessible path It should not incorporate any barrier to access including step, stairway, turnstile, revolving door, escalator, hazard or other impediment which would prevent it from being safely negotiated by people with disability' (Australian Human Rights Commission (2013) Advisory Notes on Streetscapes).

The continuous accessible path of travel is sometimes also known as a clear path of travel or an accessway. |
| **Construction Activity** | Approved work and/or the installation of *temporary structures* or operation of plant and equipment within a *public place* and includes excavation works. Activities that can impact accessibility in public spaces include:

• **Temporary works** refers to when a footway or roadway needs to be temporarily closed or partially obstructed during development or works activity. A temporary works approval is required.
• **Road openings** include any type of intrusive digging into a road or footway.
• **Works zones** provide access to construction sites from the road to enable the delivery and removal of material, plant and equipment in a safe and efficient way.
• **Hoarding and scaffolding –** where erected on a public road and/or footway. |
| **Disability** | The Disability Inclusion Act 2014 defines disability in relation to a person, as including a long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others.

While the Disability Discrimination Act 1992 uses a 'medical model' to define disability, it is important to distinguish between a person's impairment and the social context in which it occurs.

A 'social model' of disability suggests that disability is a product of the barriers that communities allow to remain in place. Such barriers may be physical, such as inaccessible streetscapes; or social, such as a lack of |

Term	Meaning
	information in accessible formats and attitudes of people. When a community removes those barriers, the majority of people with disability can function at much higher levels.
Footway	The part of a road or park that is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic).
Hazard	Any area or object in or immediately adjacent to a direction of travel, which may place people at risk of injury. These may include: • Trip hazards such as unstable paving or tree roots, damaged TGSIs. • Protrusions and obstructions into the path of travel, such as vegetation or objects placed in the path of travel. • Objects adjacent to the path of travel with insufficient warning from TGSIs or luminance contrast.
Inclusion	When people with disability can access general supports and services available in the community, and can participate fully in the community.
Inclusive	As well as providing access, inclusive spaces, infrastructure and activities strive to remove obstacles and barriers that prevent people of all ages, abilities (both physical and mental) and cultural backgrounds from being able to participate
Inclusive playspace	A playspace is the area within a park with playground equipment and any immediately adjacent supporting amenities, such as toilets, car parking, bike paths, picnic facilities, and open space or landscape areas. Inclusive playspaces are easy to access, easy to move around in, provide a range of play types and challenges, and are equipped with appropriate amenities, in a comfortable environment. Inclusive playspaces allow everyone to stay as long as they choose.
Luminance Contrast	The light reflected from one surface or component when compared to the light reflected from another surface or component.
Maintenance	Maintenance activity in the public domain includes, but is not limited to: • proactive inspection of assets and infrastructure, • tree and plant pruning and maintenance, • cleansing to remove debris and spills which may cause trip and slip hazards and ensure signage remains legible, and • repair and restoration of defects on infrastructure in the public domain such as footways, kerb ramps, furniture and lighting. Maintenance activities repair defects and hazards and restore infrastructure to the level of function intended in its original design.

Term	Meaning
New, Renewal and upgrade	New public domain infrastructure includes infrastructure that is provided in circumstances where similar infrastructure did not exist before. New public domain infrastructure is designed to comply with contemporary access and performance standards, where applicable.
	Renewal: Work to redesign and build existing public domain infrastructure to comply with current standards and policies is called renewal. The level of service provided by that infrastructure however remains similar to that was provided previously.
	Upgrade: Upgraded infrastructure replaces similar public domain infrastructure and assets that existed before, but in doing so provides an improved level of service, for example, replacing asphalt with a granite surface. Upgraded infrastructure is designed to comply with contemporary access and performance standards, where applicable.
Street Furniture	Street furniture includes public seating, garbage bins, water fountains, bicycle parking infrastructure, tree guards and bollards. This infrastructure provides safety and amenity for people in the public domain.
Street Vending Kiosk	Street Vending Kiosks are located in the public domain ,are owned or managed by the City of Sydney and used to sell products including fruit, flowers and newspapers.
Tactile Ground Surface Indicators	Tactile ground surface indicators (TGSI) help people who are blind or have low vision navigate in the public domain. TGSIs are discerned underfoot, by cane tip or by their contrasting colour. There are two types of TGSIs: 1. Raised dots are hazard or warning TGSIs which indicate a nearby hazard. A grid of hazard bumps indicates the ground surface will be changing – a ramp, stairs or train platform or light rail corridor edge may be imminent. 2. Parallel raised lines are directional TGSIs, which indicate the direction of travel.
Wayfinding	A series of wayfinding information and wayfinding decision points connected by wayfinding paths enabling a person to travel independently. A good wayfinding system will allow people to reach their destination easily and quickly by providing the cues and information to know where you are, where you are headed, how best to get there and recognise when you have reached your destination. For more detailed information on the City's approach to wayfinding please refer to the Wayfinding Strategy and Legible Sydney Design Manual.

Policy Principles

This policy is informed by the principles of inclusive participation and equitable and dignified access as embodied in the Disability Inclusion Act 2014 and the Disability Discrimination Act 1992 and the principles of Universal Design. In undertaking activities outlined in the policy, the City of Sydney recognises that:

- an accessible and inclusive public domain enables **inclusive participation.**
- people with disability must be able to navigate in the public domain with **dignity** and **independence.**
- **consistency** throughout the public domain ensures user friendly environments that enable people to predict and navigate outdoor spaces.
- **continuous accessible path of travel** is the foundation of an inclusive and accessible public domain.
- spaces in the public domain should be legible, easy to navigate, locate and use.
- **quality** and accessible public outdoor spaces play an important role in creating a liveable and welcoming city.
- **well maintained** public domain infrastructure ensures ongoing access in the public domain.
- **innovation** and sharing knowledge is vital for the provision of an accessible public domain.
- **collaboration** with internal and external partners ensures consistency in the accessibility of public spaces.
- people with disability understand their own abilities and needs with regards to using and accessing public domain spaces and infrastructure.

Policy Statements

1. Designing inclusive and accessible public domain spaces

New and upgraded streetscapes, Civic Spaces, parks and other open spaces within the public domain will be designed to allow for equitable use of all users.

Streets

As far as possible all elements in the public domain streetscape, including those at the boundary, will be designed for equitable use and arranged to ensure a continuous accessible path of travel.

Permanent public domain furniture will be accessible and inclusive of people with a range of disabilities.

Street crossings and shared zones will be detectable to people who are blind and have low vision, and oriented to ensure a predictable and safe crossing. Street crossings will be accessible to wheelchair users and users of other mobility devices.

The City of Sydney will continue to work collaboratively with Transport of NSW to design safe and accessible pedestrian street crossings and shared environments. In many circumstances, Transport for NSW is the final consent authority for the installation of this infrastructure.

Parks

When planning parks and playgrounds, the City adopts a network approach to a variety of experiences and amenities are provided across a network of parks within each neighbourhood,

- As far as possible all City parks, including pocket parks and playgrounds will be designed to include a continuous accessible path of travel to key elements in the park, and ensure that permanent furniture is accessible and inclusive of people with a range of disabilities. Inclusive play elements and playspaces will be strategically located across the City's networks of parks and play spaces.
- The design of the City's neighbourhood and iconic parks will consider the inclusion of socially supportive amenities, such as accessible public toilets and on-site mobility parking spaces where feasible, taking into account existing amenities nearby.

Designing to maintain accessibility

The design of new public domain infrastructure will consider the ongoing maintenance, planning and resourcing required to maintain and maximise the access afforded by the new infrastructure into the future.

Addressing complex design scenarios

Where achieving the access outcomes identified in this policy and full compliance performance standards outlined in the Inclusive and Accessible Public Domain Guidelines and Public Domain Design Codes is not feasible, the principles for resolving complex design scenarios detailed in the guidelines will be applied. These scenarios may include areas with risk, safety, security, heritage or topographical challenges, areas with space constraints, or situations where meeting the needs of different users, sometimes with competing interests, is difficult.

Relevant design objectives and performance standards, along with the principles for addressing complex design scenarios will be reflected in the City of Sydney's Public Domain Design Codes and will be applicable to the design of all new spaces and infrastructure within the public domain, by the City of Sydney Council or third parties.

2. Maintenance

Designing and building infrastructure in the public domain that is inclusive and accessible is the foundation of inclusive participation. Ensuring the infrastructure remains accessible and safe requires it is well maintained.

Repair, restoration and maintenance activities ensure that infrastructure in the public domain continues to function and operate as it was originally designed to do for the life of that piece of infrastructure. While new standards for accessibility in design may have come into place since the spaces or infrastructure were originally built, the objective of maintenance activities is to repair any defects and restore the infrastructure to the level of function intended in its original design.

The City develops proactive asset management plans, asset inspection regimes and maintenance schedules to ensure that the level of access afforded by the infrastructure as it was designed is maintained. Issues addressed by maintenance activities include:

- trip hazards caused by cracks, tree root heaving, loose pavers, potholes and other depressions
- damage to infrastructure
- replacement of missing infrastructure
- fading of paint, luminance contrast and line marking
- cleansing and waste removal to remove debris and spills which may clause trip and slip hazards and ensure signage remains legible

- tree and plant pruning and maintenance to prevent obstructions and litter on the continuous accessible path of travel, and continued operation of lighting and public access lifts.

Effective Asset Management Plans:

- ensure that access afforded by existing infrastructure as it was designed is maintained for the whole life of the asset and renewed when it reaches the end of its life,
- ensure the level of access provided by new infrastructure is maintained effectively and efficiently, and
- ensure sufficient funds are allocated in long term financial plans to maintain and renew these assets.

Asset inspection:

The following infrastructure assets within the public domain will be regularly inspected to identify defects and maintenance issues that impact access:

- Bridges with pedestrian facilities
- Fitness equipment
- Footways
- Grates and pits
- Gutters
- Handrails
- Kerbs
- Line markings
- Paths - including erosion levels of soft paths
- Pedestrian crossings
- Play equipment, including inclusive play equipment
- Public Domain furniture (including seating, bollards, bins, barbeques, bicycle parking, drinking fountains and dedicated bus stop infrastructure)
- Ramps and kerb ramps, including those related to designated on-street mobility parking spaces
- Separated cycleways
- Shared paths
- Stairs, including contrasts and handrails
- Tactile Ground Surface Indicators
- Wayfinding signage

Trees, turf and plantings will be managed in order to maintain the continuous accessible path of travel.

Public toilets managed by the City or its contractors will be cleaned and inspected daily. Any maintenance problems and access barriers will be reported daily. The City will undertake regular detailed condition audits of all public toilet facilities. These audits enable the timely repair of facilities, facility infrastructure, fixtures and fittings.

Public domain lifts managed by the City will be regularly maintained to ensure their ongoing operation. Should a lift, walkway or escalator suffer mechanical failure or be temporarily out of service for maintenance, the City will take appropriate measures to ensure the closure is communicated and information about alternative accessible routes is provided. The City inspects maintenance issues reported by residents, workers and visitors.

Where repair and restoration is required, the City will prioritise that maintenance activity in line with the maintenance planning hierarchy outlined below.

Where the City is not the responsible authority in question, the issue will be referred to the relevant authorities and agencies for investigation.

Maintenance planning and schedules

Maintenance plans and schedules prioritise repair and maintenance using the following hierarchy, in line with available budget and capacity:

1. **Safety and Risk**– assessed upon risk associated with the current situation.
2. **Usage** - High-use pedestrian areas such as those in the city centre, primary pedestrian routes and major destinations such as transport hubs or hospitals.
3. **Access** – assessment of whether the infrastructure is missing or non-compliant with current access standards.

3. Management

The way spaces within the public domain are used can introduce new access barriers in an otherwise accessible public domain environment.

As the consent authority for a range of activities and uses in the public domain, the City can set minimum requirements and provide guidance for those seeking to use spaces within the public domain, so that they do not create barriers. Further, where possible, the City aims to encourage activities to be as inclusive as possible.

As the consent authority for the use of spaces within the public domain, the City will require all entities who seek to use the public domain to:

- ensure their activity does not obstruct the continuous accessible path of travel
- avoid the creation of unintended barriers for people with disability, and
- in the spirit of inclusive participation, consider how the activities and services they offer as part of their use of spaces within the public domain can be enjoyed by people with a range of disabilities.

Relevant requirements, performance standards and best practice considerations reflected in the Inclusive and Accessible Public Domain Guidelines and Disability Inclusive Event Guidelines (or other relevant guidelines as identified on page 14 under responsibilities) will inform how the City uses spaces within the public domain,, where relevant and assesses requests for the following activities :

- outdoor events,
- markets,
- community gardens,
- footpath gardens,
- construction activity,
- filming activity, and
- the operation of certain street vending kiosks on Footways.

For outdoor dining, please refer to the Outdoor Dining Policy and Guidelines.

4. Information and education

Information

The City of Sydney is committed to designing, maintaining and managing the use of the public domain to ensure it is as accessible and inclusive as possible.

However, certain parts of the public domain in the City of Sydney Local Government Area are inherently inaccessible. This may be due to steep inclines resulting from Sydney's natural topography, or narrow streets in heritage neighbourhoods for example. While the City aims to improve access in the public domain over time, some access barriers are very difficult to overcome through design, and it may not always be possible to do so.

The City will provide quality information about access features and barriers in the public domain, to enable everyone, including people with disability to understand the built environment, know where barriers and access supports exist, and plan their journey with confidence.

This information may include both physical information in the public domain itself and online information and planning tools. Examples include:

- Localised precinct signage to indicate alternative accessible routes in circumstances where the primary path of travel within a precinct contains barriers that cannot be overcome through design.
- A comprehensive on street wayfinding system that includes Tactile and Braille Street identification signs.
- Wayfinding information within larger parks and civic spaces. These signs will identify the location of the continuous accessible path of travel and other access features in the park.
- Online information about access features and barriers in the public domain, including information about the locations and conditions of mobility parking spaces on the City of Sydney website.

Education

The City works with residents, businesses and organisations to promote a greater understanding of the benefits of an accessible and inclusive public domain to everyone. Education activities may include:

- providing guidelines to community members and organisations that seek permission or approval to use of public land,
- awareness raising as a result of compliance processes undertaken by ordinance officers where appropriate, and
- education programs and campaigns that educate members of the community about equitable and safe use of spaces within the public domain.

Guidelines

The associated guidelines for inclusive and accessible public domain were developed and adopted to implement the policy objectives. The content of these guidelines has been incorporated into a number of City codes, policies and guidelines, or will be incorporated when they are up for review, including:

Public Domain Design Codes:
- Sydney Streets Code
- Forthcoming Sydney Parks Code

- Sydney Lights Code

Management policies and guidelines:

- Community Greening Policy and supporting Guidelines
- Hoardings and Scaffolding Policy and Guidelines
- Markets Policy and Guidelines
- Public Toilet Strategy
- Event Guidelines

Guidelines for Inclusive and Accessible Events have been adopted to implement the policy objectives and will be referenced in and appended to the Events Guidelines.

Responsibilities

Relevant business unit managers are also responsible for incorporating relevant content from the Inclusive and Accessible Public Domain Guidelines into relevant policies, guidelines, strategies and asset management plans including, but not limited to those listed below:

- The Manager City Greening and Leisure is responsible for the current Public Toilet Strategy and for updating the Draft Community Greening Policy and supporting guidelines.
- The Senior Manager Development and Strategy is responsible for updating the current Public Toilet Strategy
- The City Architect is responsible for the Sydney Lights Code, the Sydney Streets Code and forthcoming Sydney Parks Code.
- The Manager Venue Management is responsible for updating the Events Guidelines for outdoor events and festivals and Markets Policy and Guidelines.
- The Manager Construction and Building Certification Services is responsible for the Hoarding and Scaffolding Policy and Guidelines and ensuring appropriate content is included in the relevant Local Approvals Policy and Code of Practice for Hoisting and Construction Activities in Public Places.
- The Manager City Infrastructure and Traffic Operations is responsible for updating the Sydney Streets Technical Specifications.
- The Manager Social City is responsible for providing advice to other divisions and business units to support consistent implementation across the organisation.

Consultation

This policy was developed in collaboration with an internal project control group comprising a range of City of Sydney stakeholders across all divisions. The City of Sydney's Inclusion (Disability) Advisory Panel provided guidance on the scope of the policy, and detailed feedback on content of guidelines. The policy and guidelines were subject of a series of peer led workshops with people with disability where feedback was provided.

References

Laws and Standards
• Disability Inclusion Act 2014 and the Disability Inclusion Regulation 2014 • Disability Discrimination Act 1992

Laws and Standards

- Disability (Access to Premises Standards – Buildings) Standards 2010
- Disability Standards for Accessible Public Transport 2002
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Local Government Act 1993
- NSW Anti-Discrimination Act 1977
- Roads Act 1993
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Policies and Procedures

- A City for All: Social Sustainability Policy and Action Plan 2018-2028
- Asset Management Policy
- Central Sydney On-Street Parking Policy
- Connecting Our City (2012)
- Display of Goods on the Footway Local Approvals Policy
- Draft Community Greening Policy
- Inclusive and Accessible Events Guidelines
- Greening Sydney Strategy
- Hoardings and Scaffolding Policy and Guidelines
- Inclusion (Disability) Action Plan 2021-2025
- Legible Sydney Design Manual
- Legible Sydney Wayfinding Strategy
- Markets Policy and Guidelines
- Neighbourhood Parking Policy
- Open Space and Recreational Needs study (2016)
- Outdoor Dining Policy and Guidelines
- Public Art Policy
- Public Art Strategy
- Public Domain Manual
- Public Toilet Strategy
- Street Tree Masterplan Part D
- Sydney Lights Code
- Sydney Parks Code
- Sydney Signage Code
- Sydney Streets Code
- Sydney Streets Technical Specifications
- Urban Forrest Strategy
- Walking Strategy & Action Plan

Review period

This policy will be reviewed at least every 4 years or as required from time to time due to changes in relevant disability legislation or access standards.

Approval Status

Council approved this policy on 22 August 2022.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy City of Sydney Access Policy	10 December 1992	Approved by Council	2009/101287
Reviewed City of Sydney Access Policy	1 June 2004	Approved by Council Objective 1 – Ensure access to all buildings, sites and facilities was repealed, and replaced by the City of Sydney Access Development Control Plan 2004	2009/111990
Reviewed Inclusive and Accessible Public Domain Policy	28 October 2019	Approved by Council Major review, with change to legislative basis, principles, scope and application. Scope expanded to include management and maintenance of spaces within the public domain. Detailed guidelines developed to accompany policy.	2019/595743
Reviewed Inclusive and Accessible Public Domain Policy	22 Aug 2022	Minor review and changes made to the Policy. The principles, scope and application remain the same. Changes include: • Simplified structure and more consistent language • Updated names of authorities • Updated Australian Standards and related policies and procedures	2019/595743
Commence Review date	22 Nov 2025		

Stage	Date	Comment	TRIM Reference
Approval Due Date	22 Aug 2026		

Ownership and approval

Responsibility	Role
Author	Manager Social Policy
Owner	Manager Social City
Endorser	City of Sydney Executive
Approver	City of Sydney Council