



Submission to the Review of the Disability Discrimination Act 1992

November 2025

ALGA Submission to the Review of the Disability Discrimination Act 1992

Executive Summary

The Australian Local Government Association (ALGA) supports the review of the Disability Discrimination Act 1992 (DDA) and welcomes proposed reforms to modernise the legislation, strengthen protections for people with disability, and implement recommendations from the Disability Royal Commission.

As representatives of over 530 councils nationwide, ALGA highlights the critical role of local government as employers, service providers, and community leaders in advancing inclusion. The submission supports the introduction of a positive duty to prevent discrimination, a modernised definition of disability, clearer guidance on reasonable adjustments and unjustifiable hardship, and explicit recognition of intersectional discrimination.

ALGA calls for:

- Tailored, practical guidance for councils on new obligations;
- Flexible implementation to reflect the diversity of council capacities;
- Alignment with state and territory frameworks to avoid duplication;
- Ongoing collaboration with ALGA and local government stakeholders.

Local governments are well-positioned to help realise a more inclusive Australia, but reforms must be supported by clear, actionable tools and sustainable resources.

Introduction

The Australian Local Government Association (ALGA) welcomes the opportunity to contribute to the review of the DDA. As the national voice of local government, ALGA represents over 530 councils across Australia including metropolitan, regional, rural and remote communities.

Local government plays a critical role in promoting the rights and wellbeing of people with disability. Councils are major employers, providers of frontline services, managers of public infrastructure, and community leaders. We therefore have a direct interest in ensuring that the DDA is clear, contemporary, and effective in protecting the rights of people with disability across all areas of public life.

Background:

The Commonwealth Attorney-General's Department is reviewing the DDA to:

- Strengthen protections against discrimination for people with disability
- Implement 15 recommendations from the Disability Royal Commission
- Modernise the Act's language, structure and effectiveness
- Ensure consistency with Australia's Disability Strategy 2021–2031.

Key areas under review include:

- Definitions of disability and discrimination
- Obligations on employers and service providers
- Access to justice and public life
- Reasonable adjustments and unjustifiable hardship
- Positive duties for eliminating discrimination.

General Comments

ALGA strongly supports the intent of the review; to modernise the DDA, implement recommendations of the Disability Royal Commission, and better align the Act with Australia's commitments under the Convention on the Rights of Persons with Disabilities.

Our member councils are committed to inclusive communities, and many already have Disability Action Plans and inclusive service strategies. However, the effectiveness of the DDA depends not only on the law itself, but on the availability of practical guidance, resources, and support to implement reforms at the local level.

Key Issues for Local Government

1. Positive Duty to Eliminate Discrimination

ALGA supports the introduction of a positive duty on employers and service providers to take proactive steps to prevent discrimination. For local government, this could provide a clearer mandate to embed inclusive practices. However, the duty must be accompanied by sector-specific guidance and must recognise the diversity of council capacity and resources across jurisdictions.

2. Modernising the Definition of Disability

We support reforming the definition of disability to reflect contemporary understandings, including the social and human rights models. Removing deficit-based language will support councils to review and modernise policies, procedures, and community engagement strategies.

3. Employment and Adjustments

Local governments are significant public sector employers. Strengthened obligations for reasonable adjustments are welcomed in principle, but must be balanced with practical clarity on what constitutes unjustifiable hardship. Councils would benefit from clear case studies and advisory material tailored to the local government workforce context.

4. Intersectionality

ALGA supports reforms that enable people with intersecting identities, such as First Nations people with disability, or culturally diverse and LGBTIQ+ people with disability, to seek redress for compounded forms of discrimination. These reforms are in line with the commitments many councils have made through equity and diversity strategies.

5. Disability Action Plans and Standards

Many councils have existing Disability Action Plans. ALGA recommends that any move toward enforceable plans or standardisation be supported with resourcing, templates, and flexibility to adapt to local context. Councils are well placed to partner in this work but require sustainable support to do so.

Recommendations

1. Any new duties or compliance obligations under the DDA must be supported with practical guidance, model policies and resourcing suitable for the local government sector.
2. Reforms should recognise the diversity of council size, capacity, and geography, particularly for small rural and remote councils.
3. Coordination across Commonwealth, state and territory disability frameworks is critical to avoid duplication and promote clarity for councils and communities.

ALGA welcomes ongoing consultation as reforms are developed and implemented.

Conclusion

Local government is a key partner in realising the goals of a more inclusive and accessible Australia. ALGA supports a stronger DDA that promotes equity and enables councils to deliver inclusive employment, services and community environments. We thank the Attorney-General's Department for undertaking this important review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Crawford'.

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