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Dear Sir/ Madam,

COMMENTS ON THE COMMONWEALTH DRAFT REPORT ON THE 2012 REVIEW OF DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC TRANSPORT

Thank you for the opportunity to comment on the draft report arising from the Commonwealth review of Disability Standards for Accessible Public Transport (DSAPT).

Please find enclosed comments from the Victorian Department of Transport, Planning and Local Infrastructure which show support for the draft recommendations and provides additional information on a number of these issues. The comments have been developed with and have the support of Public Transport Victoria.

If you wish to clarify or discuss any matter raised by this response please contact Kerrilie Rice, Strategy and Information, Department of Transport, Planning and Local Infrastructure by telephone on [REDACTED] or by email at [REDACTED]

Yours sincerely

Gary Liddle

Deputy Secretary, Transport

30 / 7 / 2014

Comments on the Review of the Disability Standards for Accessible Public Transport Draft Report

Victorian Department of Transport, Planning and Local Infrastructure
July 2014

Introduction

This submission is to provide comment on the recommendations made by the Draft Report and raise any issues believed to have not been adequately considered or captured.

Policy and legislative setting

DTPLI is committed to improving access to all modes of public transport services and facilities for all Victorians and addressing the travel needs of people with a disability or mobility restriction.

In December 2013, the Government released the *Accessible Public Transport in Victoria Action Plan 2013-17* (Action Plan) outlining specific priorities and outcomes that will improve access to public transport services and facilities over the next five years. The Action Plan adopts a strong focus on improved accessibility by focusing on four key priority areas: customer service; consultation and community engagement; access to public transport services; and access to facilities.

Importantly, the Action Plan supports the Government in delivering on the vision, goals and outcomes of the *Victorian State Disability Plan 2013-2016* ensuring that people with a disability or mobility restriction have a chance to participate fully in Victoria's economy and the community.

While all of the priorities and outcomes of the Action Plan at a minimum achieve compliance with the Disability Discrimination Act 1992 (DDA) and associated Transport Standards, the Action Plan highlights an important shift in thinking from compliance to accessibility.

While compliance with the Transport Standards is a useful measure of improvement across the network, it does not necessarily mean that access outcomes are always achieved for all public transport users. A compliance approach can often segment access into components rather than looking at whether a public transport service as a whole can be accessed by those with a disability or mobility restriction. The Action Plan demonstrates the Government's commitment to meeting the Transport Standards and using them as the baseline for improving access to the public transport network.

As part of the Victorian transport portfolio, Public Transport Victoria (PTV) is currently finalising an *Accessible Public Transport in Victoria Action Plan 2013-17: Implementation Plan* to inform projects and priority areas. The Implementation Plan outlines how the Action Plan will be delivered by focusing on improving service delivery and customer experience, raising patronage growth through a more accessible network, and clear

collaboration with operators, partners and the community to deliver the best outcomes for all Victorians. By taking an integrated and “whole of journey” approach to providing accessible public transport the Government recognises the need for all customers to be able to access information to plan their journey as well as being able to access public transport facilities and services. PTV will be responsible for delivering the plan.

Improving access to public transport services and facilities

Over the last 10 years, public transport agencies have identified and addressed a number of barriers to accessing public transport services for all Victorians but in particular, people with a disability and those with mobility restrictions. Government funded initiatives have delivered new accessible trains, trams and low floor buses, new or upgraded train stations, level access tram stops and upgraded bus stops. New electronic and audio information has been provided at public transport facilities and customer service and direct assistance has improved. Additional wheelchair accessible taxi (WAT) licenses have been issued and the government has significantly increased the annual subsidy cap and trip cap for the Multi-Purpose Taxi Program (MPTP).

Despite progress towards improving access to public transport, Victoria continues to face a significant challenge in improving access to tram services. Improving access to trams is constrained in the short term by the fact that older high floor trams cannot be retro-fitted and the tram replacement program is a longer term strategy for improving access. Also, there are considerable challenges in making tram stops accessible. Construction of level access stops is limited and can be constrained by issues associated with traffic congestion, parking availability, business and residential access in certain situations.

The Victorian transport portfolio intends to improve the quality and reliability of data that reports the accessibility status of the public transport network underpinned by the Transport Standards. Improved baseline data for trams and buses has been established and an accessibility audit of all Victorian railway stations is set to commence mid-2014.

Comments on Recommendations

Recommendation 1 — National reporting on compliance

That the Australian Government, jointly with state and territory governments, establishes a national framework for reporting on compliance by 30 June 2016.

DTPLI would support the establishment of a national reporting framework to assess progress against accessibility outcomes of public transport within and across jurisdictions. A national framework which reports on accessibility of public transport will provide the Government and the community with a more accurate and informed understanding on how accessible and easy to use public transport services are. Such a framework would be underpinned by the Transport Standards but consider whole-of-journey accessibility.

In December 2013, the Government released the *Accessible Public Transport in Victoria Action Plan 2013-17* outlining specific priorities and outcomes aimed at improving access to public transport services and facilities, and highlighting an important shift in thinking from compliance to accessibility.

While compliance with the Transport Standards is a useful measure of improvement across the network, it does not necessarily mean that access outcomes are always achieved for all public transport users. A compliance approach can often segment access into components rather than looking at whether a public transport service as a whole can be accessed by those with a disability or mobility restriction. The Action Plan demonstrates the government's commitment to meeting the Transport Standards and using them as the baseline for improving access to the public transport network.

A national framework for reporting on accessibility would take into account whole-of-journey accessibility and consideration of how parts of the Transport Standards work together to ensure access to public transport services and facilities.

A national framework for reporting on accessibility must be underpinned by a consistent and clear audit methodology to ensure the availability of reliable, consistent and complete data that is comparable across jurisdictions. Victoria continues to advocate the use of audits, for example the forthcoming audit of all Victorian railway stations to be undertaken on behalf of Public Transport Victoria (PTV), as a means of establishing baseline data for accessibility. Victoria has recently developed an audit methodology for assessing the accessibility of railway station infrastructure which is underpinned by the Transport Standards. The audit results will better inform strategies and programs to improve the accessibility of public transport. Audit data will enable Government to develop information to support customers to more easily plan their journeys.

Importantly, a national framework must not be considered in isolation from the existing work undertaken by state and territory governments and public transport operators in assessing accessibility of public transport.

The Draft Report highlights three potential methods for collecting data on compliance to populate a national framework:

- an independent audit approach
- a statistical approach, including operator database
- a census approach based on reporting at jurisdiction scale.

DTPLI would support an independent audit approach, based on the PTV accessibility audit methodology as a nationally agreed audit methodology, so that data is collected and reported consistently. The challenge with using a statistical or consensus approach is that existing data is limited and lacks consistency across jurisdictions. Due to the volume and range of transport operators the Victorian Government believes that operator databases are unlikely to be up-to-date and in most cases not comparable.

Recommendation 2 — Modernise the Transport Standards

That the Australian Government, jointly with state and territory governments, commences a process for updating and modernising the Transport Standards. This work should be undertaken in close consultation with industry and the disability community, and include research on the technical issues raised in this review, the development of options, and assessment of the impact of any proposed changes to the standards, with this work to be completed by 30 June 2016.

DTPLI would strongly support a recommendation to commence a process for updating and modernising the Transport Standards. This is consistent with the recommendations made

by Victoria in its submission to the 2012 Review and will ensure the Transport Standards meet the current and future needs of persons with a disability or mobility restriction.

DTPLI notes the need for clarity around the scope of this review and update to be detailed in the Terms of Reference. It is important to consider the rapid and ongoing advancements in technology in relation to travel planning, for example electronic signage and passenger information displays as well as website or mobile app travel planning information, and the compliance challenges posed by existing legacy or heritage public transport assets.

DTPLI supports the formation of a technical-committee, comprised of the Australian, state and territory governments, public transport providers and operators and disability community peak bodies, to examine potential changes to the Transport Standards.

The Draft Report categorises proposed amendments to the Transport Standards into two groups:

1. Parts of the Transport Standards to be amended, strengthened or deleted.
2. Ensuring that the Transport Standards Guidelines provide more definitive guidance where required.

We note the recommended amendments and, as addressed in Victoria's submission to the 2012 Review, wishes to highlight the need to review Section 8.2 of the Transport Standards with the aim of developing a specific standard for trams and trains in consultation with people with a disability.

Providing manual or power assisted boarding where independent access to trams cannot be achieved has operational and logistical challenges. There is no standard specifying the vertical and horizontal gaps which should not be exceeded for independent access. Rather, it is inferred from clause 8.2 of DSAPT governing the use of boarding devices. The current boarding gap of 12mm (vertical) and 40mm (horizontal) specified in DSAPT is based on an Australian Standard for hoists and ramps used for road transport including buses and taxis. However, there is no specific standard for trams and European standards have different vertical and horizontal gap requirements for deployment of ramps. Victoria recommends that the current standard in 8.2 be reviewed with the aim of developing a specific standard for trams. (refer to p11 of Victoria's 2012 submission)

Recommendation 3 — The complaints process

That the Australian Government considers the concerns raised about the complaints process.

DTPLI would support a review and consideration of the concerns raised in the preparation of the Draft Report regarding the current complaints process. It is clear there are a number of systemic issues with the complaints process, for example paid access to the Australian Standards and consequential difficulty in pursuing a complaint, and the Victorian Government agrees with the Draft Report's findings that the current complaints process can be *time-consuming, difficult, often exhausting and financially burdensome*.

DTPLI requests further clarity on the extent of Recommendation 3.

Recommendation 4 — Whole-of-journey accessibility

That the Australian Government, jointly with state, territory and local governments, develop accessibility guidelines for a whole-of-journey approach to public transport planning by 31 December 2015.

DTPLI would support a recommendation to develop accessibility guidelines for a whole-of-journey approach to public transport. However, there needs to be clarity around the scope of this project and clarity around how these will relate to existing guidance on accessible public transport (eg. *Accessible Public Transport in Victoria Action Plan 2013-17*).

As discussed earlier in this submission, while compliance with the Transport Standards is a useful measure of improvement across the network, it does not necessarily mean that access outcomes are always achieved for all public transport users. By taking an integrated and whole of journey approach to public transport planning this supports the need for all customers to be able to access information to plan their journey as well as being able to access public transport facilities and services.

The development of accessibility guidelines for a whole-of-journey approach to public transport planning would underpin a national framework for reporting on accessibility.

Recommendation 5 — National motorised mobility aid labelling scheme

That the Australian Government in collaboration with state and territory governments to develop and implement a national motorised mobility aid labelling scheme.

DTPLI would support a recommendation to develop a national motorised mobility aid labelling scheme. This reflects the strong call from State, Territory and Local governments, transport operators and members of the disability community, for guidance and ability to identify whether a mobility aid meets Transport Standards requirements for travel on public transport conveyances. Benefits of such a scheme would include:

- Better information at the point of purchase or lease of mobility aids
- The ability to make more informed decisions regarding travel on public transport
- Reduction in incidences where persons on a mobility aid are turned away or forced to ride in unsuitable spaces on public transport.

We also note the 2007 Review recommendation that a mobility aid labelling scheme be developed.

The Austroads Motorised Mobility Device Project

In November 2012 the Austroads Registration and Licensing Taskforce commenced the project to develop a nationally consistent approach to the use of MMDs. As part of project scope, consideration is given to the identification of motorised mobility devices that meet Transport Standards requirements for use on public transport conveyances.

As indicated in our submission to the 2012 Review, the Victorian transport portfolio recognises the considerable work on mobility aid standards and labelling carried out by the Accessible Public Transport Jurisdictional Committee (APTJC) and Austroads since the 2007 Review. We acknowledge that this is a difficult issue to resolve and needs to be considered in the wider context of mobility aid use on roads and linked infrastructure.

The Draft Report supports the proposed outcomes of the Austroads Motorised Mobility Device Project in supporting the development and implementation of a national mobility aid labelling scheme.

Importantly, a labelling scheme must provide certainty for passengers using a mobility aid in using public transport. While standards governing public transport conveyances and mobility aids should ensure their compatibility, this is not always the case. This outcome is not surprising given that a review of the standards [mobility aids (AS/NZS3695 among others from ME067), accessible public transport (AS/NZS ISO10865 [buses/trains], AS/NZS ISO10542 [cars/taxis], and the Transport Standards] suggests a focus on footprint (i.e. area not volume) of non-occupied mobility aids.

The use of occupied mobility aids is essential given that mobility aid dimension and performance change when loaded with people who have differing driving abilities as well as body shapes. These differences cannot be adequately replicated with lead weights or able-bodied people.

DTPLI considers it necessary to test the assumption that a public transport conveyance that complies with all relevant standards and a mobility aid that similarly meets relevant standards for manoeuvring, stability and dimensions outlined in the transport standards consistently enable the users of these mobility aids to use public transport.

Proposed Victorian research will seek to understand:

- If and why people who use compliant (Australian Standards (AS) as well as Transport Standards) mobility aids are having difficulty reliably using public transport.
- To identify the dimensions and types of mobility aids that fit best on current taxis, trams, metro and V/Line trains, buses and coaches.

PTV and Victorian Transport Operators (Metro, V/Line, Yarra Trams, Bus Vic and the Taxi Services Commission) are partnering with La Trobe University to develop a three year research project that will inform and assist health professionals in matching individuals to mobility aids best suited to their needs and abilities, which can be reliably used on public transport. This project is subject to funding from the Australian Research Council.

This project will ensure that there is reliable information that allows consumers to make an informed choice when selecting a mobility aid. The research findings will assist to inform the development of Australian Standards for mobility aids.

Further, any national labelling scheme must consider the use of hoists and anchor points on buses and coaches and how users of mobility aids use and engage with these devices.

Recommendation 6 — National wheelchair accessible taxi compliance milestones

That the Australian Government, jointly with industry, state and territory governments, develop consistent national compliance milestones and response times for wheelchair accessible taxis by 30 June 2016.

DTPLI would support a recommendation to develop national compliance milestones and response times for wheelchair accessible taxis. In Victoria this is being supported through the implementation of key recommendations identified in the Taxi Industry Inquiry. It is planned for these recommendations to be implemented during the 2014/15 financial year.

The specific initiatives are to collect data from the industry and support the reporting of response times for both conventional and wheelchair accessible taxis. The Taxi Services Commission (TSC) will have enhanced information collecting powers under new legislation and will be able to mandate provision of data on a regular basis. This will be done through new taxi meters that will be able to provide live data streaming to a newly designed TSC database. The database includes a reporting module that will provide information numerically (e.g. tables, graphs) and geographically through spatial mapping.

Information and performance outcomes based on data from taxis will be made publicly available on the TSC website. This will allow taxi customers to identify high performing networks and to make an informed decision when choosing a taxi service provider, whether conventional or wheelchair accessible.

Further, the removal of existing restrictions on the number and availability of taxi licences will also contribute to improving the supply of wheelchair accessible taxis in the industry to better meet passenger demand across Victoria.

Implementation of these initiatives will enable the TSC to report consistent response times performance outcomes for wheelchair accessible taxis by 2016.

Recommendation 7 — Review of Disability Access Facilitation Plan

That the Department of Infrastructure and Regional Development, in close consultation with the Aviation Access Forum, undertake a review of the Disability Access Facilitation Plan initiative by 30 June 2015, with the aim of improving the overall effectiveness and accessibility of the plans.

DTPLI would support a recommendation to undertake a review of the Disability Access Facilitation Plan (DAFP) initiative with the aim of improving the overall effectiveness of the plans. Victoria notes that ongoing review of DAFPs is worthwhile. There is a need to better understand the needs of passengers with a disability or mobility restriction for their entire journey.

Annexe A

On 6 August 2014 the Commonwealth Department of Infrastructure and Regional Development received a request to update the Victorian Department of Transport, Planning and Local Infrastructure's submission to the Draft Report of the Review of the Disability Standards for Accessible Public Transport 2002 from Public Transport Victoria (PTV). This update is included below:

Public Transport Victoria (PTV) would like to include the following update as an annexe to the Victorian Department of Transport, Planning and Local Infrastructure (DTPLI) submission to the draft 2012 Transport Standards Review Report.

This update is in regards to Recommendation 5 — National motorised mobility aid labelling scheme:

- *Since submission PTV has been informed that the "Creating accessible public transport journeys through optimal matching of consumers, their mobility aids and public transport vehicles" Australian Research Council (ARC) Linkage grant application was unsuccessful.*
- *PTV and transport operators are currently investigating other options and opportunities to progress aspects of this work. This likely to take the form of a reduced project scope which will investigate the suitability of mobility aids for use on buses.*
- *PTV requests that this update be included on the Review of the Disability Standards for Accessible Public Transport public website.*