



## **Submission to the Review of the Disability Standards for Accessible Public Transport**

**by the Local Government Association of SA, 16 Hutt Street, Adelaide 5000**

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### **Background**

The Local Government Association of SA made a presentation to the public hearing to review the Disability Standards for Accessible Public Transport 2002 in Adelaide 6 August 2007 regarding.

In attendance were Mr David Hitchcock, Manager Finance and Infrastructure LGA SA and Mr Murray Conahan Infrastructure Planner City Services City of Onkaparinga.

Following the presentation the LGA and the City of Onkaparinga were invited to provide a written submission in support of the information provided. This submission subsequently revisits the issues raised at the public hearing and provides supplementary information regarding matters of issue. The City of Onkaparinga will separately provide a submission to the elements of their presentation

### **Submission**

The LGA is the voice of Local Government in South Australia and represents all 68 Councils along with Anangu Pitjantjatjara. Associate members include Nepabunna Aboriginal Community, Gerard Aboriginal Community and the Outback Areas Community Development Trust. The LGA is primarily funded by member subscriptions and provides leadership to Councils and representation outwards to State and Federal governments and other key stakeholders. The LGA is a member of the Australian Local Government Association.

The Federal Disability Discrimination Act 1992 (the Act) provides protection against discrimination based on disability. Among other things the Act requires that public places and facilities must be accessible to people with disabilities.

For Local Government this includes places and facilities such as public buildings, footpaths and walkways and public transport infrastructure such as bus shelters (where it has accepted responsibility).

Specifically this submission refers to the standards as they apply to bus stop infrastructure (shelters and bus stops) relating to public passenger transport.

Councils providing community bus services could be classified as both an operator and a provider and are responsible for complying with provisions of the standards. The majority of public passenger transport is provided by the State Government (Public Transport Division (PTD)). The State Government is viewed as the operator and provider of this service.

Historically Councils have previously assisted the PTD with cost sharing to provide bus shelters on selected locations. State funding contributions to construction of bus shelters ceased in 2003. Negotiations are currently underway with the SA Government to clarify responsibilities for existing and new bus stop infrastructure and identification of DDA responsibilities.

While infrastructure responsibility is not specifically within the scope of the current review the lack of clarity has had a material impact on Councils interpreting the extent of their obligations to comply at existing PTD bus routes or where new routes are changed or newly created.

Local Government considers it has obligations in respect of the DDA Standards applicable to the specific bus shelters Councils own. However Councils are unsure as to the extent of the obligations outside the actual structure. It is the LGA's position that Councils are not responsible for any PTD passenger transport infrastructure other than where joint funding arrangements previously provided bus shelters and Councils have accepted responsibility.

If the State Government is the operator and provider of the service are they responsible for compliance with the Standards such as tactile surfaces at the bus stop and all associated linkages, paths and ramps to the shelter (including the shelters where Councils have not been involved with placement). Where do the respective responsibilities (Local and State Government) commence and finish in providing seamless transition for the bus stop, footpath and bus shelter?

The Standards do not provide sufficient clarification as to the extent of compliance required. For example Appendix B of the Issues Paper lists the various elements of compliance required in relation to access paths, handrails, allocated space etc. However the standards do not indicate size, shape or number of the various elements required. Councils are unclear as to the number of spaces required to be included in a bus shelter. Should it be one space for a person with a disability or one space for a wheel chair and one priority seat for a person with disabilities? Can the spaces/seating be multi-use in that if it is not utilised by persons with disabilities can a person without disabilities use it?

Councils are also experiencing conflicting information regarding the extent and design of infrastructure required to be placed at bus stops eg what dimensions should the boarding pad be?

In the absence of a good practice standard example Councils are sourcing various examples and interpretations in an attempt to comply. This does little to provide a uniform approach and will prove to be a source of frustration with users experiencing various standards or lack thereof of accessibility.

## **Selected Comment on Discussion Paper Issues**

### **Question 1 - Has the accessibility of public transport improved since the introduction of the transport standards**

*Yes, Councils have been progressing upgrading of bus stop infrastructure in endeavours to meet the 2007 compliance requirements. It is understood that the State Government Public Passenger Transport system does include a number of accessible vehicles.*

### **Question 2 - Have changes met expectations**

*Councils are uncertain as to the extent of responsibility for compliance and this has resulted in various levels of change occurring.*

### **Question 3 - Do you consider that the level of compliance required at the end of the first year period is sufficient to have had an impact on accessibility**

*The impact has been marginal. To date efforts appear to have been made in placement of TGI's on footpaths and kerbside access ramps rather than in actual upgrading of shelters and seating due to the uncertainty of responsibility and specification requirements in these areas).*

### **Question 4 - To what extent do you consider current data on accessibility are reliable**

*The LGA has surveyed metropolitan Councils with regard to bus shelters and compliance with the DDA Transport Standards. Limited response has been received. Respondent Councils have advised the cost of upgrading bus shelters on PTD routes are in the order of \$3,000 per shelter. By way of example a medium sized metropolitan Council with 435 PTD bus stops will need \$1.305 million to meet current interpretations of the requirements of the Act (based on one available space for a person with disabilities in the shelter) Respondent Councils have indicated a compliance range, by December 2007 of between 20% to 30%.*

### **Question 6 - Are you aware of examples where improved accessibility of public transport has led to increased patronage**

*No however this information would be valuable to quantify benefit cost ratios and value of increased amenity for people with disabilities. Funding should be provided by the Federal Government to raise public awareness of the commitment to improving accessibility and to encourage greater use by persons with disabilities.*

### **Question 10 - Has the introduction of transport standards clarified your obligations**

*No, if anything it has led to confusion. Notwithstanding responsibility issues the Standards do not provide clarity on the level of compliance required eg how many spaces in the shelter is an issue. See previous comments above*

*Additionally the standards are silent as to how the determination levels of compliance will be made. Will compliance levels be collectively assessed on whole of Government responsibilities with the State (eg Federal, State and Local Government), or will each sphere of government be responsible to meet its own targets such as 25% by December 2007. Will assessment of compliance include situations where it is unjustifiable or impracticable to undertake compliance, See attached copy of the photo provided in the City of Onkaparinga submission. The bus stop in the photo was not placed by the Council.*

### **Question 11 - Are the Transport Standards sufficient**

*No, more clarity is required. See Question 10, Councils have researched interstate for working examples and relevant websites. Provision of specialist assistance for operators and providers in terms of assessment of compliance requirements, strategic implementation advice and good practice design would prove beneficial. A National data base detailing good practice designs and location of accessible public transport routes would also be beneficial.*

### **Question 17 - Are there requirements that have proven to be impractical or difficult to implement**

*Yes, particularly in peri-urban areas where roads are not sealed or water tabling and footpaths are not provided. The City of Onkaparinga photo is one example of a number of situations where it will be impracticable to implement the standards. As indicated in question 10, guidance is required for how this situation might be assessed.*

Photo courtesy of City of Onkaparinga:

