



# Australian Government

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Review of the Disability Standards for Accessible Public Transport  
2002

July 2015

## Overview

The Australian Government recognises that access to public transport is critical for people with disability in order for them to participate fully in community life and the economy. The Australian Government is committed to reducing discrimination against people with disability and to improving accessibility to public transport in collaboration with state and territory governments. The *National Disability Strategy 2010-2020* seeks to drive a more inclusive approach to the design of policies, programs and infrastructure so that people with disability can participate as equal citizens in all areas of Australian life. An important outcome of the Strategy is for people with disability to live in accessible and well-designed communities where transport systems are accessible for the whole community. Ultimately, greater access and participation will lead to a more inclusive and productive society for the disability community and Australia as a whole.

In order to achieve this goal the Australian Government with the cooperation of states and territories enacted the Disability Standards for Accessible Public Transport 2002 (Transport Standards) on 23 October 2002. Since then the Transport Standards have provided guidance to public transport providers and operators in meeting their obligations under the *Disability Discrimination Act 1992* and contributed to making public transport more accessible to not only people with disability but also the elderly and parents with prams.

The Australian Government therefore welcomes the findings of the second legislated review of the Transport Standards which reports on the effectiveness and efficiency of the standards 10 years after their introduction.

### Effectiveness of the Transport Standards

The Australian Government notes the finding of the review that all state and territory governments have reported progress towards implementing the Transport Standards since the first legislated review in 2007. It does appear that the Transport Standards continue to be effective in requiring governments and public transport providers and operators to implement upgrades to public transport conveyances and associated infrastructure that they are responsible for in order to improve accessibility for people with disability.

It is recognised that, while the Transport Standards continue to be effective in encouraging investment in public transport systems, progress occurs at an uneven rate depending on the location, population and demand for accessible public transport. The Australian Government notes that the current review has identified deficiencies which continue to impact on the ability and desire of people with disability to use public transport.

The Australian Government also notes that this review has found that the Transport Standards are not optimal in their present form and that a number of parts within the standards needs to be revisited to allow for a more flexible, effective and in some cases pragmatic response in implementation of the standards.

### Efficiency of the Transport Standards

The Australian Government recognises that since the inception of the Transport Standards in 2002, state and territory governments have made a concerted effort to improve the accessibility of their public transport systems. With the Transport Standards now in operation for more than 10 years, their significant financial investments are now starting to result in across-the-board improvement in accessibility.

However, the current review has found that although the most current compliance targets have been met by providers and operators, the 2017 targets calling for public transport systems to be 80 per cent or 90 per cent accessible may be difficult to achieve unless significant resources are found. These concerns have been expressed by states that operate larger public transport systems and generally

have older heritage and ‘legacy’ assets — and consequently backlogs of work — that require extensive upgrades and investment to bring them up to the requirements of the Transport Standards.

The review notes that while it is recognised that local government, while having the best intentions to ensure accessibility for people with disability to public transport, especially through providing accessible bus stops, bears a large part of the burden of providing the required infrastructure with little or no financial assistance.

With these significant physical and financial challenges in mind, the Australian Government is committed to reducing red tape and compliance costs for providers and operators while still ensuring the accessibility of public transport systems for people with disability across Australia.

## Detailed Australian Government Response to Recommendations

The review report makes 7 recommendations. The Australian Government’s detailed response to the reports’ recommendations is as follows:

**RECOMMENDATION 1 - That the Australian Government, jointly with state and territory governments, commence a process for updating and modernising the Transport Standards. This work should be undertaken in close consultation with industry, local government and the disability sector, 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 2017.**

### Australian Government Response

#### Support

The Australian Government recognises that 10 years after inception, some parts of the Transport Standards may not be meeting the current and future needs of people with disability or provide sufficient flexibility or guidance to providers and operators in their efforts to fulfil their obligations under the Disability Discrimination Act.

The Australian Government will commence a process for updating the Transport Standards which will involve close consultation with industry, all levels of government and the disability sector.

**RECOMMENDATION 2 – That the Australian Government, jointly with state and territory governments, establish a national framework for reporting on progress against the Transport Standards by 31 December 2016.**

### Australian Government Response

#### Support in principle

The Australian Government recognises that the absence of a national framework for reporting on progress and compliance with the Transport Standards has made the task of assessing the efficiency and effectiveness of the Transport Standards difficult. Without an agreed national framework within which all state and territory governments gather and provide consistent data, a detailed and accurate overview of accessibility to public transport for people with disability across Australia cannot be obtained.

However, the Government also recognises that a reporting regime could place additional regulatory burden on the public transport industry and has potential to add to existing costs incurred in ensuring that public transport systems and operations remain accessible to people with disability.

Therefore, in endeavouring to minimise regulatory impacts while also ensuring that a national reporting system provides consistent and meaningful data, the Australian Government proposes that a COAG Regulation Impact Statement be developed as a first step. This should canvas a range of options on gathering consistent and meaningful data and provide a recommendation to the Transport and Infrastructure Council on the most efficient and effective method of reporting data. The results of this should be considered by the Transport and Infrastructure Council with a view to implementation.

**RECOMMENDATION 3 – That the Australian Government considers the concerns raised about the complaints process.**

Australian Government Response

Noted

The Government recognises that an effective complaints process is the key to facilitating compliance with the Transport Standards. The Government notes that the Australian Human Rights Commission is the complaint-handing mechanism for the anti-discrimination regime (including resolving issues relating to the Transport Standards) and considers the emphasis on conciliation to resolve complaints in the first instance to be an effective, low-cost dispute resolution mechanism.

**RECOMMENDATION 4 – 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 30 June 2016.**

Australian Government Response

Support in principle

The Australian Government recognises that whole-of-journey accessibility is crucial to ensuring that people with disability have increased confidence in utilising public transport. Accordingly, the Government supports the development of accessibility guidelines for a whole-of-journey approach to public transport which will act as a planning tool to assist state and territory governments in their planning processes, to the extent it can be facilitated through the Transport Standards. Recognising that some state and territory governments have already made provisions in their planning processes for increased accessibility to public transport, the Australian Government considers that the guidelines should be used as a tool to reinforce as well as encourage governments to pursue similar planning initiatives.

**RECOMMENDATION 5 – That the Australian Government, in collaboration with state and territory governments, develop and implement a national motorised mobility device labelling scheme.**

Australian Government Response

Noted

The Australian Government notes that work relating to this recommendation has been ongoing since its inclusion as one of the recommendations in the Government Response to the first Transport Standards review report publicly released in 2011 and the commencement of the Austroads Motorised Mobility Device Project in 2012. The Australian Government supports the continuance of current

processes being now undertaken by the National Transport Commission concerning the possible incorporation of a national motorised mobility device labelling scheme through amendments to the Australian Road Rules.

**RECOMMENDATION 6 – That the Australian Government, jointly with industry, state and territory governments, develop consistent national compliance milestones and response times for wheelchair accessible taxis by 31 December 2016.**

Australian Government Response

Noted

The Australian Government recognises that the development of consistent national compliance milestones and response times for wheelchair accessible taxis will provide people with disability greater certainty in mobility and increased ability to participate fully in community life.

However, the Australian Government also recognises the inherent challenges and difficulties associated with achieving national harmonisation in a service industry where local factors and business arrangements play a major role in determining outcomes. The Australian Government is mindful that any additional regulation placed on the wheelchair accessible taxi industry as a result of trying to achieve national harmonisation may add to regulatory and financial burdens already incurred by taxi networks and drivers in order to remain viable.

Accordingly, the Australian Government call on the Australian Taxi Industry Association and the National Taxi Regulators Group to collaborate and achieve concrete outcomes that will improve the lives of people with disability without the need for regulatory intervention.

**RECOMMENDATION 7 – 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.**

Australian Government Response

Support

The Australian Government recognises that with the Disability Access Facilitation Plan (DAFP) initiative commencing its fifth year, it is appropriate to review the initiative with the aim of improving the effectiveness of airlines and airport plans covered by the initiative.

The Australian Government acknowledges that the disability community have expressed some concerns about the DAFP initiative including: passengers being aware of, and able to easily access, the DAFPs; some plans being out of date or not reflecting practice on the ground; and the involvement of the disability community in the development and updating of plans.

The Department of Infrastructure and Regional Development, in consultation with the Aviation Access Forum (AAF), is gathering information from the disability sector, airline and airport operators about the current operation and performance of the DAFP initiative to assist in preparing recommendations for improvements to the initiative for consideration by the AAF.