



Australian Government

Department of Infrastructure and Transport

2012 Review of the Disability Standards for Accessible Public Transport 2002 (Transport Standards)

Issues Paper

November 2012

This issues paper supports the Terms of Reference for the 2012 Review of the *Disability Standards for Accessible Public Transport 2002* (Transport Standards) agreed by the Hon Anthony Albanese MP, Minister for Infrastructure and Transport in consultation with the Hon Nicola Roxon MP, Attorney-General on 28 September 2012.

© Commonwealth of Australia 2012
ISBN 978-1-922205-00-1
November 2012 / INFRA1621

Ownership of intellectual property rights in this publication

Unless otherwise noted, copyright (and any other intellectual property rights, if any) in this publication is owned by the Commonwealth of Australia (referred to below as the Commonwealth).

Disclaimer

The material contained in this publication is made available on the understanding that the Commonwealth is not providing professional advice, and that users exercise their own skill and care with respect to its use, and seek independent advice if necessary.

The Commonwealth makes no representations or warranties as to the contents or accuracy of the information contained in this publication. To the extent permitted by law, the Commonwealth disclaims liability to any person or organisation in respect of anything done, or omitted to be done, in reliance upon information contained in this publication.

Creative Commons licence

With the exception of (a) the Coat of Arms; (b) the Department of Infrastructure's photos and graphics; copyright in this publication is licensed under a Creative Commons Attribution 3.0 Australia Licence.

Creative Commons Attribution 3.0 Australia Licence is a standard form licence agreement that allows you to copy, communicate and adapt this publication provided that you attribute the work to the Commonwealth and abide by the other licence terms.

A summary of the licence terms is available from <http://creativecommons.org/licenses/by/3.0/au/deed.en>.

The full licence terms are available from <http://creativecommons.org/licenses/by/3.0/au/legalcode>.

This publication should be attributed in the following way: ©Commonwealth of Australia 2012

Use of the Coat of Arms

The Department of the Prime Minister and Cabinet sets the terms under which the Coat of Arms is used.

Please refer to the Department's Commonwealth Coat of Arms and Government Branding web page

<http://www.dpmc.gov.au/guidelines/index.cfm#brand> and in particular, the *Guidelines on the use of the Commonwealth Coat of Arms* publication.

Contact us

This publication is available in hard copy, PDF, RTF and DOC format. All other rights are reserved, including in relation to any Departmental logos or trademarks which may exist. For enquiries regarding the licence and any use of this publication, please contact:

Director - Publishing and Communications
Communications Branch
Department of Infrastructure and Transport
GPO Box 594
Canberra ACT 2601
Australia

Email: publishing@infrastructure.gov.au

Website: www.infrastructure.gov.au

Contents

Introduction	2
Issues Paper	2
Public Consultations	2
Consultation Timetable	3
Consolidation Of Commonwealth Anti-Discrimination Laws	3
Submissions	4
Making A Submission.....	4
Section A: For Operators And Providers – Compliance Against Schedule 1 Of The Transport Standards.....	5
Section B: For State And Territory Governments – Actions And Initiatives	7
Section C: For Disability Sector And Public Views	9
Appendices	10
Appendix A Terms of Reference 2012 Review Of The <i>Disability Standards For Accessible Public Transport 2002</i>	10
Appendix B Commonwealth Government response 2007 Review Of The <i>Disability Standards For Accessible Public Transport 2002</i>	12
Appendix C Review Background And Context	26
Appendix D Schedule 1 Target Dates For Compliance (Section 33.2).....	29

Introduction

The *Disability Discrimination Act 1992* (DDA) allows the Government to make standards to provide information about what needs to be done to ensure that people with disability are not discriminated against. The purpose of the *Disability Standards for Accessible Public Transport 2002* (Transport Standards) is to enable public transport operators and providers to remove discrimination from public transport services.

The current version of the *Disability Standards for Accessible Public Transport 2002* (Transport Standards) can be found at:

<http://www.comlaw.gov.au/Series/F2005B01059>

The current version of the Disability Standards for Accessible Public Transport Guidelines 2004 (No.3) (the Guidelines) can be found at:

<http://www.comlaw.gov.au/Details/F2005B01059/Supporting%20Material/Text>

Part 34 of the Transport Standards requires the Minister for Infrastructure and Transport, in consultation with the Attorney-General, to review the efficiency and effectiveness of the Transport Standards within five years of their taking effect, with subsequent reviews every five years. The review must include whether discrimination has been removed, as far as possible, according to the requirements for compliance set out in Schedule 1 of the Transport Standards; and, any necessary amendments to these Standards.

Under the Terms of Reference (Appendix A) the 2012 Review will assess and advise on the progress of the implementation of the Government response to the 2007 Review (Appendix B) as a separate consideration under the scope of this review.

Issues Paper

This Issues Paper provides an opportunity for transport operators and providers, governments, the disability sector and the public to provide written submissions. The paper has been divided into separate sections detailing questions for each stakeholder group. The questions are intended to assist contributors in framing their submissions. The paper also includes additional information in appendices to inform stakeholders in preparing their submissions.

Public Consultations

The Department of Infrastructure and Transport will be conducting public consultations in each state and territory. Interested organisations and individuals will be advised through the Department's website of locations, dates and times and there will be an opportunity to register your interest. People with a disability will be offered provision, when registering their interest, to indicate any particular needs or requirements.

Consultation Timetable

The review commenced with the release of the Terms of Reference on 19 October 2012.

Submissions will close on 26 April 2013, with public hearings scheduled to be conducted in all states and territories in May 2013. The draft report is expected to be released in August 2013, allowing for further comment up to 31 October 2013. The Department envisages releasing the review report in the first half of 2014.

Consolidation of Commonwealth Anti-Discrimination laws

The Attorney-General's Department is currently undertaking a project on the consolidation of Commonwealth Anti-Discrimination Laws, including the *Disability Discrimination Act 1992*.

The draft legislation was publicly released 20 November 2012. The Department of Infrastructure and Transport will consult with the Attorney-General's Department on this important exercise to ensure consistency between the two regimes.

The Government will ask the Senate Legal and Constitutional Affairs Committee to inquire into the Bill, including public consultation. Stakeholders will be asked to provide submissions on the Bill through this public consultation process. Further information on this process will be detailed on the Attorney-General's Department website as it becomes available at:

www.ag.gov.au/antidiscrimination

The draft legislation can be found at:

<http://www.ag.gov.au/Humanrightsandantidiscrimination/Australiashumanrightsframework/Pages/ConsolidationofCommonwealthantidiscriminationlaws.aspx>

SUBMISSIONS

Making a submission

To assist stakeholders in framing their submissions, key questions are contained within each section directed at different stakeholder groups. However stakeholders are welcome to provide a response to questions contained within other sections, if they wish.

Where possible submissions should be lodged as a text or Microsoft Word document (preferably txt, .rft, .doc) to ensure screen readers can read them. Please remove any drafting notes, track changes or other hidden text, as well as any internal links, large logos and decorative graphics. Submissions may also be sent by mail, fax or audio file.

Submissions should be provided to the Disabilities Transport Access Secretariat within the Department of Infrastructure and Transport no later than Friday 26 April 2013.

Submissions can be lodged:

By email (preferred) to the Department of Infrastructure and Transport via the Secretariat mailbox at:

DisabilitiesTransportAccessSecretariat@infrastructure.gov.au

or alternatively by mail to:

Disabilities Transport Access Secretariat
Transport Access Section
Road Safety and Transport Access Branch
Department of Infrastructure and Transport
GPO Box 594
CANBERRA ACT 2601

Or by Fax: (02) 6274 7884

All submissions will be treated as public documents and made available on the review website unless the documents are clearly marked on the coversheet as being provided 'IN CONFIDENCE'. Copies of all submissions will be provided to the Attorney-General's Department.

SECTION A: For operators and providers – compliance against Schedule 1 of the Transport Standards

The 2007 Review focused on the legislated Schedule 1 Part 1 - 31 December 2007 Transport Standards compliance targets. The review noted that targets in a number of areas were not met. The Government's response to the recommendations of the review focused on non-compliance issues associated with those targets.

Section A of this Issues Paper will re-assess compliance with the Schedule 1 Part 1 targets while maintaining a particular focus on assessment against the Schedule 1 Part 2 - 31 December 2012 targets. The Transport Standards compliance schedule can be found at Appendix D.

Schedule 1 Part 2 compliance targets include:

- 2.1 Full compliance with the relevant Standards by operators and providers in relation to gateways and vending machines (except bus stops).
- 2.2 Full compliance with the relevant Standards by operators and providers in relation to surfaces, handrails and grabrails except bus stops and premises to which the Disability (Access to Premises-Buildings) Standards 2010 (Premises Standards) apply.
- 2.3 Full compliance with the relevant Standards by accessible taxi operators in relation to 1500mm minimum head room and vertical door opening.
- 2.4 Operator/provider compliance with the relevant Standards by 55% of each type of service in relation to resting points, boarding, allocated space and street furniture (except bus stops).
- 2.5 Operator/provider compliance with the relevant Standards by 55% of each type of service in relation to access paths, manoeuvring areas, passing areas, ramps, lifts, stairs, toilets, tactile ground surface indicators, controls, doorways and doors except bus stops and premises to which the *Disability (Access to Premises-Buildings) Standards 2010* (Premises Standards) apply.
- 2.6 Provider compliance with the relevant Standards by 55% of bus stops in relation to access paths, manoeuvring areas, passing areas, ramps, waiting areas, boarding, allocated space, surfaces, information, street furniture, lighting, tactile ground surface indicators, signs, symbols, stairs, handrails and grabrails.

Questions for operators, providers and their representative organisations

1. *Have you been able to meet the 2007 Transport Standards legislated targets? If not, can you elaborate on the reasons for not being able to meet these targets?*
2. *Have you been able to meet the 2012 Transport Standards legislated targets? If not, can you elaborate on the reasons for not being able to meet these targets?*
3. *Are there requirements that have proven to be impractical or difficult to implement? If so, please specify.*
4. *Can you provide detail on any initiatives and actions you have undertaken, not currently detailed under the Transport Standards or other legislative requirements, in relation to removing discrimination against people with disabilities?*

SECTION B: For State and Territory Governments – actions and initiatives

Recommendation 9 of the Government response to the 2007 Review called for the reconvening of the Accessible Public Transport Jurisdictional Committee (APTJC) to lead and coordinate the progression of the implementation of recommendations arising from the review.

Current membership comprises representation from the following state and territory transport agencies and Australian Government Departments:

Victorian Department of Transport

Transport for NSW

SA Department of Planning, Transport and Infrastructure

Department of Transport and Main Roads Queensland

Tasmanian Department of Infrastructure, Energy and Resources

NT Department of Lands and Planning

WA Department of Transport

ACT Government Justice and Community Safety Directorate

Australian Local Government Association

Attorney- General's Department (Observer)

Department of Infrastructure and Transport (Chair and Secretariat)

Section B provides an opportunity for state and territory governments to detail initiatives and actions undertaken in order to eliminate discrimination against people with disabilities in relation to public transport services.

Questions for state and territory governments

1. *Has the accessibility of public transport within your jurisdiction improved since 2007?*
 - *How has accessibility to conveyances (eg trains, buses and coaches, trams, ferries, wheelchair accessible taxis and aircraft) changed? Have compliance targets been met? Can you provide examples? If compliance targets have not been met, can you elaborate on the reasons for not being able to meet these targets?*
 - *How has accessibility of information (eg, maps, timetables, announcements, etc) changed? Can you provide examples?*
 - *How has accessibility of infrastructure (eg, any structure or facility that is used by passengers in conjunction with travelling on a public transport service) changed? Can you provide examples?*
 - *Have you been able to improve the collection and reporting of reliable, current data on public transport accessibility within your jurisdiction?*
2. *Are there any other initiatives and actions in relation to removing discrimination from public transport services, that do not come under the above, for which you can provide details?*

SECTION C: For disability sector and public views

The accessibility of public transport for people with disability is the primary purpose of the Transport Standards.

“The ability to move around the community underpins all aspects of life for people with disability.”(National Disability Strategy, page 32, 2010)

Section C provides an opportunity for people with disability, organisations, councils, advisory groups and representatives submitting on behalf of people with lived experience, and the wider community, on progress towards achievement of targets set out in the Transport Standards.

Questions for people with a disability, their representative organisations and the community generally

1. *Has your accessibility to public transport improved since the commencement of the first Transport Standards review in 2007?*
 - *How has your accessibility to conveyances (eg trains, buses and coaches, trams, ferries, wheelchair accessible taxis and aircraft) changed? Can you provide examples?*
 - *How has your accessibility to information (eg, maps, timetables, announcements, etc) changed? Can you provide examples?*
 - *How has your accessibility to infrastructure immediate to boarding a conveyance changed? (eg, any structure or facility that is used by passengers in conjunction with travelling on a public transport service). Can you provide examples?*
 - *What do you currently see as the greatest areas of need with regard to accessibility of public transport for people with disability? Can you provide specific examples?*
2. *As a public transport user, are there areas of the Transport Standards where you consider that a more specific requirement for compliance would improve accessibility?*
3. *To what extent do you feel that the requirements in the Transport Standards address all of the accessibility requirements for people with a disability? Are there gaps in the coverage of requirements?*
4. *Do you find that the current processes with regard to making a complaint or seeking information are sufficient or sufficiently responsive?*
5. *As a body representing the views of people with a disability, do you have any specific responses or perspectives with regard to the issues raised in the questions above?*
6. *Other key issues you would like to see addressed?*

APPENDIX A

2012 Review of the Disability Standards for Accessible Public Transport

Terms of Reference

Background

The *Disability Standards for Accessible Public Transport 2002* (Transport Standards) state that their purpose is to enable public transport operators and providers to remove discrimination from public transport services. Part 34 requires the Minister for Infrastructure and Transport, in consultation with the Attorney-General, to review the efficiency and effectiveness of the Transport Standards within five years of their taking effect, with subsequent reviews every five years.

The first review of the Transport Standards was initiated in 2007 and it and the accompanying Government response to the review were publicly released in June 2011. Implementation of the response is being progressed through the Accessible Public Transport Jurisdictional Committee (APTJC) and the Accessible Public Transport National Advisory Committee (APTNAC), which were reconvened for this purpose as part of the response. Implementation of the 2011 response is ongoing and will extend beyond 2012.

The 2012 Review will be undertaken by the Department of Infrastructure and Transport in consultation with APTJC and APTNAC and the Attorney-General's Department. The Department of Infrastructure and Transport will provide a final written report for consideration by the Minister for Infrastructure and Transport in consultation with the Attorney-General.

Scope

1. As required by Part 34 of the Transport Standards, the 2012 Review will review the efficiency and effectiveness of the Transport Standards and will:
 - assess whether discrimination has been removed, as far as possible, according to the requirements for compliance set out in Schedule 1 of the Transport Standards; and
 - advise on any necessary amendments to the Transport Standards.

2. The Review will focus on:

- reporting public views of people with disability, and the community generally, on progress towards achievement of targets set out in the Transport Standards;
- assessing compliance with the requirements set out in Schedule 1 of the Transport Standards, in particular those under Part 2 of Schedule 1;
- identifying initiatives and actions with respect to removing discrimination from public transport services undertaken by state and territory governments since the 2007 Review; and
- assessing the progress of the implementation of the response to the 2007 Review.

ANTHONY ALBANESE
Minister for Infrastructure and Transport

APPENDIX B

2007 REVIEW OF THE DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC TRANSPORT 2002

COMMONWEALTH GOVERNMENT RESPONSE -JUNE 2011

Preamble

The *Disability Standards for Accessible Public Transport 2002* (Transport Standards) took effect on 23 October 2002. The Transport Standards specify levels of service, measures and actions that public transport operators and providers must undertake to meet their obligations under the *Disability Discrimination Act 1992* (DDA). That is, the Transport Standards define how public transport – buses, taxis, trams, trains, ferries and commercial aircraft – are to be made ‘accessible’.

The Transport Standards apply to all new transport conveyances and infrastructure introduced into service after 23 October 2002. In addition, a progressively staged timetable for compliance, over a 20-30 year period, applies to conveyances and infrastructure in place before that date.

Part 34 of the Transport Standards requires the Minister for Infrastructure and Transport, in consultation with the Attorney-General, to review the efficiency and effectiveness of the Transport Standards within five years of their coming into effect, and each five years thereafter.

An independent review – the first five year review of the Transport Standards (the Review) – was undertaken on behalf of the Australian Government by the Allen Consulting Group.

The review process incorporated extensive public consultation through the development of the Review Terms of Reference, an accessible web site, an issues paper, an invitation for written submissions, public hearings and the release of a draft report for stakeholder comment.

The scope outlined in the Review Terms of Reference detailed the need for the consultant to assess the efficiency and effectiveness of the current Transport Standards and recommend options as to how the effectiveness and efficiency of the Standards could be improved. The Review was not required to assess the merits of the Transport Standards as such.

Context

Since the commencement of this Review, there have been several significant changes in the policy landscape to improve the lives of people with disability. Most notable are the National Disability Strategy and the accession of Australia to the United Nations Convention on the

Rights of Persons with Disabilities. Future work on transport accessibility, including progressing the outcomes of this Review, will take place within this changed context.

On 17 July 2008, Australia ratified the United Nations Convention on the Rights of Persons with Disabilities (Convention) and acceded to the Optional Protocol on 21 August 2009. The Convention aims to enhance opportunities for people with disability to participate in all aspects of social and political life including access to employment, education, health care, information, justice, public transport and the built environment.

In implementing the Convention the Australian Government has been considering how to appropriately enhance implementation through both formal and informal mechanisms. Australia's first report to the UN under the Convention was lodged with the UN on 3 December 2010.

The National Disability Strategy was endorsed by the Council of Australian Governments (COAG) in recognition that support for people with disability is a shared responsibility across the Commonwealth, states and territories. The National Disability Strategy is an important mechanism to ensure that the principles underpinning the Convention are incorporated into policies and programs affecting people with disability, their families and carers.

The National Disability Agreement (NDA), signed by all members of COAG in 2009, provides the framework for ongoing collaboration on policy development, service delivery and economic and social reform of national importance. The NDA includes a priority for: "*More consistent access to aids and equipment*". There is a strong association between the provision of mobility aids and equipment by the states and territory Governments and the need for compliance of access specifications with the Transport Standards.

While not directly considered in the Review, it is also noteworthy that the *Disability (Access to Premises Buildings) Standards 2010* (Premises Standards) commenced on 1 May 2011. Part H2 of the Premises Standards relates to buildings associated with public transport services. This component has been transferred from the Transport Standards to the Premises Standards. Part H2 covers all public transport buildings including railway stations, bus interchanges, and ferry terminals.

Key Findings of the Review and Recommendations

The Review assessed the first five years of implementation of the Transport Standards against a number of broad effectiveness and efficiency criteria, before identifying particular recommendations which flow from these assessments. These issues are dealt with in turn, following the order of presentation in the report.

Effectiveness in removing discrimination for people with disability

The Review concludes that the Transport Standards have significantly changed the way governments and public transport operators and providers think about and deliver access to public transport for people with disability. Obligations existed in the DDA prior to the introduction of the Transport Standards but the effort to remove discrimination was not approached systematically.

While a quantitative estimate of progress against the five year milestones is not possible due to the lack of detailed and comparable reporting, the Review reports evidence of increased investment in accessible public transport, and growth in accessible services and infrastructure. It concludes that the Transport Standards have been effective in bringing

forward investment in accessible infrastructure and conveyances, and has facilitated the removal of discrimination being experienced by people with disability, the ultimate objective of the Transport Standards.

Notwithstanding these observations, the Review notes that many stakeholders were critical of the implementation of the Transport Standards in the first five years. This dissatisfaction was characterised by three main concerns:

- uneven improvements in accessibility (across modes and between urban and rural regions);
- a lack of ‘whole of journey’ accessibility (although this is due, in most part, to the agreed policy of staged compliance targets); and
- a lack of confidence in the reliability of accessible services.

Effectiveness of the regulatory approach

The DDA, and supporting Standards, are the regulatory means by which governments seek to remove, as far as practicable, discrimination against people with disability. The rationale for government intervention, through regulation, is based on the broader social benefits through greater access to services for people with disability, and the goals of social inclusion and equity.

The Transport Standards are mainly prescriptive regulations, with a small number of performance-based measures. In comments to this Review, many stakeholders had differing views regarding the appropriate level of prescription in many areas of the Transport Standards.

The Review notes that the current approach of referencing Australian Standards in the Transport Standards can make interpretation of the requirements difficult for operators and providers and people with disability. In addition, many of the Australian Standards referenced are not purpose-designed for the transport sector and often do not translate well for transport conveyances and infrastructure.

Scope of the Transport Standards

The scope of the Transport Standards determines the extent to which they have an influence, and thus is a determinant of their effectiveness. Exclusions, exemptions, claims of unjustifiable hardship and the use of equivalent access provisions all influence the extent to which particular sectors, modes of transport or components of public transport systems are covered by the Transport Standards.

Exclusions

The Review notes that exclusions apply to certain types of services (such as limousines and small charter boat services). Although current exclusions from the Transport Standards are predominantly supported by stakeholders, exclusions for dedicated school buses and targeted forms of community transport are not as well supported. In both cases, the Review concludes that the basis for the exclusion needs to be tested against the potential costs and benefits of removing the exclusions. It is also important to note that the currently excluded forms of public transport remain subject to the DDA.

Exemptions

An operator or provider can apply for an exemption from compliance with the Transport Standards from the Australian Human Rights Commission (AHRC). Exemptions may be

subject to conditions that are set by the AHRC but are temporary, limited to a term of not more than five years. Exemptions have primarily been utilised by smaller regional operators and providers, and the Australasian Railway Association.

Unjustifiable hardship

The Transport Standards include specific provision for public transport operators and providers to claim unjustifiable hardship, for example, in cases where the costs associated with making adjustments are unreasonable. Such a claim can only be used as a defence against a discrimination complaint. The determination of unjustifiable hardship is made by the Federal Court or Federal Magistrates Court, although the AHRC can advise on the validity of the claim during conciliation.

The Review notes that current utilisation of unjustifiable hardship provisions is uncertain because there is no registration or other means to lodge a claim, other than in the process of defending a legal action. As such, it is likely that there are operators and providers who currently believe that they could legitimately make a claim of unjustifiable hardship, but have not, as yet, been required to make one.

Equivalent access

Equivalent access means providing accessibility by means other than those specified in the Transport Standards. The Review found that some operators and providers are utilising equivalent access provisions, including through staff assistance or substitution of one type of service for another accessible one. Operators and providers did, however, comment that there is a disincentive to use equivalent access provisions because there is currently no mechanism to confirm that these provisions are compliant with the Transport Standards.

Efficiency of implementation of the Transport Standards

The Review notes that public transport operators and providers have found the first five years of implementing the Transport Standards challenging. This experience has highlighted several gaps in the information and support processes for the Transport Standards. The Transport Standards Guidelines provide guidance on how to interpret the Transport Standards, but do not cover every issue encountered by operators and providers. The Review concluded there is currently no authoritative source of information to advise operators and providers on how to deal with ambiguity, conflicts with other regulations or uncertainty in their obligations, and they have often sought to make their own interpretations, set their own policies, or sought guidance from state and territory governments. The Review notes that the result is an uneven implementation of requirements in the Transport Standards, which impacts on their effectiveness.

Implementation of the Transport Standards is also impacted by costs for public transport operators and providers. The Review considered areas where costs in the first five years were higher than estimated by the cost-benefit analysis of the Transport Standards conducted prior to their implementation. The Review found that the costs which most impede the capacity for implementation of Standards are those of bus stop upgrades by local governments and the provision of services in rural and regional areas, particularly in relation to bus services.

Efficiency of administration of the Transport Standards

While not directly monitored, compliance with the Transport Standards can be achieved through industry involvement and consultation and a mutual commitment to eradicating

discrimination. Where this does not occur, there is a complaints-based mechanism that can be pursued. Complaints about compliance with the Transport Standards can be made to the AHRC, and managed through the AHRC complaints and conciliation process. Where this process does not resolve the issue, individuals can progress their complaint by application to the Federal Court or Federal Magistrates Court.

The Review reports that some stakeholders consider this approach places unreasonable cost and responsibility on people with disability in identifying non-compliance, and incurring the time and financial costs to obtain a resolution. Disability representative organisations also reported concerns that the current system discourages complaints and thus does not drive compliance with the Transport Standards. The complaints-based approach to compliance reflects the DDA framework and is not specific to the Transport Standards.

The Review notes that reporting on elements of accessibility and compliance against milestones in the Transport Standards is conducted by most state and territory governments, though not in a uniform framework.

Areas Requiring Attention

Against the background of this discussion of effectiveness and efficiency issues, the Review identifies areas requiring attention in two broad categories:

- “systemic” issues – Recommendations 1-9 – which impact on the effectiveness of the Transport Standards across the majority of modes of transport and stakeholders; and
- “mode specific” issues – Recommendations 10-15 – which impact on particular modes of transport.
- The key systemic issues relate to:
 - shortcomings in data required to measure performance;
 - deficiencies in the operation and applicability of the current standards;
 - barriers in identifying compliant mobility aids;
 - insufficient information sharing on best practice examples;
 - costs of upgrades in rural and regional areas that may delay compliance;
 - compliance processes reliant on complaints being initiated by people with disability; and
 - shortcomings in current governance arrangements.

The key mode specific issues identified can be broadly summarised as:

- problems with some current and future compliance targets;
- safety concerns with mobility aids in buses, coaches and taxis;
- impact of exclusions limiting current and future provision of services; and
- need for improved guidance on appropriate conditions for air travel.

Response to the Recommendations

The Review makes 15 recommendations (9 systemic and 6 mode-specific). Some technical amendments to the Transport Standards have also been proposed in Appendix E of the Review.

The Australian Government welcomes the Review. As already noted, there have been significant changes in the policy landscape for people with disability. These changes are anticipated to contribute toward future activities arising from this Review.

The Review conveys a strong sense that the Transport Standards have had a range of positive impacts although improvements can be made to continue to improve outcomes over time.

Before addressing each of the recommendations, some observations are appropriate in respect of governance/consultation mechanisms, resourcing implications and regulatory impact assessment issues.

Governance/Consultation Mechanisms

The legislative framework of the DDA, and the Transport Standards made under this legislation, are formally the responsibility of the Attorney-General. However, responsibility for implementation, monitoring and improving outcomes in relation to improved accessibility of transport, is a shared responsibility of many agencies and stakeholders, including the Commonwealth Department of Infrastructure and Transport and state and territory transport portfolios.

Australian Transport Ministers have key policy and regulatory responsibilities for consulting, advising on and developing amendments for the Transport Standards. This work is undertaken through the leadership of the Australian Transport Council (ATC). The ATC is the Council of Australian Governments Ministerial Council with responsibility for transport issues.

ATC continues to be responsible for the cross jurisdictional working groups of transport agency officials tasked to deliver the various work programs. For this reason, the ATC is the key body to progress the Review's recommendations directed at particular working groups under its control.

That said, in most cases, responsibility for implementing agreed actions and preparing further policy and regulatory material for consideration and decision by Ministers, will likely rest with the existing consultative bodies that have been established by the ATC – the Accessible Public Transport Jurisdictional Committee (APTJC) and the Accessible Public Transport National Advisory Committee (APTNAC)¹.

¹ APTJC membership includes representatives from state and territory Transport or equivalent Departments, the Department of Infrastructure and Transport (DIT), and Attorney-General's Department (AGD – which has observer status). The Committee provides a forum for state and territory and Australian Governments to co-ordinate governments' positions on issues raised on the Transport Standards.

APTNAC membership comprises representatives from peak industry bodies, the disability community, all state and territory governments, the Australian Local Government Association and DIT. The Australian Human Rights Commission and AGD have observer status. It provides a broad consultative framework to progress national accessible transport issues.

The Government notes that the Standing Committee on Transport (SCOT) – transport agency chief executives – has agreed that APTJC and APTNAC will report to SCOT through the Network Performance Standing Sub-Committee, which is chaired by DIT.

Resourcing Implications

The Government notes that the Review recommendations raise resourcing implications for all stakeholders, not least by proposing a more extensive and detailed work program that would need to draw heavily on available expertise and may indeed require the development of new expertise to be fully delivered. Resource implications remain a challenge.

Regulatory Impact Assessment Issues

As noted in the Governance section above, the ATC is the key decision maker for most of the decisions flowing from the Review². This role includes being the decision maker where recommendations potentially have regulatory implications (discussed further below). Consequently, this Commonwealth response to the Review and its recommendations seek to initiate appropriate processes to further develop analytical, policy and, as required, regulatory assessment material for subsequent consideration by ATC. No formal regulatory decisions are being made at this stage and any future regulatory action will be subject to the normal regulatory assessment processes, consistent with the COAG endorsed document *Best Practice Regulation: A Guide for Ministerial Councils and National Standard Setting Bodies*³.

It is envisaged the necessary work would be developed through the APTJC and APTNAC processes, with ongoing consultation with the Office of Best Practice Regulation as appropriate. This work would build on the preliminary regulatory analysis undertaken as part of the Review⁴.

Responses to the individual recommendations below need to be read against this context.

Response to Individual Recommendations

Recommendation 1

Establish a national framework for Action Plan reporting and require annual reporting by each State and Territory government

The Government supports this recommendation in principle, noting that it calls for the development of a common reporting framework and reporting timeline.

The Government agrees that establishing a national framework for the consistent reporting of public transport Action Plans⁵ would benefit all stakeholders, in particular through

² Excluding Recommendations 2, 7 and 8, for which responsibility lies elsewhere.

³ See: www.finance.gov.au/obpr/proposal/coag-guidance.html

⁴ The Review consultant has undertaken preliminary analysis of the recommendations against the Office of Best Practice Regulation guidelines for regulatory assessment. This material is included within Chapter 11 of the Review and Appendices G and H, as well as an initial stand alone analysis on school bus issues.

⁵ The DDA includes provisions relating to action plans. An action plan is a way for an organisation to plan the elimination, as far as possible, of disability discrimination from the provision of its goods, services and facilities. Developing and implementing an action plan is a voluntary, proactive approach to DDA compliance. The Review found that all state and territory government public transport operators and providers already publish some form of Action Plan through which information on accessibility is already being collected (see page 192 of the Review report).

improved understanding of current service provision and enhanced capacity for future reviews to have more consistent data on progress.

The Government proposes that such a national reporting framework, consistent with the objectives of the National Disability Strategy and COAG's regulatory impact assessment processes, be progressed through the ATC.

Recommendation 2

Request the ABS include questions on public transport patronage in their Disability surveys

The Government agrees in principle with this recommendation and will ask the Australian Bureau of Statistics (ABS) about obtaining patronage data, consistent with its budget and technical constraints.

The Government notes that some aspects of this Review were impeded by a lack of baseline data. Obtaining additional information on public transport patronage, through ABS surveys, potentially helps governments understand public transport needs and would better inform future reviews.

In addition, the National Disability Strategy will facilitate enhanced data collection and provision of relevant national population indicators for accessibility in the community.

Recommendation 3

A technical experts group be convened, with Standards Australia, to develop technical standards specifically suited to public transport conveyances and infrastructure. Once developed, these Standards should be referenced in the Transport Standards, and made available for public use.

The Government agrees in principle with this recommendation and considers there is merit in examining the development of technical standards specifically suited to public transport conveyances and infrastructure which complement the Transport Standards. The Government acknowledges the issues around referencing certain Australian Standards which are not always appropriate in a transport context, and which have subsequently been updated or replaced since the introduction of the Transport Standards.

The establishment of specific transport-focussed technical standards potentially benefits all stakeholders. Public transport operators and providers could have greater clarity as to their obligations in providing a service which is compliant with the Transport Standards. Inclusion of the technical standards with the Transport Standards could also enable people with disability to more readily determine whether discrimination has occurred.

The Review notes that further RIS analysis may be required as part of the process of finalising any new technical standards.

Further, it is important to note that Standards Australia is an independent body and has established business rules regarding the preparation of new and revised standards. The Department of Infrastructure and Transport (DIT) will need to discuss with Standards Australia its capacity and willingness to participate in such an exercise, or whether it should be developed via a separate process.

The proposal to progress such technical standards work through convening a new working group is a matter for ATC to consider. The response to Recommendation 9 discusses this theme further.

Recommendation 4

Mode specific guidelines be developed by modal sub-committees. These guidelines would be a recognised authoritative source for providers which can be used during a complaints process.

The Transport Standards Guidelines provide a measure of guidance in relation to the interpretation of the Transport Standards generally and address some mode specific issues in a limited way.

The Government supports in principle the development of mode specific guidelines, which could be useful for public transport operators and providers. In this context, guidance material may be developed for taxis, buses, coaches, trains, trams, ferries and commercial aircraft. The merits of establishing additional sub-committees to develop mode specific guidance material, is a matter for the ATC to consider. The Response to Recommendation 9 discusses this theme further.

The Government acknowledges that modal specific groups have previously been established under the APTNAC to develop guidelines. An Aviation Access Working Group is already in place, chaired by the DIT.

The Government proposes that the ATC considers the most appropriate mechanism to progress this recommendation.

Recommendation 5

A mobility labelling scheme be developed which identifies the weight of the aid and whether its dimensions fit within the dimensions for allocated spaces, boarding devices, access paths and manoeuvring areas on conveyances, as specified in the Transport Standards.

The Government supports this recommendation in principle, noting that such a scheme would operate within the dimensions for allocated spaces currently specified in the Transport Standards.

The Government agrees that a mobility labelling scheme could be beneficial to public transport operators and providers and mobility aid users. The Government recognises that operators and providers can face difficulties in determining whether a particular mobility aid is compliant with the dimensional limitations set out in the Transport Standards. The introduction of such a scheme would also give mobility aid users some assurance as to what transport conveyances they can access.

As there may be some costs for mobility aid retailers and suppliers to implement such a scheme, and administration costs for governments in developing, implementing and maintaining a scheme, further consultation and analysis will be required.

The Government proposes this recommendation be referred to the ATC for consideration, noting that, the development of such a framework should include input from the relevant state and territory agencies responsible for the provision of aids and equipment.

Recommendation 6

A best practice clearinghouse be established in a government agency or research body to collect and disseminate best practice solutions and ideas relating to accessible public transport.

The Government supports the principle of improving the gathering and dissemination of best practice solutions and ideas relating to accessible transport. This could be valuable for other public transport operators and providers in similar circumstances, and yield broader benefits in terms of improved information.

It is not clear, however, where this function might best be undertaken, or even whether such location is best established in a government agency or research body. Moreover, there would be merit in considering the objectives of this recommendation in the development and implementation of the broader work program.

The Government proposes this recommendation be referred to the ATC for further consideration.

Recommendation 7

Commonwealth, State and Territory governments provide funding for projects in regional and rural regions where local governments are unable to resource upgrades of public transport infrastructure.

The Government notes this recommendation and the Review's conclusion that regional and rural areas, in most cases, are falling behind in the provision of accessible public transport services compared to those in urban areas.

However, the provision of funding for projects is a matter for each government to consider, including in the context of existing regional infrastructure programs and budget deliberations. For its part, the Australian Government will give consideration to the eligibility criteria for existing regional and rural transport and infrastructure programs, to ensure no inappropriate exclusions apply to projects that would support compliance with the Transport Standards.

Recommendation 8

The AHRC be tasked to provide greater support for representative complaints on behalf of people with disability, reducing the legal cost burden on individuals.

The Government notes the recommendation.

As part of Australia's Human Rights Framework, the Government is reviewing and consolidating Commonwealth anti-discrimination legislation, including considering gaps in protection and an effective complaints system.

Recommendation 9

New governance arrangements be implemented to establish accountability for progressing recommendations from the five-year Review. APTJC should have coordinating responsibility for new initiatives (including modal committees and the technical experts group) in partnership with APTNAC.

The Government supports this recommendation in principle.

As discussed above, the ATC has the key policy and regulatory advisory responsibility relating to the development of possible amendments to the Transport Standards, and for overseeing the governance of transport agency working groups to deliver the various work programs.

In May 2009, the ATC finalised a streamlined structure of sub-committees of the Standing Committee of Transport⁶. A key theme of this work was to rationalise the demands that complex working group structures impose on all stakeholders and to ensure that available resources are targeted to the most appropriate areas.

The transport governance framework that the ATC has put in place is broadly consistent with that identified in this recommendation, that is, a framework in which APTJC leads and coordinates, in consultation with APTNAC, progressing the response to the Review's recommendations. This will continue to be a matter for ATC to decide.

Recommendation 10

The 2017 compliance milestone for tram conveyances and infrastructure be reduced from 90 per cent to 80 per cent to better reflect vehicle replacement cycles.

The Government notes this recommendation and the Review's findings that current vehicle replacement schedules do not meet future compliance targets in 2017, for trams.

The Review notes this recommendation will reduce the uncertainty for tram operators and providers and governments in the management of their obligations under the Transport Standards. However, as the recommendation represents a regulatory change, further stakeholder consultation and regulatory analysis will be required prior to any decision by ATC.

⁶ ATC Ministers agreed to implement the future National Transport Policy work through a streamlined structure of Standing Sub-committees of the Standing Committee on Transport. The Standing Sub-committees will focus on Productivity, Safety, Environment, Security, Maritime and Network Performance agendas framed around ensuring transport infrastructure and operations can play their essential role in underpinning a return to economic growth. It has been further agreed that ATPJC and APTNAC work will be considered through the Network Performance Standing Sub-committee.

Recommendation 11

The taxi modal sub-committee be tasked with developing a staged implementation timeframe similar to that for other modes of transport, and an appropriate performance measure, to replace the 2007 milestone for WAT compliance.

The Government notes this recommendation.

The Government notes the Review's findings that the current compliance target for Wheelchair Accessible Taxis (WATs) may not be met and should be replaced with a staged implementation timeframe, similar to that for other modes of transport. The Government recognises the difficulties in determining compliance with the target schedule of the Transport Standards but acknowledges that states and territories have significantly increased the provision for WATs within their respective taxi fleets.

The Government proposes that the ATC considers the most appropriate mechanism to progress the further action flowing from this recommendation.

Recommendation 12

Government commission research into the safety of passengers travelling in conveyances whilst seated in mobility aids (including scooters). This research should make recommendations around whether there is a need for an Australian Standard addressing this aspect of safety for mobility aids.

The Government notes this recommendation and acknowledges the importance of improving safety for travelling passengers, and the potential risks associated with passengers in mobility devices travelling on conveyances without restraints. The Government also recognises the value of appropriately targeted research and trials in achieving this safety objective.

The Government further notes that this recommendation has potential resourcing implications and the Review gives no consideration to what such research might cost or how it might compare with other transport safety research priorities.

The Government proposes that the ATC considers the most appropriate mechanism to progress the further assessment identified in this recommendation.

Recommendation 13

The Transport Standards be amended to require new community transport vehicles greater than 12 seat capacity to comply with the Transport Standards commencing in 2017, (with full compliance by 2032).

The Government supports this recommendation in principle.

The Review found that the current exclusions relating to community transport vehicles limit the current and future provision of services for people with disability. The Government supports the objective of removing the exclusions over time.

The Government proposes that the ATC considers the most appropriate mechanism to progress this recommendation, noting that the potential impact on community transport operators and providers indicates that further consultation and analysis is likely to be required.

As part of this further analysis, there would be merit in examining the experience of the Home and Community Care Program within jurisdictions, and to also consider the potential benefits and costs of accelerating the phase-in of reform under this recommendation.

Recommendation 14

Phased application of dedicated school bus services to physical access requirements in the Transport Standards, commencing in 2029 and being fully required by 2044.

The Government supports this recommendation in principle.

The Review found that the current exclusions to the physical access provisions of dedicated school buses limit the current and future provision of services for students with a disability. The Government recognises the importance of providing students with a disability every opportunity to participate in community life, including being able to travel alongside students without disability on dedicated school bus services. The Government also considers there is merit in examining the potential consequences of this recommendation on existing complaints-based mechanisms of compliance.

The Government proposes that the ATC considers the most appropriate mechanism to progress this recommendation noting that the Review concludes that a full RIS would be required in light of the potential cost impact on school bus operators and providers. As part of the further analysis, there would be merit in examining the number of second-hand accessible buses that may currently be available for purchase by dedicated school bus operators (accessible buses have been in service since 1995) and, if possible, the scope to commence earlier or shorten the phase-in requirements.

Recommendation 15

Air travel modal sub-committee (the Aviation Access Working Group) be tasked to develop guidance on the carriage of mobility aids on aircraft.

The Government supports this recommendation.

The Government acknowledges the lack of guidance material on appropriate conditions for the carriage of mobility aids on aircraft. The introduction of such material would help to provide certainty on the carriage requirements for both mobility aid users and airline staff. To the extent that the guidance material once developed may impose costs and impose benefits, further consultation with the Office of Best Practice Regulation may be required.

The Government also notes that some smaller capacity airlines are unable to transport mobility aids above particular sizes and weights, due to significant safety risks related to the loading or carriage of these items.

The Aviation Access Working Group is currently engaged in discussions aimed at reaching a mutual understanding regarding the needs of passengers who rely on mobility aids and the operational realities of operators.

Other Recommendations – Appendix E

Review proposals for Parts requiring amendment.

The Review contains a number of proposals to make some mostly minor technical amendments to the Transport Standards, some of which are mode specific.⁷

The Government proposes that the ATC evaluates these proposals and considers the most appropriate mechanism to progress this recommendation.

⁷ Review proposals for parts requiring amendment (Table G.3 – page 311)

APPENDIX C

REVIEW BACKGROUND AND CONTEXT

The Disability Discrimination Act 1992 (DDA)

The *Disability Discrimination Act 1992 (DDA)* prohibits both direct and indirect discrimination on the grounds of disability, both to the person with a disability as well as family members, carers and friends. The DDA allows disability standards to be formulated in a range of areas. The purpose of disability standards is to spell out in greater detail rights and obligations under the DDA, providing greater certainty about the Act's requirements.

The Disability Standards for Accessible Public Transport 2002 (Transport Standards)

The *Disability Standards for Accessible Public Transport 2002 (Transport Standards)* were the first standards made under the DDA and commenced on 23 October 2002. The Australian Government sees the ability to move around the community underpinning all aspects of life for people with disability. The Transport Standards seek to provide a level of certainty to operators and providers of public transport conveyances and infrastructure about their responsibilities under the DDA.

The Transport Standards apply to public transport conveyances including trams, trains, taxis, ferries, aircraft, buses and coaches. Providers and operators of public transport must comply with the minimum accessibility requirements set out in the Transport Standards for vehicles and associated infrastructure.

Associated infrastructure is viewed as any structure or facility that is used by passengers in conjunction with travelling on a public transport services. Infrastructure does not include any area beyond immediate boarding points. Since 23 October 2002, all new public transport systems must comply with the Transport Standards. Existing public transport must progressively become accessible. The Transport Standards include a set of target dates for compliance by public transport operators and providers over a 20-30 year period. Appendix D details the 2007 and 2012 compliance targets.

United Nations Convention on the Rights of Persons with Disabilities

The Transport Standards are part of Australia's commitment to give effect to the United Nations Convention on the Rights of Persons with Disabilities which Australia formally ratified in July 2008, making us one of the first Western countries to do so. By ratifying the Convention, Australia has joined other countries around the world in a global effort to promote the equal and active participation of all people with disability.

National Disability Strategy

In addition to the legal framework for giving effect to Australia's international obligations, in March 2011 the Australian Government launched the National Disability Strategy 2010-2020

(the Strategy). The Strategy outlines a ten-year national policy framework to improve the lives of people with disability, promote participation, and create a more inclusive society. It guides public policy across governments and aims to bring about change in all mainstream and specialist services and programs, as well as community infrastructure, to ensure they are accessible and responsive to the needs of people with disability.

Importantly, the Strategy ensures that the principles underpinning the UN Convention are incorporated into relevant policies and programs affecting people with disability, their families and carers. Critical to the success of the National Disability Strategy is the creation of accessible and well-designed communities. Accordingly, one of the key aims of the Strategy is to ensure that public, private and community transport systems are accessible for the whole community.

The Disability (Access to Premises-Buildings) Standards 2010 (Premises Standards)

From 1 May 2011, all new public transport buildings were required to comply fully with the Access Code (set out in Schedule 1 of the Premises Standards). Existing public transport buildings (that formally came under the Transport Standards) were required to comply with the Access Code in accordance with the timetable set out in section 3.1 of the Premises Standards. With the introduction of the Premises Standards the Transport Standards were amended to remove those provisions relating to transport buildings. Some access issues relating to the use of transport buildings such as fixtures and fittings, however, remain in the Transport Standards.

The 2007 Review of the Transport Standards

The first review of the Transport Standards was initiated in 2007 and it and the accompanying Government response to the review were publicly released in June 2011. Implementation of the response is being progressed through the Accessible Public Transport Jurisdictional Committee (APTJC) and the Accessible Public Transport National Advisory Committee (APTNAAC), which were reconvened for this purpose as part of the response. The Aviation Access Working Group (AAWG) is progressing work in relation to aviation matters. Implementation of the 2011 response is ongoing and will extend beyond 2012.

Australian Human Rights Commission (AHRC)

The Australian Human Rights Commission (AHRC) plays a key role in the protection and promotion of human rights in Australia. The AHRC has the power to investigate and attempt to conciliate complaints of disability discrimination. The AHRC also has the power to grant exemptions under the Transport Standards.

Temporary Exemptions

An exemption allows a transport operator or provider to lawfully not comply with the usual requirements in the Transport Standards for a set period. Exemptions are not to be for more than five years and can be subject to terms and conditions. The AHRC decision about whether to grant an exemption from the Standards is reviewable by the Administrative Appeals Tribunal.

Unjustifiable Hardship

Under the Transport Standards, a provider or operator can use 'unjustifiable hardship' as a defence against a claim that they have discriminated against someone unlawfully. The

Transport Standards require providers and operators to comply to the maximum extent not involving unjustifiable hardship.

Factors that courts are likely to consider when assessing whether unjustifiable hardship exists include costs, exceptional operational, technical or geographic factors, resources reasonably available, likely benefits or detriment of compliance, action plans developed, consultations involving people with disability, and good faith efforts to comply.

Current Specific Exclusions

The development of the Transport Standards aimed to achieve a balance between removing, as far as possible, discrimination against people with disability, and ensuring that industry was not unduly burdened. The Transport Standards apply to the full range of public transport conveyances and infrastructure with current exclusions applying to:

Limousines, hire cars and charter boats

Limousines, hire cars and charter boats have been exempted from the Standards. They provide a pre-booked and unique service, which is unlikely to constitute a 'public transport service' for the purposes of the Standards.

Dedicated school bus services

A dedicated school bus service is defined in the Standards to mean 'a service that operates to transport primary or secondary students to or from school or for other school purposes', during the time it is in operation as a school bus service. During times when a service has a mixed clientele (including non-students such as ordinary members of the public), it is not a dedicated service and the exclusion does not apply.

Small aircraft

The exclusion relates to small aircraft with fewer than 30 seats. There are many technical problems associated with making a small aircraft accessible, such as the size of the aircraft cabin, insufficient luggage space and limited weight carrying capacity.

Airports that do not accept regular public transport services

Many small airports do not have regular staff and are mostly used by non-commercial or charter flights. Many are not licensed to accommodate regular public transport services. Also, a large proportion of airports do not generate the volume of revenue necessary for capital improvements.

Community transport services for targeted groups of people

The Standards do not require community transport services to be accessible unless they are providing services to the general public.

APPENDIX D

Schedule 1 Target dates for compliance (section 33.2)

Part 1 Target date — 31 December 2007

1.1 *Responsibility*

- Operators
- Providers

Requirement

Full compliance with the relevant Standards in relation to:

- Waiting areas
- Furniture and fittings
- Information
- Booked services
- Food and drink services
- Belongings
- Priority

Application

Conveyances

Premises

*Infrastructure
except bus stops*

1.2 *Responsibility*

- Operators
- Providers

Requirement

Full compliance with the relevant Standards in relation to:

- Symbols
- Signs
- Alarms
- Lighting
- Hearing augmentation

Application

Conveyances

Premises
except premises to
which the Premises
Standards apply

Infrastructure
except bus stops

1.3 *Responsibility*

- Radio networks
- Co-operatives

Requirement

Response times for accessible vehicles are to be the same as for other taxis.

Application

Conveyances

- Taxis
 - Dial-a-ride
services
-

1.4 *Responsibility*

- Operators
- Providers

Requirement

Compliance with the relevant Standards by 25% of each type of service in relation to:

- Resting points
- Allocated space
- Boarding
- Street furniture

Application

Conveyances

Premises

Infrastructure
except bus stops

1.5 Responsibility

- Operators
- Providers

Requirement

Compliance with the relevant Standards by 25% of each type of service in relation to:

- Access paths
- Lifts
- Manoeuvring areas
- Stairs
- Passing areas
- Toilets
- Ramps
- Tactile ground surface indicators
- Doorways and doors
- Controls

Application

Conveyances

Premises
except premises to
which the Premises
Standards apply

Infrastructure
except bus stops

1.6 Responsibility

- Providers

Requirement

Compliance with the relevant Standards by 25% of bus stops in relation to:

- Access paths
- Handrails and grabrails
- Manoeuvring areas
- Stairs
- Passing areas
- Symbols
- Ramps
- Signs
- Waiting areas
- Tactile ground surface indicators
- Boarding
- Lighting
- Allocated space
- Street furniture
- Surfaces
- Information

Application

Infrastructure

- Bus stops
-

Part 2 Target date — 31 December 2012

2.1 *Responsibility*

- Operators
- Providers

Requirement

Full compliance with the relevant Standards in relation to:

- Gateways
- Vending machines

Application

Conveyances

Premises

Infrastructure
except bus stops

2.2 *Responsibility*

- Operators
- Providers

Requirement

Full compliance with the relevant Standards in relation to:

- Surfaces
- Handrails and grabrails

Application

Conveyances

Premises
except premises to
which the Premises
Standards apply

Infrastructure
except bus stops

2.3 *Responsibility*

- Operators

Requirement

Full compliance with the relevant Standards in relation to:

- 1500 mm minimum head room and vertical door opening

Application

Conveyances

- Accessible taxis
-

2.4 *Responsibility*

- Operators
- Providers

Requirement

Compliance with the relevant Standards by 55% of each type of service in relation to:

- Resting points
- Allocated space
- Boarding
- Street furniture

Application

Conveyances

Premises

*Infrastructure
except bus stops*

2.5 Responsibility

- Operators
- Providers

Requirement

Compliance with the relevant Standards by 55% of each type of service in relation to:

- Access paths
- Lifts
- Manoeuvring areas
- Stairs
- Passing areas
- Toilets
- Ramps
- Tactile ground surface indicators
- Doorways and doors
- Controls

Application

Conveyances

Premises
except premises to
which the Premises
Standards apply

Infrastructure
except bus stops

2.6 Responsibility

- Providers

Requirement

Compliance with the relevant Standards by 55% of bus stops in relation to:

- Access paths
- Handrails and grabrails
- Manoeuvring areas
- Stairs
- Passing areas
- Symbols
- Ramps
- Signs
- Waiting areas
- Tactile ground surface indicators
- Boarding
- Lighting
- Allocated space
- Street furniture
- Surfaces
- Information

Application

Infrastructure
Bus stops
