

**REVIEW OF THE DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC
TRANSPORT 2002.**

**A SUBMISSION ON BEHALF OF THE DEPARTMENT FOR PLANNING &
INFRASTRUCTURE, WESTERN AUSTRALIA.**

SUBMITTED TO THE ALLEN CONSULTING GROUP

LEVEL 12, 210 GEORGE STREET

SYDNEY NSW 2000

September 2007

Submission to the Review of the Accessible Public Transport Standards

1.0 Introduction

The Department for Planning and Infrastructure (DPI) is the principal agency in Western Australia responsible for leading in the development of creative and sustainable solutions for land, transport and infrastructure planning and delivery for the benefit of the community.

The Department, together with its portfolio partners, has been working toward improving the accessibility of its facilities and services for people with disabilities in Western Australia, under both Commonwealth and State legislation.

In fact, since 1996, with the adoption of *Going out and Getting There: Action Plan for Accessible Public Transport for People with Disabilities in Perth* (Action Plan), Western Australia has been a national leader in ensuring public transport is accessible to all. It is accepted that while such access is vital for people with disabilities, it also assists the broader community including, in particular, seniors and parents with prams to participate effectively in community life.

The Public Transport Authority (PTA) was established in July 2003. The creation of the PTA clarified the function of DPI as a land-and-transport planning authority, while consolidating the responsibility for the delivery of public transport with the PTA. In July 2005, responsibilities to progress the residual aspects of the initial 1996 Action Plan pertaining to its services were more formally transferred to the PTA.

Accordingly, the components of WA's public transport system that are subject to the Transport Standards are:

- bus vehicles (including coaches) and infrastructure, trains and train stations, and ferries, which are the responsibility of WA's Public Transport Authority; and
- accessible taxis, jetties, and some aviation infrastructure are the responsibility of the Department for Planning and Infrastructure.

It needs to be noted that working towards improved access for people with disabilities is a requirement not only of the Commonwealth's DDA legislation, but is also required under state policies and legislation, including WA's Disability Services legislation and a Premier's Circular issued in 2003.

The Department continues to review and update its responsibilities through the development and implementation of its Disability Access and Inclusion Plan. These include taxis, maritime and aviation policy issues and relevant services. DPI's Passenger Services Unit has provided advice to the Bus Charter and Coach Service operators to improve industry and operator awareness of the Transport Standards.

DPI also continues to work together with its Portfolio partners in the area of access improvement to public transport services, and continues to make a significant contribution to the development and monitoring of Transport Standards as the state representative on the national Jurisdictional and

Advisory committees.

2.0 Public Transport: Overview of progress

Western Australia has already made major progress in implementing the Transport Standards. Achievements are evident across the public transport system, with access improvements to buses, coaches, bus infrastructure, trains, train stations, ferries, jetties and taxis. The key priority 2007 milestones under the Transport Standards have already been reached. Summary information until June 2005 is provided on the DPI and HREOC web sites and is attached at Appendix 1.

Disability Access and Inclusion Plans for 2007-2012 have been developed by the DPI and the PTA. Both are recent documents and clearly indicate further and on-going commitment to the provision of accessible services by these agencies. (http://www.dpi.wa.gov.au/mediaFiles/access_daip.doc and; http://www.pta.wa.gov.au/scripts/viewoverview_contact.asp?NID=2310)

DPI's new Disability Access and Inclusion Plan was developed, initially, by reviewing the Department's previous Disability Services Plan (July 2004). The new Plan is also built on the work done in previous DSP's developed in the 1990's and the Action Plan.

As a matter of organisation principle, the DPI has moved progressively towards mainstreaming access initiatives. Improvements are now the responsibility of all Divisions as part of their program of service, support and delivery to customers.

3.0 Specific comments on the Transport Standards

The Disability Standards for Accessible Public Transport 2002 (the Transport Standards) set certain milestones expected to be reached by public transport jurisdictions by the end of 2007. While many of the 2007 milestones will have been reached, there are number of key issues which have arisen during efforts to implement the Standards.

3.1 Assessing the effect of the standards.

While it can be unequivocally stated that the accessibility of public transport has improved since the introduction of the Transport Standards, comparative quantification is still difficult and may not be meaningful at this time. It is likely that the lack of a continuous path of travel from an origin to a destination will continue to be a barrier for some people with disabilities who would otherwise use public transport system. While manageable from a system development point of view, the 2007 25% target for accessible systems and services may still be insufficient to give passengers confidence that they will be able to get where they want to go. Hence, they still will rely on other sources of transport to ensure some destinations can be reached; or not go at all.

In addition, as access becomes the norm on some routes, it may be that passengers with less obvious disabilities will not be detected as using the system for the purpose of this evaluation.

Lastly, when assessing the effect of the Standards, it needs also to be remembered that improving access has broader community benefits and in all likelihood has encouraged new passengers due to more legible timetables, more accessible bus or train station environments, better provision for parents with prams, or improved customer service and presence for all passengers.

3.2 Technical requirements vs. outcomes.

The initial standards were prepared without enough experience in implementing access. It is important that, after almost 5 years of implementation, some technical requirements are reviewed and adjusted based on advice from service providers about what can be realistically achieved in the short and longer terms, in consultation with passengers and with consumers.

Comments:

- While it might be useful to nominate an aspirational target regarding a jetty or train station platform vis a vis the gap between a vessel or rail car and the jetty or rail platform, sometimes these desired gaps cannot be achieved due to technical issues or physical constraints.
- A gradient of 1:14 adds significantly to the length of path when compared with a gradient designed at 1:12, a previous standard used prior to the Transport Standards and one which continues to be accepted in most OECD countries, including the United Kingdom, Canada and the United States. 1:14 may be hard to achieve in difficult terrain and will extend the ramp length to the point that it may not only affect ambulant passengers but also those passengers with disabilities who the standard was ostensibly made for. Consumers with disabilities need to be able to recommend a deviation from the standard within a range so that sensible designs can be prepared which ultimately both provides and facilitates access by all.
- Non-compliance with the Standards, where there are technical limitations or physical constraints, need to be reported separately so that variations are appropriately recorded and accepted.

3.3 Wheelchair and scooter design.

Access difficulties have arisen from an infrastructure design and service point of view for all aspects of the Transport standards due to the on-going evolution of wheelchairs and scooter design in size, weight and dimensions. With so many options and many manufacturers, over recent years it has become a moving feast for transport operators and users. It is very difficult for service providers and operators to meet the increasing dimensions - weight and size - and design styles of some of the wheelchair and scooters which have been sold to consumers.

Whether a taxi, a train, a bus or a plane, service providers need certainty about design requirements of their vehicles to meet the dimensions of passengers' wheelchairs. Expectations of consumers in this regard need to be managed.

Many accessible buses in the system accommodate an agreed footprint so it is not reasonable to expect any retrofitting of these vehicles to comply with new models. A number of bus contracts are well into their orders in order to meet the delivery times established under the Standards.

Accordingly, the current agreed wheelchair footprint should be confirmed; and a weight limitations should be determined to provide certainly and safety for passengers and operators of all forms of public transport.

3.4 Bus stops

While there has been significant achievement on the introduction of accessible buses in Western Australia, bus stops continue to be a difficult and vexing issue. The PTA determines locations for bus stops and supplies the actual stop, but the remainder of the bus stop environment is the responsibility of local government authorities in Western Australia.

The development and evolution of the Transperth network is designed to ensure effective use of public transport resources at all times. It also means that bus stops are not necessarily fixed infrastructure and as such investment in making these, at times temporary, locations more accessible could prove not to be very cost-effective.

While over time some accessible bus routes, such as Transperth's Circle Route, have been upgraded, many routes with accessible buses do not have a full complement of accessible bus stops.

Advice from local government representatives seem to indicate that approximately 10% of Transperth's 13,000 bus stop locations would be compliant with the Standards. A range of issues have arisen, such as lack of available information on the location of all stops, developments in the road environment which are impacting on the style and standards of stops, and the likely need for a funding source to provide for these upgrades.

While annual grants are available from the PTA to assist Councils to provide accessible stops on a cost sharing basis, the funds are not currently available to meet the entire requirements. Some Councils may have insufficient rate base to meet the Standards' targets for implementation of accessible bus stops.

It is doubtful that the Regulatory Impact Statement comprehended such a wholesale renovation of local bus stops. The first draft standards envisaged progressive access improvements of a much simpler bus stop standard than was finally adopted. Audits of bus stop locations, and action plans for upgrading to an accessible standard may be needed. Advice on equivalent access options or staged implementation may need to be developed while this approach is underway. A national working party to confirm the standards, and to assist local government interpret the requirements, in light of current experience, may be warranted.

Further, the requirement to have 25% of bus stops accessible implies a link between accessible services and accessible locations when this may not be the case. A situation may arise where the target may be met but the bus services are not accessible. Hence achieving the target would be meaningless. In addition, a number of stops are not connected to footpaths

and therefore the access benefit of having accessible bus stops in these locations is negligible.

The WA Local Government Association is working with DPI, the PTA, and the State's Disability Services Commission to progress the implementation of the standards for bus stops. It is understood that both an exemption application from the current target and the development of an action plan to achieve the desired outcome is being considered as a way forward.

3.5 Taxis

3.5.1 Scope of the multi-purpose taxi industry in Western Australia

A "Multi – Purpose Taxi" or "MPT" is the standard WA Government-approved taxi for carrying people with disabilities in wheelchairs and scooters. The vehicle must comply with Federal Technical standards and be capable of carrying two wheelchairs (with passengers in situ) or a "scooter".

There are about 1500 taxis in metropolitan Perth and about 450 in Regional WA. Currently, there are 83 MPT's in Perth, with 12 more licenses in process. There are 20 MPT's in the Regional WA, although there are another 15 in the regions that have some degree of wheelchair accessibility.

In metropolitan Perth, similar to conventional taxi services, the MPT fleet is coordinated through two Taxi Dispatch Service (TDS) companies contractually authorised to do so by DPI. Individual MPT owners and drivers are required to affiliate with the TDS of their choice. Each TDS has a MPT Taxi Coordinator who, when necessary, work together to facilitate MPT passenger trips.

The Department for Planning & Infrastructure is the industry Regulator and therefore sets down key performance standards for the MPT industry, including on-time performance and customer satisfaction which is monitored through regular surveys. DPI also monitors the performance of the TDS's.

In addition, the DPI requires that all MPT drivers receive two days' special mentoring and assessment prior to going solo; followed up at a later date with another 2 days' formal training.

Policy requires MPT's to give priority to requests from passengers in wheelchairs, although they may accept "conventional" work when no requests from these clients have been made. However, there are practical difficulties in enforcing this policy so a pragmatic "quota" of 60 wheelchair jobs per month per vehicle is set down as a minimum standard. Failure to achieve this quota results in fines of up to \$500 for each infringement and continuous failure may result in divestiture proceedings.

A Taxi Users Subsidy Scheme (TUSS) for People with Disabilities provides, via a voucher system, a discount of 75% on the metered fare (to a maximum of \$25.00.) for TUSS members using wheelchairs. About 8,000 West Australians are registered members, generating around 10,000 MPT taxi jobs per month.

Of the above 10,000 wheelchair jobs, around 6,000 are fulfilled by private arrangements between the customer and the driver of their choice. The remainder are requested through the two TDS's. It should be noted that only jobs fulfilled through the TDS's are recorded in the performance statistics.

Hence, service levels above the performance standard of 60/mo. are provided.

A 50% subsidy is available to other people with disabilities who are not able to use a conventional bus and meet criteria pertaining more to ambulant persons, including the frail aged who use a walking frame, people who are legally blind and people with a serious intellectual disability. All TUSS members require a doctor's certificate to support their applications.

3.5.2 Recent developments

2005 was a watershed in the history of the MPT Industry in metropolitan Perth.

In early 2005, MPT operators were voicing considerable concern over the financial viability of the industry, especially in the light of increasing fuel costs at the time. Over the next eighteen months, the WA Government introduced a range of financial measures designed to increase the size of the MPT fleet and the financial viability of individual operators.

These include:

- ♣ The introduction of a fuel subsidy to the MPT driver, delivered in the form of \$5.00 for every TUSS wheelchair trip undertaken. Subsequently re-badged in April 2007 as a "lifting fee" and increased to \$7.00 per wheelchair job for private bookings and \$10.00 per wheelchair job for trips fulfilled via a TDS.
- ♣ The introduction of a Capital Modification Grant of \$8,500 to assist MPT owners fit wheelchair hoists to new vehicles.
- ♣ The introduction of an MPT Cadetship Programme designed to encourage new entrants to the industry by financing their industry entry costs such as aptitude assessment, training and mentoring (valued at around \$1,400).
- ♣ The introduction of a subsidised plate - leasing programme, designed in part to offset the greater capital cost of the MPT (\$100 per week as opposed to \$250 for a conventional taxi).
- ♣ The introduction of new MPT coordination arrangements in October 2005, whereby two TDS's were contracted in an effort to improve fleet utilisation through better competition and more customer choice.
- ♣ The implementation in 2006 of an MPT plate "buy back" program, through which the WA Government is in the process of buying back up to 56 of the transferable MPT plates and providing the owners with the option of either taking up a Government MPT lease at the subsidised rate of \$100 per week or leaving the industry altogether. To date, 48 plates have been bought back.
- ♣ As part of the same package, the Vehicle Modification Grant was increased to \$15,000.
- ♣ An additional equipment grant of up to \$700 was introduced to finance the installation of a slave meter so it could be read by a wheelchair passenger (in accordance with Australian Design Rules.)
- ♣ Lease plates were made more attractive by the first 6 months of the lease, being at 50% discount – a further saving of \$1,300.

Along with these financial measures, the DPI has set out firmer guidelines to the TDS's for the management of individual drivers to ensure that, when required, they accept uneconomical jobs to carry a passenger in a wheelchair

within a 20 km radius of the pick-up point.

Anecdotal evidence indicates that these initiatives are having a positive impact on industry viability and customer service standards. With an extensive campaign to promote the cheap lease plates and the improved subsidies, it is anticipated the overall MPT fleet size will be at 95 by the end of 2007. DPI's Taxi Unit continues to work toward developing the MPT industry and achieving growth in the MPT service.

With its \$6M investment improving the MPT system, expenditure of spending over \$6million annually on fare subsidies and longer term funding to continue these over the next 4 years, it is expected that the MPT taxi industry will be able to provide a very acceptable service to people with disabilities in the Perth metropolitan area.

The levels of service in Regional WA are currently being addressed and it is anticipated that some of the above initiatives, where relevant, will flow-on to Regional Centres.

3.5.3 Taxis and the Transport Standards.

DPI will continue to strive for an equivalent level of service for people with disabilities in WA. However there are some areas for concern:

- Under the DDA, the radio networks (or TDS's) are to ensure that response times for accessible vehicles are to be the same as for other taxis, by December 2007. This will be very difficult to achieve. Individual passenger loading times vary significantly depending on the physical condition of the passenger and the degree to which the passenger and/or the caring institution is ready and waiting at the time the taxi arrives. Accordingly, it is very hard for MPT drivers to stick to a timetable and reach their next job on time. The only other alternative would be for the TDS to run a larger fleet to cope with such situations but this may well render the whole industry unviable.
- DPI's performance statistics are based on the business flowing through the TDS's and do not include the privately booked work. Consequently only 40% of the total business is subject to measurement.
- The Transport Standards seems to comprehend the development of a "universal" wheelchair accessible taxi. While its advent would certainly resolve the problem if substantial numbers of such vehicles were to be in the "conventional " taxi fleet, such a taxi does not yet exist in an Australian context.

A trial has recently been approved with two modified Toyota Tarago vehicles as MPT's. A process of consultation with the various representative bodies for people with disabilities will shortly commence. However, it must be recognised that even if these vehicles were to prove popular with customers, the approximate \$70,000.00 cost is prohibitive. If required to be adopted throughout the fleet of WA taxis to meet the Transport Standards, operators would be likely to apply for an exemption on the grounds of unjustifiable hardship.

- Serious consideration needs to be given to the Standards only applying to those taxi companies providing a service for people using wheelchairs until

such time as a reasonably priced universal taxi become available to the market and the industry.

- It is noted that the DDA is not enforced except by way of a complaint through the HREOC but that a complainant does not have to prove discrimination – only that the standard has not been met. In this instance, given the private nature of taxi services and the fact that the TDS has no power to direct any taxi driver to take any job and does not guarantee that a taxi will even arrive, the lines of accountability are blurred and thus problematic.

Further, a TDS has no control over the size of its fleet, this being governed by the Regulator and the degree to which there are rival companies vying for the taxi owners' business. These two factors make it very difficult for a TDS to maximise its fleet efficiency to ensure it can provide a truly equivalent service.

- DPI is aware that the difficulties outlined above are not unique to Western Australia. An excellent survey of the Wheelchair Taxi Industry both in Australia and in some key industrialised countries throughout the World was conducted by Professor Des Nicholls of the ANU on behalf of the Australian Taxi Industry Association (February 2007). It is very likely that the Review has already been supplied with a copy of this comprehensive report, but if not a draft copy can be made available for consideration.

The MPT services and the TUSS ensure equitable access where an accessible public transport service may not be available, but it also provides services where public transport is not provided at all, and therefore it is in addition to public transport. It has been determined that given the nature of the industry, the likely costs of a universal accessible taxi, at the present time, the best way to achieve equivalent access is indeed through a specialised service using vehicles specially modified for the purpose.

All 1500 taxis can provide appropriate services to people with some mobility disability, those who are blind and those who have an intellectual disability. The mix of MPT with the regular fleet of vehicles has delivered more personalised and accessible services than would otherwise be provided. Even then, as shown above, the provision of equivalent access is a function of a very delicate balance between market demand, fleet size and operator viability.

3.6 Aviation

Exemptions for small aircrafts and Airports that do not accept regular public transport services should be retained.

The issue of accessibility for people with disability who wish to access aircraft that seat less than 30 passengers is acknowledged, but this matter falls under Commonwealth laws and legislation and is not a matter for the State.

Other issues such as the management of wheelchairs to and on planes which meet the other access criteria are still a matter of concern by Airlines that are attempting to do the right thing but are constrained by physical design (height, width, bulk) of wheelchairs as these pertain to plane design, and related occupational and economic matters. This matter still requires on going consultation with industry and representatives of people with disabilities, and advice to consumers.

Issues of any conflict between national safety standards for airlines and Occupation safety standards for staff, and implied and stated requirements of the Transport Standards needs to be addressed and clarified.

3.7 Maritime Standards

The DPI endeavours to meet both the disability and national standards for jetty design, and jetty facilities are being progressively improved as these facilities are being developed or upgraded to meet the requisite standards.

The application the Transport Standards for jetties need to be considered in light of the difficulty in achieving some the gradient requirements due to tides and the nominated gaps between the jetty and a vessel may also not be stable or achievable due to changeable weather and tidal conditions.

Issues of any conflict between national safety standards and Transport standards need to be addressed and clarified.

Existing exemptions for charter boats should be retained.

4.0 Comments on matters raised in the Issues paper prepared by Allen Consulting as part of the Review process.

4.1 Has the accessibility of public transport improved since the introduction of the Transport Standards?

Consistent with the Action Plan and subsequent Disability Services plans, access by people with disabilities to public transport services has improved across the full range of public transport services in Western Australia. (See Appendix 1) These improvements extend from vehicle access to timetables and information as well as to, in and through train and bus stations.

4.2 Have these changes matched your expectations of the implementation and uptake of the Transport Standards?

Expectations are well met in WA. Western Australia is well ahead of the provision of accessible buses and trains and is working through the provision of accessible train stations. A Better Station program is in place to improve access to older suburban train stations over time where technically feasible. All new suburban train and bus stations meet the Standards' requirements. Multi-purpose taxis are a key option for the provision of accessible bus services where these are not available; or where no public transport is

provided.

Difficulties exist for the provision of accessible bus stops by local governments, in particular. See note provided at section 3.4. Some related difficulties exist in the community where a related facility is not accessible; e.g. a footpath is not accessible or does not exist, or a kerb ramp or tactile indicators are not provided into a building precinct; hence affecting the effective access of the entire trip.

4.3 Do you consider that the level of compliance required at the end of the first five year period is sufficient to have had an impact on accessibility?

Yes.

4.4 To what extent do you consider current data on accessibility are reliable? Can you provide examples of problems with the data that you are aware of?

The data on accessibility gives a reasonable indication of the achievement.

4.5 How could reporting of accessibility data be improved for future stages of implementation of the Transport Standards?

It would be useful if these were both categorized and prioritized as the current information suggests that a hearing loop or an accessible water fountain, for example, provides the same degree of access that a physically accessible bus or train station would provide.

4.6 Are you aware of examples where improved accessibility of public transport has led to increased patronage?

This is hard to assess. Anecdotally there seem to be more people with wheelchairs using the public transport system. However, as they are using mainstream services, people who are blind or who have an intellectual disability will be harder to detect; and seniors and mothers with prams also benefit from improved access. Lastly, public transport patrons, more broadly, benefit and patronage may be increasing due to improved systems and expanded and more accessible services / infrastructure.

4.7 – 4.9 Not applicable

4.10 Have the introduction of the Transport Standards clarified your obligations as a public transport operator or provider? If yes, in what ways has it done this?

The Standards have provided in principle certainty about what is required. However, application of the Standards is still fraught where it is not sufficiently defined, and from time to time when anomalies need to be dealt with. These can occur where the Standards are being applied in a complicated or unforgiving physical environment. Strict adherence to the standard may set up an unforeseen barrier (such as extensive ramp lengths) for others.

4.11 Are the Transport standards sufficient or have you needed to consult other sources? What sources have you consulted? How did you find out about these services?

In the context of other Australian Standard, such as AS 1428.1, the Transport Standards are sufficient. However, concerns exist about other related standards such as the Building Code or the Air Safety regulations when they seem to conflict with the Transport Standards. This situation continues to present difficulties for operators.

4.12 Are you aware of other operators or providers of public transport who appear to be unaware of their obligations? Can you provide examples? How could lack of awareness be addressed?

Existing small bus and coach operators may have only one or two buses and therefore may not think that they are subject to the standards until the end of the staged implementation period, if at all. Additional information and advice may assist them in understanding their rights, responsibilities and obligations.

4.13 Are there areas of the Transport Standards that you consider unclear in terms of the adjustments operators and service providers need to make? Please specify.

It may be hard for small operators to understand what is actually required of them in light of, at times, possibly very precarious financial circumstances; and whether an exemption on the grounds of unjustifiable hardship would apply.

It may be unclear to operators of all services how far they need to go in order to provide access or equitable access; i.e. what is reasonable if genuine efforts are being made to comply. Issues include, for example: the provision of passenger assistance to assist the embarkation or for the full trip? the maximum size provision for wheelchairs or scooter to access a bus or a taxi? the need to provide an accessible bus stop when there is no footpath to it?

4.14 Have the exemptions allowed under the Transport Standards reduced the clarity of obligations under the transport standards?

Formal exemptions included under the standard have made obligations clearer; and continuation of these is supported.

Short term exemptions may still lead to uncertainty if they are not part of an action plan or subject to extension on the basis of technical issues.

4.15 To what extent do the Transport Standards allow operators and providers a choice of ways in which they can achieve compliance?

More flexibility is needed in meeting access requirements; in particular, where access standards are difficult to achieve for technical reasons or due to physical constraints. This could be done in consultation with key consumers or local residents who would be more affected by a proposed variation.

4.16 Where Australian Standards or other technical requirements are specified are these appropriate? Please provide examples of where you believe the use of Australian Standards is not appropriate.

Links to Australian Standards are useful. However, concerns arise when the Australian Standards are amended to “strengthen” their effect. This will lead to non-compliance with the Transport Standards, and undue additional costs if providers are compelled to retro-fit for compliance to a new Australian Standards. An added complication is that some standards are for guidance; this becomes difficult and confusing when guidance standards have the effect of regulations under the Transport Standards.

4.17 Are there requirements that have proven to be impractical or difficult to implement? If so, please specify.

Instances include:

Achieving (and maintaining) the vertical and horizontal gaps between trains and platforms in certain situations where older infrastructure in particular is concerned.

Achieving 1:14 gradients of ramps at stations or on jetties may prove problematic due to physical constraints of the station environment or due to tidal variations, respectively. Resulting distances may create a barrier for seniors and other passengers who have a disability who are not using a motorized wheelchair.

Meeting an accessible bus stop standard where there are no connecting footpaths, or where there are other constraints on the road environment.

The provision of accessible toilets in regional train coach services.

The implied need to accommodate all sizes and types of wheelchairs, and other mobility aids, without consultation or negotiation with service providers.

4.18 Not applicable

4.19 Do you consider that the requirements in the Transport Standards have been applied consistently across different modes of public transport?

Efforts have been made across all public transport modes to meet the needs of people with disabilities in general accordance with the Transport Standards, but more particularly the principals espoused in the Federal Disability Discrimination Act and State legislation. Application appears to have been fairly consistent.

The issue of compliance of bus stop has been previously noted.

4.20 Will any current areas of inconsistency be addressed through the future stages of implementation of the transport standards?

Compliance target should be revisited based on experience and usefulness of achieving the target in light of broader access compliance. E.g. to meet the target, a compliant bus stop may be provided on a route without an accessible bus service.

The current inconsistency in the application of the bus stop standard may be overcome by simplifying the existing requirements, and thereby improving the likelihood of compliance by local governments. Funding implications for affected local governments to provide accessible bus stops should also be reconsidered

The implementation of an action plan to bring bus stops into line with accessible bus routes with an ultimate target of 100% compliance when bus services achieve 100% will also overcome the current inconsistency.

4.21 Do you consider that the current exemptions granted are appropriate? Should these exemptions be reduced over time?

All exemptions under Standards, e.g. school buses, charter boats, were developed after substantial discussion and debate. They were seen as practical conclusions to some vexing issues. They should continue. Any proposed change to these exemptions should be evaluated using an RIS approach.

Any exemptions given by the HREOC under the Standards need to be reviewed as part of Standards Review process, and either confirmed or the issues addressed in any recommended adjustments made to the Standards as a result of the Review.

4.22 In implementation of the Transport Standards, have the requirements led to a relatively consistent standard of compliance across all modes of public transport? If not, where are the major differences in approach?

Yes.

4.23 To what extent do the requirements in the Transport Standards address all of the accessibility requirements for people with disability? Are there gaps in the coverage of requirements?

The Transport Standards appear to be comprehensive.

The level of service and support expected by an operator or service provider may need to be better defined.

The maximum size and weight of wheelchairs or scooters need to be agreed, based on the physical limitations of all modes, and incorporated into the Standards to ensure these constraints are provided for and understood by all.

4.24 Does the compliance timetable provide for a gradual improvement of accessibility over the 30 year implementation period? Are there aspects of this timetable that present compatibility problems? How could these be improved?

It may be useful to include a concept of substantial compliance in the Transport Standards. Compliance of amenities such drinking fountains, while desirable, seem ultimately unlikely to be barrier to using public transport.

There needs to be a more useful link between the targets. For example, as previously noted, the requirement to provide an accessible bus stop where there in no accessible service just to meet a target seems a waste of resources.

4.25 Are providers meeting their obligations across all aspects of accessibility which ensure compatibility?

The PTA has ensured that all service providers of conventional public transport in the state are meeting their obligations.

Relevant local government authorities who deal with bus stops are in the process of developing an approach to progress the application of the Standards.

The approach taken for taxi services has been noted in Section 3.5 of this Submission.

4.26 Do the requirements of the Transport Standards need to more explicitly recognize the potential other regulatory constraints that impede the capacity of transport providers to deliver the objects of the Transport Standards?

Yes. There are instances where the Australian Roads Rules, Australian Design Rules for vehicles, and Australian Standards may conflict with the outcomes desired through the Transport Standards.

Examples of conflicts also include Occupational Health and Safety legislation; Civil Aviation Authority Safety regulations; and some maritime safety standards and requirements.

The Transport Standards may also be affected by more recent legislation and requirements, such as those adopted for national security purposes

4.27 How well are the current arrangements for making complaints about accessibility understood by the public?

Transperth and Transwa complaints mechanisms are well know and pursued by affected individuals. DPI and Taxis have similar mechanisms. WA's Disability Access and Inclusions plans require a process to be developed to ensure effective and accessible complaints processes.

However, it is likely that HREOC processes are not well known by consumers as the HREOC would have limited profile in WA.

4.28 Are the current processes sufficiently responsive to complaints or

requests for information or advice on the Transport standards?

It is unlikely that an individual access complaint would be easily addressed without the compliant mechanisms and the good will of operators.

Supporting Commonwealth funded legal services no longer appear to have the capacity to assist with individual matters, preferring to focus on more systemic access issues under the DDA.

Appendix 1

Disability Standards for Accessible Public Transport: Progress made in Western Australia

Background

Western Australia is a strong supporter and champion for ensuring public transport is accessible to all. While such access is vital for people with disabilities, it also assists the broader community, for example seniors and parents with prams.

The *Disability Standards for Accessible Public Transport 2002* (the Transport Standards) set certain milestones expected to be reached by all Australian public transport jurisdictions by the end of 2007. There are further milestones for 2012, 2017, 2022 and 2032.

More information about the Transport Standards is available online at www.ag.gov.au/dsfapt/welcome.html.

The components of WA's public transport system that are subject to the Transport Standards and are included in this report are:

- bus vehicles (including coaches) and infrastructure, trains and train stations, and ferries, which are the responsibility of WA's Public Transport Authority; and
- accessible taxis and jetties, which are the responsibility of the Department for Planning and Infrastructure.

Overview of progress

Western Australia has already made major progress in implementing the Transport Standards, as shown in the [data tables](#) at the end of this report.

Our achievements are evident right across the public transport system, with improvements to access for buses, coaches, bus infrastructure, trains, train stations, ferries, jetties and taxis.

Many access improvements have been developed in consultation with consumers with disabilities and we have created and adopted *best practice*

approaches to ensuring equitable access for all.

The assessment of our progress shows that we are heading in the right direction through the specific programs we have initiated.

By the end of 2007, Western Australia will have reached all the key target milestones.

For buses, coaches, railcars and ferry vessels, the 2007 compliance target has already been achieved.

We are also confident that we will continue to meet the milestones as demands increase over future decades.

Progress made for each target area is shown in the [data tables](#) at the end of this report. The data show progress relative to the 2007 compliance targets, and are not based on performance relative to full fleet/asset compliance.

Progress and examples of *best practice* are highlighted below.

Progress and best practice - Public Transport Authority (PTA)

Before the Transport Standards were introduced, the PTA had a comprehensive program in place to improve access to its fleet and infrastructure. This program (which had a different timeframe) is being adapted to best accommodate the national requirements.

Buses and bus infrastructure: The PTA has a *best practice* bus replacement program, developed as an action plan endorsed by the Human Rights and Equal Opportunities Commission. The program involves buying approximately 65 new buses each year with the tender specifying they must meet the Transport Standards. Of the 1050 buses in the fleet, 510 are now fully accessible. Because of this fleet replacement program, existing buses are not being retrofitted.

The bus replacement program is a key strategy for meeting requirements that involve structural changes to the bus fleet, such as priority seating. Items such as symbols, signs, alarms and information are being investigated.

A *Best Practice* program is in place to audit, refurbish and redesign older bus stations and bus-train interchanges to meet the Transport Standards.

Trains and train infrastructure: In line with *best practice*, all new rail stations since 1996 have been designed in consultation with representatives of people with disabilities. The rail stations include access provisions which anticipated the likely requirements of the Transport Standards.

Access provisions were included in the tender requirements for all new railcars and stations comprising the New MetroRail Project (Perth to Mandurah rail line and extension and upgrading to existing rail lines and stations).

The older electric railcars introduced to the Transperth system in 1992-93

were designed to be physically accessible and some modifications have been made subsequently. As part of a refurbishment program, some retrofitting is currently being undertaken to improve the accessibility of alarms, symbols and information. All Transperth railcars will meet the Transport Standards over time.

New trains bought for the Prospector Country Passenger Service were designed and the tender required that they be accessible.

A program is in place to audit and upgrade older train stations to meet the Transport Standards. This *Building Better Stations* program has included *best practice* consultation with people with disabilities.

The introduction of accessible emergency phones on stations is a further example of *best practice*.

A *best practice* design policy is in place to facilitate access to, on and through train stations for people with disabilities, pedestrians and cyclists.

Ferries: Work is currently under way to ensure that priority seating on ferries complies with the Transport Standards.

Other examples of best practice:

- The Circle Route of fully accessible bus services linking to key suburban stations has given access across and through the Central Business District for people with disabilities.
- There has been extensive consultation with people with disabilities on railcar and bus designs that meet the Transport Standards, including low floor buses and audio and visual communication technology.
- The new fleet of Transwa road coaches all meet the highest standards for passengers with disabilities.
- The new fleet of Transwa country trains caters for people with disabilities, including those using electric wheelchairs.
- All customer service, transit guard and driver training includes information on the needs of passengers with disabilities.
- The Special Carers Permits (allowing free travel on public transport when accompanied by someone who cannot use public transport independently) will be replaced progressively by a Companion Card with the PTA's Transperth and Transwa systems being registered affiliates.
- There is an extensive education program for groups that represent people with disabilities, covering the services available and how best to access them.

Progress and best practice - Department for Planning and Infrastructure

Accessible taxis: The Department has focused initially on viability issues raised by the taxi industry as part of a staged process of improving Multi-Purpose Taxi (MPT) services.

The Department is reviewing the current MPT vehicle specifications and will incorporate the Transport Standards as minimum requirements in the new

specifications. The review is scheduled for completion by December 2006. The report will reflect how the MPT vehicle *specifications* compare to the Transport Standards, ie it is not an audit of vehicles.

The Department is also reviewing the current requirement for vehicles to be able to carry two people in wheelchairs. There is limited use of this service and the industry has expressed concern that this requirement restricts the choice of vehicles for use as MPTs.

The Department provides a *best practice* service through the availability of a Taxi Users' Subsidy Scheme for eligible people with limited mobility.

Other examples of best practice:

- The introduction of dual MPT coordination from October 2005 has provided choice to customers and MPT operators and opens the market to new dispatching processes.
- The MPT industry has viability concerns resulting from the larger, more expensive vehicles used, rising fuel costs and the additional requirements on the operators of MPTs over conventional taxis, such as long distances between wheelchair jobs across the metropolitan area. Structural changes and initiatives are in place to improve service levels and taxi supply by increasing the attractiveness of the MPT sector to new entrants through:
 - Reducing cost structures through a buyback of MPT licences and replacing them with Government MPT lease plates at a reduced lease rate. (No licence is bought back without a replacement lease plate being issued.)
 - Increasing the number of MPT drivers by introducing an MPT Cadetship scheme with grants to suitable persons willing to train as drivers.
 - Addressing the higher operating costs incurred by operators with large diesel-fuelled vehicles by providing (from December 2005) a \$5 fuel subsidy for each wheelchair job – paid directly to drivers by the State Government.
 - Subsidising the cost of vehicle modifications (wheelchair hoists) for all new MPTs or replacement vehicles.

Jetties: The Department and the PTA work closely to ensure existing and new jetty facilities meet the Transport Standards. Disability access consultants provide detailed reports and recommendations are implemented in accordance with a specified program. Current outstanding items, including symbols, will be completed well before the 2007 target date.

The timing of improvements to jetties is limited by the availability of funds and the demand for jetty facilities for public transport. Compliance with the Transport Standards is also affected by large tide variations in the Swan River and by jetty facilities being used for purposes other than public transport, eg they are used by charter boats.

What you can do

If you have limited mobility and difficulty in using public transport, we encourage you to talk with operators and relevant agencies to try to resolve the matter.

As a last resort, if there is no satisfactory result, you may lodge a complaint

with the Human Rights and Equal Opportunity Commission.

Further information on the Transport Standards is available from either the Department for Planning and Infrastructure or the Public Transport Authority of Western Australia. Contact details are below.

Contact details

Department for Planning and Infrastructure

Principal office address:

Albert Facey House, 469 Wellington Street, Perth 6000

Telephone:

- Office: (08) 9216 8000
- Taxis: 9216 8108
- Taxi User Subsidy Scheme: (08) 9216 8068
- Taxi licensing/plates: (08) 9216 8107
- Jetties: (08) 9239 2481 or (08) 9239 2482
- TTY numbers:
 - Fremantle office: (08) 9430 6263
 - Licensing information: (08) 9216 8484
 - Planning and land administration services: (08) 9264 7535
- National Relay Service: If you are deaf or have a hearing or speech impairment, please call 13 36 77 and quote the number you want.

Website: www.dpi.wa.gov.au

Public Transport Authority

Principal office street address:

Public Transport Centre, West Parade, East Perth

Postal address:

PO Box 8125
Perth Business Centre
Perth WA 6849

Telephone:

- Transperth InfoLine: 13 62 13
- TTY: (08) 9428 1999
- Booking assistance on metropolitan train: 1800 800 022
- Facsimiles: (08) 9326 2949
- Emails: enquiries@transperth.wa.gov.au or jaltham@pta.wa.gov.au

Website: www.transperth.wa.gov.au

Data report on compliance with disability standards

Based on data as at 30 June 2005

- The key aspects listed in the tables below are a subset of the 30 Parts specified in the standards. If you are interested in results for the other aspects, please contact the Department for Planning and Infrastructure (contact details are above).
- “2007 target” is the compliance target as specified in the Disability Standards for Accessible Public Transport (2002).
- The Public Transport Authority has responsibility for buses, coaches, bus infrastructure, ferry vessels, trains and train stations.
- The Department for Planning and Infrastructure has responsibility for accessible taxis and jetties.
- These organisations work together to report on the accessibility of public transport in Western Australia.
- Some parts apply only “if” a facility is in place, eg alarms (part 19) in the form of emergency warning systems. Currently, the Public Transport Authority is not installing "Emergency Warning Systems". It uses site evacuation procedures, public address systems and personal assistance in case of emergencies. This is preferred over noisy alarms, to help maintain order, and reduce the possibility of panic, particularly in the vicinity of large buses.
- The Public Transport Authority is experimenting with Part 26 Hearing augmentation as the systems available do not work as effectively as desired.

Buses

Key aspects	2007 target Progress towards 2007 target as at June 2005	
Ramps	25%	Target fully met
Boarding	25%	Target fully met
Allocated space	25%	Target fully met
Surfaces	First target is 100% by 2012	All new vehicles comply
Alarms	100%	Target fully met

Coaches

Key aspects	2007 target Progress towards 2007 target as at June 2005	
Ramps	25%	Target fully met
Boarding	25%	Target fully met
Allocated space	25%	Target fully met
Surfaces	First target is 100% by 2012	2012 target fully met
Alarms	100%	Target fully met

Bus infrastructure

Key aspects	2007 target Progress towards 2007 target as at June 2005
Access paths	25% Target fully met
Ramps	25% Target fully met
Boarding	25% Target fully met

Allocated space	25% Target fully met	
Surfaces	First target is 100% by 2012	New facilities comply
Lifts	25% Target fully met	
Toilets	25% Target fully met	
Alarms	100% Target fully met	
Hearing augmentation	100% 0%	

Trains

Key aspects	2007 target Progress towards 2007 target as at June 2005	
Boarding	25% Target fully met	
Allocated space	25% Target fully met	
Surfaces	First target is 100% by 2012	90% compliance with 2012 target
Alarms	100% Target fully met	

Train stations

Key aspects	2007 target Progress towards 2007 target as at June 2005	
Access paths	25%	Target fully met
Ramps	25%	Target fully met
Boarding	25%	Target fully met
Allocated space	25%	Target fully met
Surfaces	First target is 100% by 2012	New facilities comply
Lifts	25%	Target fully met
Toilets	25%	Target fully met
Alarms	100%	68%
Hearing augmentation	100%	96%

Ferry vessels

Key aspects	2007 target Progress towards 2007 target as at June 2005	
Boarding	25%	Target fully met
Allocated space	25%	Target fully met
Surfaces	First target is 100% by 2012	90% compliance with 2012 target
Alarms	100%	Target fully met

Jetties

Key aspects	2007 target Progress towards 2007 target as at June 2005

Access paths	25%	Target fully met
Ramps	25%	Target fully met
Boarding	25%	Target fully met
Allocated space	25%	Target fully met
Surfaces	First target is 100% by 2012	2012 target fully met
Lifts	25%	Target fully met
Toilets	25%	Target fully met
Alarms	100%	50%

Accessible taxis

Key aspects	2007 target Progress towards 2007 target as at June 2005
Ramps	25% Target fully met
Boarding	25% Target fully met
Allocated space	25% Target fully met
Alarms	100% 0%