

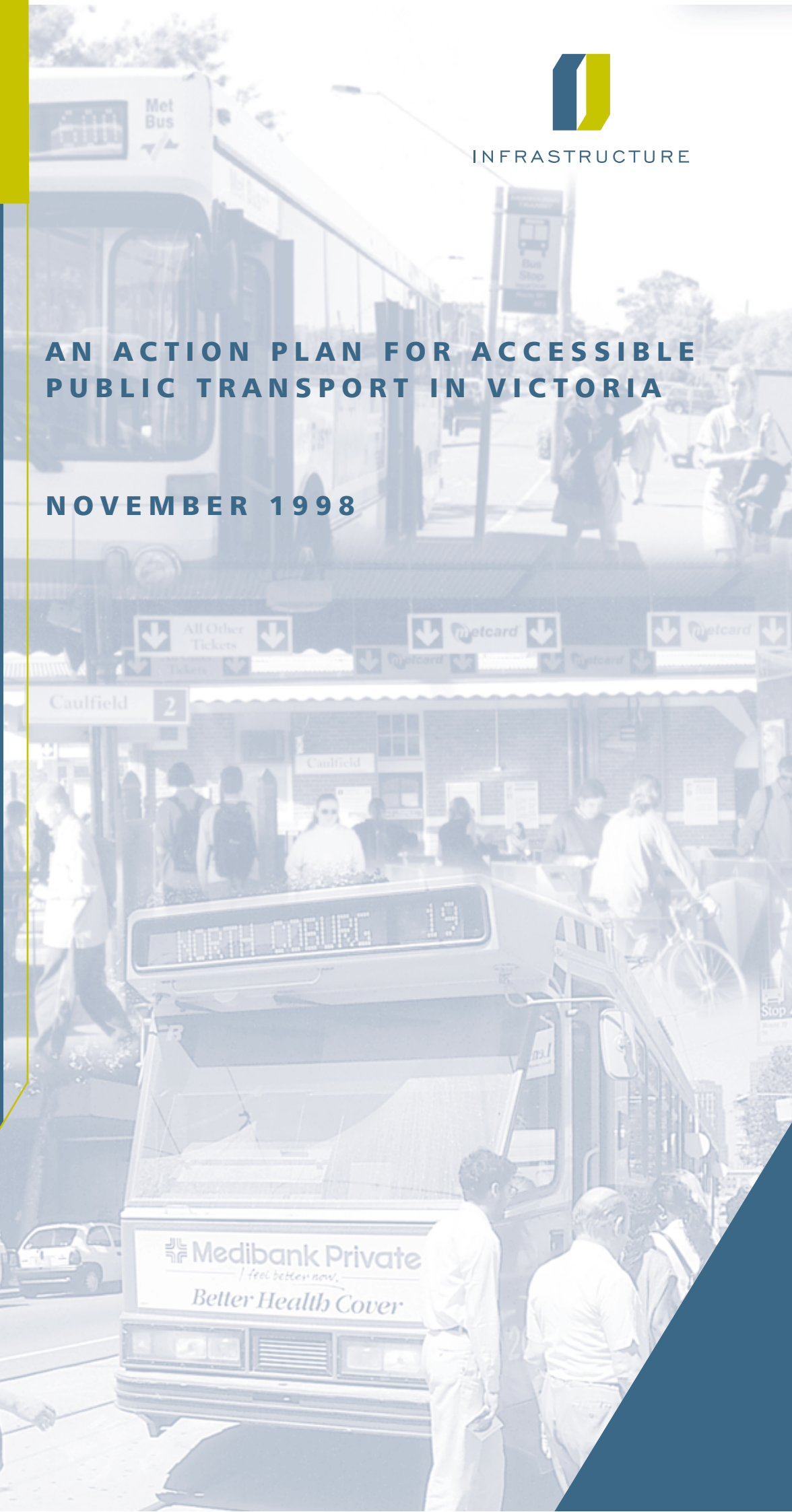


INFRASTRUCTURE

# AN ACTION PLAN FOR ACCESSIBLE PUBLIC TRANSPORT IN VICTORIA

NOVEMBER 1998

21ST CENTURY ACCESSIBILITY  
DISABILITY DISCRIMINATION ACT



## MINISTER'S FOREWORD

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Governments have a special responsibility to ensure that transport services are available and accessible to everyone in the community. Good transport networks are vital for building a stronger and more cohesive community. For this goal to be achieved, our public transport system must meet the needs of all Victorians.

Victoria's trains, trams and buses have an important role in the lives of every Victorian – we use them to get to and from work, to go shopping, attend the footy or to visit friends and relatives. Increasing public transport patronage reduces car usage, and thus reduces traffic congestion and air pollution. The Bracks Government, therefore, has a strong commitment to providing improved transport services across Victoria.

Ensuring public transport services are accessible to people with special needs is top priority for the Bracks Government. Travelling on public transport should be a comfortable, enjoyable and trouble-free experience for everyone. Information on services should be easy to use and readily available. Boarding and disembarking from vehicles should also be as easy and convenient as possible. For that reason, I am delighted that Victoria has a comprehensive and detailed 20-year plan for making our trains, trams and buses more accessible.

The 21st Century Accessibility Action Plan combined with Victoria's commitments to meeting the Commonwealth Disability Discrimination Act (DDA), will significantly enhance the quality of train, tram and bus services in the State. The DDA and the Draft Federal Disability Standards for accessible public transport establish clear regulations to which the operators of Victoria's bus, train and tram services must comply.

The Action Plan outlines the minimum level of compliance required from Victoria's public transport operators and details the steps to be taken by the Government and operators in the years ahead to improve access to transport services.

Many initiatives to increase the accessibility of public transport are already under way. They include:

- the introduction of low-floor buses
- improvements to train stations
- the upgrading of tram stops.

The introduction of low-floor trams from 2002 will be another significant step in the process to have a fully accessible transport service.

As the Minister for Transport, I look forward to working with the community and private transport operators in implementing the Action Plan to provide a high standard of public transport for everyone in Victoria.



**Peter Batchelor MP**  
Minister for Transport

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# EXECUTIVE SUMMARY

The Victorian public transport network is to be privatised during 1998 and 1999.

All operators will be private companies, operating under long term franchise agreements with the State Government.

As evidenced by the many measures already implemented in Victoria to improve accessibility, the State has an ongoing commitment to achieve equity and accessibility across all public transport. This DDA Action Plan has been prepared to confirm that this commitment will continue after the privatisation process and the introduction of new operators.

The Action Plan sets out the measures which have already been implemented to improve accessibility and describes the progress and intentions of the State Government through the current operators, V/Line Passenger, Bayside Trains, Hillside Trains, Yarra Trams and Swanston Trams, on other measures. Most significantly the Action Plan then *establishes that incoming private operators will be compelled under franchise agreement clauses to operate in a way that meets the objectives of the Disability Discrimination Act and the forthcoming Disability Standards for Accessible Public Transport.*

New operators will be required to prepare individual Action Plans, within eighteen months of commencing their franchise term. It is intended that this Action Plan will become an “umbrella” document, within which the individual plans will evolve.

Other clauses envisaged for inclusion in the franchise agreements are discussed in section 5.1.2 of this document. These clauses will be designed to:

- allow the maximum opportunity for operator initiative and innovation, consistent with the need for system-wide approaches to some matters;
- provide for operators to cooperate with each other and the DoI to achieve accessibility improvements;
- ensure the programming/prioritisation of accessibility works is undertaken on the basis of comprehensive benefit/cost considerations and takes due account of long term objectives;
- provide enforcement mechanisms.

The Action Plan then includes discussion of the full range of measures being taken in regard to all the areas covered by Disability Standards, such as access through infrastructure, vehicle boarding and information dissemination. Every attempt has been made to provide an adequate discussion of the context for particular accessibility measures and, after presentation of this framework, the various commitments are highlighted in the text throughout Chapter 5 and are re-presented in Chapter 7, in a tabular format which allows cross-referencing to the Draft Standards and the compliance timetables. The chapter 7 summary of committed measures is also reproduced in the following pages.

In summary, then, the broad principles underlying this Action Plan are:

- an intention to continue with the approach to accessibility improvements which has already seen much development in Victoria;
- an understanding that accessibility measures are to be adopted for the long term and that the 20 year compliance schedule provided by the Draft Standards allows for informed selection of the best solutions and progressive adoption of those solutions;
- a commitment to consolidate existing programs as privatisation proceeds;
- a reflection of the fact that the Victorian public transport environment is to be one where the presence of private companies and incentive driven performance contracts will stimulate innovation and creativity. This is significant for disability access measures as compliance with the DDA and the Disability Standards is to be achieved progressively and, over time, the competitive Victorian climate will foster the emergence of innovative solutions to problems that may initially seem complex.

# SUMMARY TABLE OF PROGRAMS

Category of Barrier being Addressed	Prime Responsibility for Implementation Program/Commitment	Area of Standards Category of Standard in Government /DoI Operators mainly relevant to the (See Page vi for Key)	Terms of Implementation Commitment	Timetable
Policy and Planning	- Ensure accessibility obligations are appropriately covered in the operating contracts with incoming private operators	✓	General	N/A
	- Continue with a Consultative Reference Group, having the role of providing direct policy advice to the Minister on transport accessibility matters	✓	General	N/A
	- Maintain the ATU within the DoI as a means of:			
	(i) providing resources and expertise to operators and the community			
	(ii) convening working groups of operator's representatives and users to resolve system-wide accessibility issues			
	(iii) oversee the availability of transport information for people with disabilities	✓	General	N/A
	- Ensure disability awareness modules are part of customer service training programs	✓	General	N/A
	- Maintain and expand the Easygoing suite of transport information	✓	Information 27.1-27.3	A
	- Keep a central telephone information service, with TTY access, to be known as VicTrip, and link this service with the facility for Internet access to transport information	✓	Information 27.1-27.3	A
	- Maintain programs which are designed to enhance on-system communications for people with disabilities, including staff training in communications, implementation of signs/symbols to standard specifications and progressively wider availability of Hearing Induction Loops and TTY facilities	✓	Information 27.1-27.3 Hearing Augment 26.1	A A
• Bus	- Ensure there is liaison between the BAV, individual bus operators and the ATU to facilitate implementation of communications improvements on buses which are consistent across operators and coordinated with measures being implemented on other modes.	✓	Information 27.1 - 27.3	A
	- Ensure the VicTrip centralised telephone information service continues to provide information about bus services	✓	Information 27.1 - 27.3	A
	- Maximise the number of bus operators using the VicTrip Internet facility	✓	Information 27.1-27.3	A
	- Ensure bus drivers are trained to be aware of the communications needs of passengers with disabilities, especially the need for advice of progress along a route	✓	Information 27.4	A
	- Maintain current programs relating to staff training for communications for station staff, conductors and coach drivers	✓	Information 27.1-27.3	A
	- Continue with a systematic approach to the improvement and maintenance of standardised signage on vehicles and at stations/coach stops	✓	Symbols 16.1-16.5 Signs 17.1-17.6	A- C- on vehicles & at stations C- coach stops
	- Develop an ongoing program to expand the availability of Hearing Induction Loops and TTY facilities	✓	Information 27.1-27.3	A
	- Ensure the VicTrip centralised telephone information service continues to provide information about country train/coach A services	✓	Hearing Augment. 26.1	A
	- Maximise the amount of country public transport information available via the VicTrip Internet facility	✓	Information 27.1 - 27.3	A
	-	✓	Information 27.1-27.3	A
• Country Train/Coach Measures	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A
	-	✓	Information 27.1-27.3	A

Category of Barrier being Addressed	Program/Commitment	Prime Responsibility for Implementation Government /DoI Operators	Area of Standards mainly relevant to the Commitment	Category of Standard in Terms of Implementation Timetable (See Page vi for Key)		
• Metropolitan Trains	<ul style="list-style-type: none"> <li>- Complete the implementation of communications improvements and full staffing at 61 designated 'Premium' stations</li> <li>- Investigate a reliable system of announcements on-board trains</li> <li>- Continue with a progressive approach to implementation of a range of other communications/information related measures including better signage, large print timetables, TTY facilities and Hearing Induction Loops</li> </ul>	✓	Information 27.1-27.3	A		
		✓	Information 27.4	A		
		✓	Information 27.1-27.3 Hearing Augment. 26.1	A A		
		✓	Information 27.4	A		
		✓	Signs 17.1-17.6	A		
		✓	Information 27.1-27.4	A		
		• Trams	<ul style="list-style-type: none"> <li>- Investigate a suitable method of comprehensively providing reliable announcements on board trams</li> <li>- Investigate and then progressively implement supplementary eye level route destination signage at the front of trams.</li> <li>- Ensure tram drivers and other customer contract staff are trained to be aware of the needs of travellers with disabilities and, wherever reasonable, render communications and information assistance</li> </ul>	✓	Information 27.4	A
				✓	Information 27.4	A
				✓	Signs 17.1-17.6	A
		Infrastructure	<ul style="list-style-type: none"> <li>- Continue to systematically carry out reviews of access audits to ensure appropriate maintenance of implemented accessibility measures (e.g. tactile surfaces) and to regularly check that hazards along access paths have not inadvertently been reintroduced</li> </ul>	✓	Information 27.1-27.4	A
• Cross Modal	✓			Access Paths 2.1-2.9 Manoeuvr. Areas 3.1-3.3	C C	
	✓			Access Paths 2.1-2.9 Manoeuvr. Areas 3.1-3.3 Waiting Areas 7.1-7.2	C C C	
• Bus	✓			Access Paths 2.1-2.9 Manoeuvr. Areas 3.1-3.3 Ramps 6.1-6.4	C C C	
	✓			General	N/A	
• Country Train/Coach Measures	✓			General	N/A	
	✓			General	N/A	
• Metropolitan Trains	<ul style="list-style-type: none"> <li>- Work towards the goal of having accessible toilets at all 61 premium stations</li> <li>- Continue with established programs relating to hand rails, tactile paving, waiting areas etc.</li> <li>- Incorporate accessibility measures such as platform levelling, platform furniture, cross slopes and counter heights as much as possible into the regular cycle of station maintenance</li> </ul>			✓	Toilets 15.1-15.6 Surfaces 10.1	C B
				✓	Hand/Grabrails 11.1-11.7 Waiting Areas 7.1-7.2	B A
				✓	Access Paths 2.1-2.9 Furniture & Fittings 22.1	C A
		✓	Access Paths 2.1-2.9 Furniture & Fittings 22.1	C A		

Category of Barrier being Addressed	Program/Commitment	Government /DoI	Prime Responsibility for Implementation	Area of Standards mainly relevant to the Commitment	Category of Standard in Terms of Implementation Timetable		
• Trams	- Undertake a long-term program of works at stations requiring significant remedial works for ramp gradients, with the progressive scheduling to take account of the extent/cost of works but also the community benefit of making the station accessible (related to the level of passenger usage of the station and the strategic location of the station) and also the opportunity to carry out the accessibility works in conjunction with other building works.	✓		Ramps 6.1-6.4	C		
	- Differentiate between the works required at safety-zones into the categories of						
	(i) works most logically undertaken in parallel with the introduction of accessible vehicles			Access Paths 2.1-2.9	C		
	(ii) works required to improve accessibility in existing circumstances; and then develop a program to implement access enhancements	✓		Manoevr. Areas 3.1-3.3 Waiting Areas 7.1-7.2	C		
	- Liaise with Local Government (and, if necessary, VicRoads) to develop and implement a program of accessibility improvements for kerbside tram stops	✓		Access Paths 2.1-2.9 Manoevr. Areas 3.1-3.3 Waiting Areas 7.1-7.2	C		
	To and Within Vehicles	- Ensure that, for a range of on-vehicle accessibility measures such as grab rails, yellow step edging and tactile strips, the approach is consistent across the modes and that post-installation maintenance is systematic and adequate	✓		Surfaces 10.1 Hand/Grabrails 11.1-11.7	B B	
		- Support the emergence of low floor designs as the standard route vehicle	✓		Boarding 8.1-8.8	C	
		- Implement fleet replacement for metropolitan operators in accordance with current 10 year contracts, so that progressive compliance timelines are met	✓		Boarding 8.1-8.8	C	
		- Finalise the execution of contracts with country operators, which also build in an appropriate fleet replacement provision	✓		Boarding 8.1-8.8	C	
		• Country Train/Coach Measures	- Use a combination of longer term fleet replacement, a suitable complementary carriage retrofit program (finalised in the light of the adopted fleet replacement program) and interim direct assistance measures to ensure compliance timelines are met	✓		Boarding 8.1-8.8	C
- Progressively increase the number of coaches which are equipped with wheelchair hoists and/or have a "kneeling" capability			✓		Boarding 8.1-8.8	C	
- Continue to provide for drivers, station staff and other customer contact staff to provide direct assistance to passengers			✓		Boarding 8.1-8.8	C	
• Metropolitan Trains			- Continue with adaptations to make existing on-train facilities completely compliant with the standards, by attending to the remaining works required (e.g. grab handles)	✓		Hand/Grabrails 11.1-11.7 Controls 2.1.1-21.4 Priority 3.1.1-3.1.2	B C A

(See Page vi for Key)

Category of Barrier being Addressed	Program/Commitment	Prime Responsibility for Implementation /DoI	Area of Standards mainly relevant to the Commitment	Category of Standard in Terms of Implementation Timetable (See Page vi for Key)
To and Within Vehicles (cont)	<ul style="list-style-type: none"> <li>Trams</li> </ul>			
	<ul style="list-style-type: none"> <li>- Maintain 53 older style W class trams in regular service but to increasingly deploy these vehicles on services which benefit their status as part of Melbourne's heritage/city image/tourism attractions and where alternative services, provided in the long term by low-floor trams, are nearby much of the route</li> <li>- Replace the 423 newer Z, A and B trams in a program that will mean full accessibility is achieved in 25-30 years compared to 20 years required in the standards; and to have the justification for this replacement rate tested in an Exemption Application submitted to the Human Rights and Equal Opportunity Commission</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> </ul>	Boarding 8.1-8.8	C
	<ul style="list-style-type: none"> <li>- Finalise a series of alternative access measures as interim provisions until the fleet replacement program is fully activated. These measures include:                             <ul style="list-style-type: none"> <li>(i) adequate and appropriate publicity of bus/train services where these are an alternative to tram journeys</li> <li>(ii) continuation, and if necessary enhancement, of staff training to ensure drivers and Customer Service Employees have the ability/willingness to offer direct assistance whenever required</li> <li>(iii) comprehensive examination, including by operational simulation, of the preferred specification for new low floor trams and the implications for associated infrastructure, especially safety zones</li> </ul> </li> <li>- Develop contract provisions for the franchise periods that will correspond with the intended fleet replacement such that:                             <ul style="list-style-type: none"> <li>(i) the replacement program actually adopted is generally in line with the indicative replacement program outlined in this Action Plan and the specifications developed over the next few years</li> <li>(ii) the operator of that time is precluded from attempting to then avoid the commitment to fleet replacement by retrofitting trams with wheelchair hoists and keeping the vehicles indefinitely</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓</li> </ul>	Boarding 8.1-8.8	C
		<ul style="list-style-type: none"> <li>✓</li> </ul>	Boarding 8.1-8.8	C
		<ul style="list-style-type: none"> <li>✓</li> </ul>	Boarding 8.1-8.8	C
		<ul style="list-style-type: none"> <li>✓</li> </ul>	Boarding 8.1-8.58	C
		<ul style="list-style-type: none"> <li>✓</li> </ul>	Boarding 8.1-8.8	C
Other Matters		<ul style="list-style-type: none"> <li>✓</li> </ul>	Belongings 30.1	A
		<ul style="list-style-type: none"> <li>✓</li> </ul>	Gateways 24.1 Payment of Fares 25.1-25.4	B B

Category A - 100% compliance in 5 years  
 Category B - 100% compliance in 10 years  
 Category C - progressive compliance over 20 years



## 1.1 BACKGROUND

This Action Plan has been developed under the provisions of the Disability Discrimination Act 1992 (DDA) and should therefore be interpreted in terms of the objects, definitions and interpretations in the Act. The full context of disability legislation is discussed in the next chapter, but one clear focus of the DDA is the removal of discrimination against people with disabilities in the delivery of goods and services, with transport being a major service industry and an area that has traditionally presented many barriers for people with disabilities.

The Action Plan covers those transport services that might usually be understood as comprising mainstream public transport; i.e.

- metropolitan trams, trains and buses
- country passenger trains
- long distance rural road coach services
- local country town bus routes.

All such services are administered by the Department of Infrastructure (DoI) in Victoria. The DoI also administers some other forms of transport including school buses, community buses, taxis and marine transport but these services are beyond the scope of this Action Plan. Similarly, the DoI also administers the specialised “Nightrider” buses which provide late night/early morning services from the city to many suburbs. These services are not discussed further in this document but it is notable that under the current two year contracts for these services around two-thirds of the vehicles involved will be low floor accessible buses by January 1999.

For more than 10 years, Victoria has been progressive in taking action to reduce barriers to accessibility in public transport provision. In 1988 a comprehensive accessibility audit was conducted by the consultants involved in preparing this Action Plan, Street Ryan and Associates Pty Ltd., with the report published as “Accessible Transport for People with Disabilities”. Then in 1991 a document entitled “Mobility Improvement Strategy” was published by the Accessible Transport Consultative Council (ATCC) and endorsed by the (then) Minister. Both of these documents predated the DDA. In 1995, in the light of the DDA and other developments, a review of the implementation strategy was also prepared by the

ATCC in a report to the Minister for Public Transport, published as “Towards Access”.

## 1.2 DEVELOPMENT OF THIS ACTION PLAN

While Victoria is already taking many measures to eliminate barriers to public transport accessibility, not all these measures have been consistently and comprehensively documented. It has now become appropriate to draw together all the relevant programs into this Action Plan, not least because the administration/operation of public transport services is soon to undergo significant change as a consequence of privatisation of the widespread tram and train services previously provided by the Public Transport Corporation (PTC).

Preparation of the Action Plan has largely been an exercise in collation and organisation to pull together details of various pre-existing programs and policies each of which have already been the subject of appropriate development/evaluation and extensive consultation with relevant disability reference groups. In this sense the drawing together of the Action Plan has not been accompanied by a lengthy consultative mechanism of its own. However, the ATCC has been used as an industry reference group in commenting upon the Action Plan.

The Action Plan has been written to include as much background and explanatory material as possible, but it is not intended to be a stand-alone document; other details are available in the references noted at various points and in papers held by the PTC (or its recently corporatised former operating business units, now known as Yarra Trams, Swanston Trams, Hillside Trains, Bayside Trains and V/Line Passenger). Nor is it intended to be a static document, but rather a constantly reviewed statement of how Victoria’s public transport system will progressively become barrier-free. In particular, the forthcoming changes to the administrative/operating regime will see several large private organisations become the dominant operators of public transport. It is expected that each of the incoming companies will use the framework provided by this document to prepare their own Action Plans as, on becoming operators, they also will assume much of the responsibility for compliance with the DDA.

This Action Plan has been prepared by *CAROpLAN* with assistance from *Street Ryan and Associates Pty. Ltd.*

## 2. DDA ACTION PLAN CONTEXT

### 2.1 DDA OBJECTS AND SCOPE

The DDA was passed by Federal Parliament in October 1992 and became operational in March 1993. The Act is consistent with broader, modern social justice legislation in place in Australia and in many other countries.

The identified objects of the DDA are (Section 3):

- (a) *“to eliminate, as far as possible, discrimination against persons in the areas of:*
- (i) work, accommodation, education, access to premises, clubs and sport; and*
  - (ii) the provision of goods, facilities, services and land; and*
  - (iii) the administration of Commonwealth Laws and programs; and*
- (b) *to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and*
- (c) *to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.”*

Most of the States/Territories have anti-discrimination legislation which is broadly similar in object and scope to the DDA. In Victoria the relevant legislation is the Equal Opportunity Act, 1995, which includes as one of its objects:

*“to eliminate, as far as possible, discrimination against people by prohibiting discrimination on the basis of various attributes.”*

Section (42)(i) of this Act then provides that:

*“A person must not discriminate against another person –*

- (a) by refusing to provide goods or services to the other person;*
- (b) in the terms on which goods or services are provided to the other person;*
- (c) by subjecting the other person to any other detriment in connection with the provision of goods and services to him or her.”*

It is intended that the DDA operates concurrently with State/Territory Acts, but it is the most encompassing of the anti-discrimination Acts and where there are inconsistencies between State and Federal legislation, Federal legislation will prevail. In this way the DDA provides comprehensive and uniform protection for people with a disability throughout Australia.

The DDA includes a broad definition of what constitutes disability, including reference to a person’s physical, intellectual, psychiatric, sensory, neurological and health/disease characteristics.

It covers disabilities which people have now, have had in the past, may have in the future and are believed to have, and covers discrimination against people with a disability because they:

- are accompanied by an assistant, interpreter or reader or by a trained animal such as a guide or hearing dog
- use equipment or an aid.

The definition of disability used in the DDA is presented in Appendix A.

The DDA makes discrimination on the grounds of disability unlawful in most facets of everyday life, including in the provision of ‘goods, services and facilities’. Transport/travel is clearly captured by the definition of service.

The implications of the DDA are quite far reaching. One of the most significant aspects is that the Act, and the corresponding Victorian legislation, is equity based. Thus, it is not acceptable to merely provide some form of access to transport but, as far as practicable, access for people with a disability should be provided on the same basis as for other persons. In this sense one of the major implications of the DDA is to encourage innovative approaches and the adoption of best practice solutions based on a policy of inclusion, rather than simply achieving the minimum mandatory requirements.

## 2.2 THE DDA IN OPERATION: EXEMPTIONS, STANDARDS, UNJUSTIFIABLE HARDSHIP AND ACTION PLANS

One of the key features of the DDA which impacts on the required response by service providers and on certain processes of the Act, is the fact that its operation will most frequently be triggered by complaints submitted to the Human Rights and Equal Opportunity Commission (HREOC). Complaints are handled by investigation and conciliation; if the complaint remains unresolved it can be referred for formal hearing and determination.

The Act is written in very general terms and it must be acknowledged that the achievement of immediate and comprehensive compliance with such a far reaching piece of legislation could not reasonably be expected. Primarily for these reasons the DDA provides for the formulation and promulgation of 'Disability Standards' and for the development of 'Action Plans' by service providers.

Public transport is one of the areas where Disability Standards are proposed (other areas include employment, education and accommodation). The Disability Standards for Accessible Public Transport are currently in Draft form and are expected to be endorsed and become law within the next 12 months. The aim of Disability Standards is to set timelines, with legislative force, for achieving equal access and to provide more definitive benchmarks for what constitutes accessibility and equality. Once promulgated Disability Standards will effectively be incorporated into the Act, such that it will become unlawful not to comply.

Action Plans are a mechanism by which organisations comprehensively document policies and programs devised to ensure the operator's or infrastructure provider's operations become consistent with achievement of the DDA's objects.

One of the considerations in determining compliance with the DDA is whether or not the impact would impose 'unjustifiable hardship' on the operator or infrastructure provider.

If an organisation or individual can prove that providing equitable access will cause major difficulties or impose unreasonable costs, failure to comply is not deemed unlawful.

There are no hard and fast guidelines as to what constitutes unjustifiable hardship and the intention is for it to be assessed

on a case by case basis. Section 11 of the DDA describes unjustifiable hardship as follows.

*"For the purposes of this Act, in determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are to be taken into account including:*

- (a) the nature of the benefit or detriment likely to accrue or be suffered by any persons concerned; and*
- (b) the effect of the disability of a person concerned; and*
- (c) the financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship; and*
- (d) in the case of the provision of services, or the making available of facilities -an Action Plan given to the commission under Section 64."*

While most judgements under the DDA are triggered by a complaint of discrimination, an operator or infrastructure provider may actively seek exemption from its provisions. Such exemptions, if approved, can only be issued for a maximum of five years although repeat applications are not prohibited.

The exemption process is superseded if Disability Standards are proclaimed. If the Disability Standards are proclaimed in the form of the current Draft Standards they will themselves explicitly provide for a claim of unjustifiable hardship, but only to be used as a defence if a complaint of non-compliance is raised. (The difference being that a pre-standards exemption gives automatic defence for up to five years; post standards the reasonableness of a claim of unjustifiable hardship will have to be determined case-by-case by HREOC).

## 2.3 ATC INITIATIVES AND DRAFT DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC TRANSPORT

In the light of the DDA the Australian Transport Council (ATC) met in October 1994 and established a taskforce to recommend a "cost-effective strategy to ensure that transport equipment and facilities are made accessible, and that innovative transport systems can be introduced so that transport options are increased for the disadvantaged". That taskforce reported to ATC in April 1995 (*Accessible Transport: The Way Forward*, Report of the Taskforce on Accessible Transport).

ATC endorsed a strategy developed by the initial taskforce of government representatives which proposed the following directions.

- The urgent preparation of Disability Standards to be issued by the Federal Government under the Disability Discrimination Act, 1992.
- Change over to accessibility as equipment is replaced at the expiry of normal service lives, subject to a target timeframe of 20 years with significant gains being made in 10-15 years.
- The provision of financial incentives for operators to encourage them to make early investments in accessible vehicles and other equipment.
- Provision of financial support to infrastructure providers, both State and Local Government agencies.
- The recognition by all governments of their respective obligations and their unqualified commitment to the implementation process.
- The delivery of information programs to ensure that the whole of the community has the opportunity to understand the aims of accessibility strategy.

ATC then established a further taskforce of government, consumer, industry and local government representatives to develop Draft Disability Standards for public transport, to be submitted to its April 1996 meeting.

Draft Disability Standards were published in June 1996, but they have not yet been submitted to the Federal Parliament. At present, a Regulation Impact Statement is being finalised for publication later in 1998. It is the current intention of the Federal Attorney-General to finalise the Disability Standards by early 1999. In the meantime the Draft Standards have been confirmed by the ATC as the 'preferred option'. Victoria has been an active and strong supporter of the Draft Standards as being an appropriate and comprehensive pathway for transport providers to follow to achieve compliance with the DDA's objects.

The Draft Standards provide a timeframe for total compliance and targets for progressive achievement which provide clearer direction for transport providers. However, the fact that they have not, as yet, become law has meant that their status (and progressive compliance requirements) are open to interpretation. To resolve this dilemma HREOC issued a

formal advisory note in October 1997. While the note cannot substitute for the eventual authorisation of Disability Standards by Federal Parliament, it did clarify that the Draft Standards represent an endorsed interim process. Relevant extracts from this note are as follows:

- *"HREOC regards the Draft Standards as reflecting the existing obligations of public transport operators and providers under the DDA. While they give more guidance for practical implementation than the brief provisions of the DDA, in HREOC's view they do not seek to impose any substantial new obligations."*
- *"This Advisory Note encourages public transport operators and related infrastructure providers to consider the Draft Standards as a basis for developing and implementing their own strategies for achieving non-discriminatory service over time"*
- *"Public transport operators and providers are encouraged to refer to the Draft Standards as a basis for development of voluntary Action Plans under the DDA."*
- *"The Draft Standards do not have direct legal force. HREOC is bound to apply the provisions of the DDA. However, given HREOC's view that the Draft Standards generally reflect the existing effect of the DDA, HREOC will take the Draft Standards into account in dealing with complaints under the DDA."*

A copy of the advisory note is presented in Appendix B.

On the basis of HREOC's assertions on their interim status, this Action Plan has been written as if the Draft Standards are law. Importantly this includes recognition of the timelines set for progressive achievement of total compliance on matters likely to involve significant effort/expenditure, i.e.:

- 25% within 5 years of proclamation of the Standards (say 2004)
- 55% within 10 years (say 2009)
- 90% within 15 years (say 2014)
- 100% within 20 years (say 2019).

To a significant extent the initiatives and programs discussed later in this Action Plan have been derived with regard to the requirements included in the Draft Standards. If it eventuates that the proclaimed Disability Standards differ substantially

## 3. ADMINISTRATION OF PUBLIC TRANSPORT IN VIC

from the Draft Standards, then the Victorian public transport system would reserve the right to review relevant programs.

### 3.1 TRANSPORT ACT 1983

The Transport Act is the major piece of legislation governing the provision of all transport services, roads and public transport, throughout Victoria.

In creating a Minister of Transport and an associated Department the objects are stated as:

- (a) *“to improve the efficiency and effectiveness of transport facilities and networks to meet the needs of the community; and*
- (b) *to ensure that a public transport system is provided in Victoria that is efficient, effective, safe and reliable and has due recognition for the needs and interests of that system and the taxpayers of Victoria; and*
- (c) *to ensure the achievement of optimum overall transport outcomes by undertaking integrated transport planning and integrated transport system and service development linked to the overall planning strategies and other policies of the Government.”*

The Act gives power to the Secretary of the Department to contract with various providers for the actual delivery of public transport. (In the case of the Government owned operators this is called a service agreement).

The Act also established the PTC as having the function to:

*“efficiently manage and provide safe and reliable transport services that have due recognition for the needs and interests of the users of those services and the taxpayers of Victoria and that complement the transport services provided by any other person or body under contract with the Secretary.”*

### 3.2 OTHER LEGISLATION

The Transport Act has more recently been complemented by several other important pieces of legislation.

The Public Transport Competition Act, 1995, introduces a number of measures associated with the contracting of privately owned bus companies. It provides that only accredited operators who hold a service contract with the Government may provide ‘regular passenger services’ (i.e. fixed route public transport bus services). This Act goes

on to establish that the Secretary of the Department has the authority to establish the service contracts and that the service contracts must ‘make provision for or with respect to standards relating to the provision of services under the contract’.

It is notable that there are no longer any public authorities involved in the operation of bus services anywhere in Victoria. The last Government owned depot in Melbourne was sold to a private consortium in early 1998 and that operation, like all other route bus services in the metropolitan area, is now provided on the basis of a 10 year contract with the Secretary.

The Rail Corporations Act, 1996, and the Rail Corporations (Amendment) Act, 1997, together provide for significant reform of the operation of rail/tram services in Victoria and the eventual replacement of the PTC by private operators. Indeed Section 1 of the 1997 Act states *“the purpose of this Act is to reform the public transport system in Victoria”*.

In particular this Act establishes two corporations to operate metropolitan train services and two other corporations to provide metropolitan tram services, each with their own employees and assets. Since 1 July 1998 each of Bayside Trains, Hillside Trains, Yarra Trams and Swanston Trams have functioned as fully corporatised entities, each with their own Boards and Chief Executives. (V/Line Passenger [VLP] has also been fully corporatised and provides non-metropolitan train and coach services).

The Act also provides that each one of these Corporations ‘may, with the approval or at the direction of the Minister, cease to perform all or any of its functions’. It enables the Minister to ‘be a party to any agreement providing for the sale, assignment, transfer or disposal of all or any part of the property, rights, liabilities, undertaking or business or to any related franchise or other agreement of any kind whatsoever’.

It is expected that further enabling legislation may be passed by the State Parliament later in 1998.

Other legislative provisions cover the need for operators of public transport services to be appropriately accredited as a pre-requisite to the entering of a service contract with the Secretary.

### 3.3 GOVERNMENT PRIVATISATION POLICIES

In accordance with the enabling legislation the Government has announced that its policies for public transport will lead to a regime whereby:

- (i) there are various bus companies providing services in metropolitan and country areas (already in place for metro services; contracts currently being re-negotiated for country routes)
- (ii) the PTC ceases to be an operator
- (iii) there are two separately owned operators of metropolitan train services
- (iv) there are two separately owned operators of metropolitan tram services
- (v) the PTC's country passenger services are provided by a private train operator (with some sub-contractors operating long distance coach services).
- (vi) the private country train services operated by West Coast Railway and Hoy's Roadlines continue under the provisions of their existing contracts.

The tender processes necessary to achieve points (ii)-(v) above are to be initiated during 1998 and the new operating regime will be in place during 1999.

In offering public transport services to the community, the various operators will be contracted to the Secretary of the DoI who will be obliged to enact the contracts in accordance with the Department's objectives as listed above. Metropolitan bus operators are already operating under recently executed contracts and, while the Drafting of contracts for the incoming rail/tram operators have not yet been finalised, the objects of the Acts underpinning the contract process are similar and it can therefore be reasonably expected that some of the relevant contract provisions will also be similar. For example, in the bus contract's recitals, it is stated:

*"The Secretary and the Operator are entering into this Agreement for the purpose of facilitating:*

- (a) the provision of a high quality, regular public passenger bus service by the Operator;*

- (b) the provision of that service in a competent, courteous, safe and reliable manner;*
- (c) the recognition and satisfaction by the Operator, in the provision of that service, of the present and future needs of users of the service:"*

From the section of the contract dealing with service standards in general it is stated that:

*"In providing a service, the operator must:*

- Provide each Service in competent, courteous and safe and reliable manner.*
- Provide each service having primary regard to the needs and interests of passengers and potential passengers and, accordingly, ensure that each Service is provided with a strong orientation towards customer satisfaction.*
- Comply with all requirements as to Accreditation from time to time in force with Victoria.*
- Comply with all requirements of law from time to time applicable to the provision of the Services and the business and operations of the Operator.*
- Comply with all relevant national standards from time to time binding on the Operator under the Commonwealth Disability Discrimination Act."*

And from the section of the contract concerning vehicle standards, it is established that:

*"Each vehicle used in the provision of a service must be:*

- In a safe operating condition at all times ( and without limiting that requirement, in determining whether a vehicle is in a safe operating condition, the Operator must have regard to all requirements of law from time to time imposed upon the Operator in respect of that vehicle and, also, the relevant vehicle manufacturer's specifications, recommendations and service standards).*
- To the extent from time to time required by law, registered and licensed in the correct category applicable to the Service.*
- A vehicle that meets or exceeds any standards relating to vehicle design or presentation from time to time agreed between the Secretary and the BAV as being appropriate standard industry practice."*

From all the above material it is clear that while all public transport operations will be in the hands of private companies, the Government will maintain a strong co-ordination and standard setting role via the Secretary and the service provision contracts. The Government will also continue to have a substantial financial commitment to the public transport network, also embodied in the contracts.

For the future, then, the individual companies providing bus, train and tram public transport services in Victoria will be regarded as 'operators' in the meaning of the DDA and will therefore be obliged to comply with the DDA. Their contracts with the Victorian Government will confirm that obligation. The operators will expect that the Government recognises their DDA obligations in negotiating the operating contracts.

In this Action Plan it is therefore crucial to comprehensively document the steps already taken towards DDA compliance (by the PTC) and to set down the policies/programs being followed now (and which would be continued if the PTC was an ongoing operator) to achieve full compliance.

All Action Plans prepared with respect to the dda should be regarded as dynamic documents, requiring constant review and updating. by definition, given the alterations to transport about to occur in Victoria, this Action Plan is an interim document which may be updated from time to time and be supplemented by each of the individual service operating companies having their own action plan.

## 4. TOWARDS REMOVAL OF BARRIERS

### 4.1 THE PUBLIC TRANSPORT ENVIRONMENT

#### 4.1.1 Victoria's Public Transport Networks

The 1996 Australian Bureau of Statistics (ABS) Census of Population and Housing indicated that Melbourne's current population was 3.24 million persons and the ABS estimate for 1997 is 3.322 million. This suburban community is resident in a city which has become geographically very large by world standards, now covering some 7,800 square kilometres. The city has a correspondingly wide network of public transport services; it is the only city in Australia and one of the few in the world to have major public transport roles provided by each of three major passenger modes - heavy rail electric trains, light rail/tram and diesel buses.

Each weekday some 400,000 people make 1 million boardings on public transport.

Whilst the large majority of travel in the metropolitan area is made by private motor vehicle, the 1996 census revealed that public transport carried around 7% of all vehicle trips. In the case of daily commuters travelling into the Melbourne CAD, the share is approximately 47%, but public transport's share for all other trips is less than 4%.

The electrified heavy rail network consists of 336 route kilometres feeding into an underground loop around the city. There are 199 stations on 15 lines. Some 1,750 trips are scheduled each weekday requiring 123 six carriage trains. In 1996/97 approximately 112.6 million boardings were made.

Melbourne has the largest tram/light rail network of the English speaking countries, with 240km of double track on 28 main routes. Most tram lines feed into the city as their final destination but operate through several intermediate centres located along major roads; there are a small number of cross-suburban routes.

Over 400 trams operate each weekday and during 1996/97 approximately 115.4 million boardings were made.

Complementing the rail and tram networks is an extensive suburban bus network feeding railway stations, schools and major shopping complexes. A small number of bus routes operate into the city but the bus network's dominant role is the provision of major cross-suburban links in middle and outer suburbs.

Approximately 1,400 buses provide services over some 250 routes. In 1996/97 approximately 92.3 million boardings were made.

#### Country Public Transport

Rail services are provided between Melbourne and most major country destinations including commuter length routes to Geelong, Ballarat, Bendigo, Seymour, Warragul and Stony Point and longer distance services to Warrnambool, Swan Hill, Shepparton, Albury/Wodonga and Sale. All country train services except those to Warrnambool and Shepparton are operated by VLP. The routes to Warrnambool and Shepparton are contracted to West Coast Railway and Hoy's respectively, following a tender process in 1993.

Where the provision of train services had become uneconomic, coach services are operated as part of the VLP network. Some of these coach services operate right to Melbourne (e.g. from Mildura, Mansfield, Leongatha) but the majority provide connecting services beyond train termini (e.g. Warrnambool-Portland) or enable cross-country travel (e.g. Geelong-Ballarat).

Local bus services are provided in all major provincial centres, including Geelong, Ballarat, Bendigo, Shepparton, Latrobe Valley and Warrnambool and in some smaller cities/towns (at least some days of the week). A number of relatively infrequent inter-town bus services are also provided, though not part of the VLP network.

#### 4.1.2 Modal Features in Melbourne

Trains are the dominant mode for the longer distance commuting trips into Melbourne, offering a fast alternative to the car.

Buses, by and large, provide access to local facilities such as schools and shopping centres and/or feed travellers onto the rail system at modal interchange stations.

By comparison with other Australian cities, the mode that is unique to Melbourne, and which has become an icon of the city, is the tram. The network of services is extensive, mainly through the well established inner and middle ring of suburbs. Some people use the tram for commuter access to the city, but typically such travellers are residents of areas within, say 2-10 kilometres of the city. The services are heavily patronised by city and near-city workers and visitors, for the whole range of access purposes. The services are also heavily patronised by



school/university students and many miscellaneous trips are made over trip lengths of up to 4 to 5 kilometres for shopping and personal business purposes along the famous tram streets such as Chapel Street, Glenferrie Road, St Kilda Road and Toorak Road.

Most tram services operate in the middle of busy roads, with access to the tram being across from a kerbside stop. On some roads (e.g. Victoria Parade) the trams operate in their own right-of-way, offering more convenient access to waiting passengers and allowing faster travel. Throughout the city and at some other extremely busy locations, fenced-off tram safety zones are provided to enable waiting passengers to assemble in a protected mid-street area, right where the tram will stop.

## 4.2. IDENTIFIED BARRIERS TO ACCESS

### 4.2.1 *Indicative Size of the Disability Market*

The definition of disability incorporated in the DDA is far more encompassing than definitions used, for example, by the World Health Organisation or the ABS, and it is impossible to accurately assess the number of people who have a disability. Suffice to say it is a sizeable component of the population and, because of this, sound business practices alone should dictate the requirement to consider their needs in service design and operation.

A study conducted by the ABS in 1993 estimated that 18% of Australia and 18.3% of Victorians have a 'disability' or 'handicap'. Applying this rate of incidence to Victoria's estimated resident population in 1997 suggests around 843,000 Victorians and 607,900 Melburnians have a disability or handicap. As might be expected, the incidence of disability increases dramatically with age; previous ABS analysis suggests approximately 47% of persons aged 60 or more have disabilities, compared to 8% for persons aged under 45. Consequently, as our population ages the overall incidence of disability is expected to increase. By 2011, for example, the number of people with disability in Melbourne is likely to be around 750,000 (based on 1993 rates of incidence of disability by age).

Of course, not all people with a disability require special consideration with transport. It is significant, however, that the 1993 study estimated that 25% of people with a disability living in households experienced difficulty with public

transport, the majority of these indicating they have difficulty getting into vehicles and/or carriages. (Much additional material on the incidence and impact of disability is available in the 1993 ABS publication "Disability, Ageing and Carers - Summary of Findings".) A further consideration is that there are many other members of the community who experience similar problems, most notably women or men with prams/pushers, people carrying parcels or luggage and people with temporary injuries. While not necessarily recognised as having a disability, frail older people also benefit significantly from accessibility improvements. A recent Victorian Parliamentary inquiry confirmed that mobility and independence are critical factors in the achievement of positive ageing and that the proportion of Victorians in the relevant age brackets will increase in coming years. (Inquiry into Planning for Positive Ageing - Family and Community Development Committee of Parliament, December 1997).

Many of the solutions required to comply with the DDA, therefore, are not targeted at a minor segment of the community but provide a better standard of service to the travelling public in general.

### 4.2.2 *Background: Initial Identification of Barriers*

The process of rendering transport services accessible for people with disabilities is about awareness of the existence of barriers which make access difficult or impossible and being prepared to remedy such barriers.

Some barriers are reasonably obvious (e.g. non-availability of large print timetables for people with impaired vision); but other barriers may be far more subtle (e.g. lack of colour contrast making a pole or rail difficult for a person with a vision impairment to see).

Victoria commenced the process of identifying barriers many years ago. During 1988 Street Ryan and Associates Pty. Ltd. were commissioned to conduct a study to comprehensively document barriers and to suggest the scope of remedial works likely to be required. This was ground-breaking work at the time, serving to draw attention to the wide range of barriers that were very real, but many of which operators/service planners had hitherto been simply unaware. The report was finalised in December 1988, entitled "*Accessible Transport for People with Disabilities - An Action Plan for Victoria*".

The process of identifying barriers for this study incorporated extensive consultation involving:

- a face to face survey of in excess of 1,500 people with a disability
- 30 community workshops throughout the State
- public submissions.

Some of the more significant barriers to accessible public transport can be summarised as follows:

- Difficulties getting on and off services because of, for example
  - height of steps
  - narrow aisles
  - lack of/or unsuitably placed handrails
  - need for someone to assist
  - relatively short vehicle dwell time at stops.
- Difficulties getting to and from services because of, for example
  - unsuitable design or lack of kerb crossover
  - pedestrian light cycles are too short
  - uneven or unmade footpaths
  - ramps are too steep/lack of ramps
  - lack of suitable parking for people with a disability and/or parking conditions not enforced
  - need for someone to assist
  - lack of access to private transport/inconvenience to other people
  - cost of taxis.
- Difficulties in moving within vehicles because of, for example
  - narrow aisles and/or doorways
  - internal steps
  - inaccessible toilets
  - lack of, or unsuitably placed grab rails
  - vehicles stop and start too quickly
  - need for someone to assist.
  - Transport staff (planners, design engineers and operating staff) are not sufficiently aware of the impact of various disabilities and operating staff are not well trained in how to assist.
  - Service information is difficult to understand because of, for example, lack of clear and audible announcements of stops on vehicles and at stations.
  - Lack of announcements of stops and platform location.
  - Size and placement of route and destination signs.
  - Lack of consistent presentation of information in audio and visual formats.
  - Size of print and complexity of timetables.
  - Information is not available in a variety of formats.
  - Lack of and inconsistent provision of aids such as hearing induction loops, TTY phones etc..
  - Lack of tactile indicators of path direction, platform edges etc..
  - Inconsistent and confusing signage.
  - Insufficient use of colour contrasts in signage and on steps, grab rails etc. on vehicles.
  - Access path obstructed by street furniture and A frame advertising boards.

Of course this listing does not reflect all the barriers which exist, but it provides an indication of the scope of issues to be addressed when considering equitable access. Given Victoria's early start in identifying the barriers in its transport networks, substantial progress has been made through the many remedial measures which have already been initiated, as discussed in the next section. To the extent that some barriers remain, especially those requiring major structural changes to infrastructure or vehicles, measures are planned for progressive implementation as discussed in Chapter 5.

## 4.3 PROGRESS TOWARDS IMPROVING ACCESS

### 4.3.1 Accessible Transport Consultative Council

The Street Ryan study established that much should be done to progressively allow better accessibility to Victoria's public transport system. Among other reactions, the Government of the day established a group of representatives from disability groups to become an advisory body, reporting directly to the Minister of Transport. This group was formalised as the Accessible Transport Consultative Council (ATCC).

After formation, the ATCC was charged with considering the Street Ryan report and other available material and to develop strategies that would see genuine progress made in regard to the challenge of improving accessibility to public transport for people with disabilities. By November 1991 the ATCC, with Ministerial endorsement, published its *"Mobility Improvement Strategy"*. This strategy document was comprehensive in its scope, referring to both operational and infrastructure 'hardware' matters as well as education, staff training and communications issues. (The document also covers non-public transport matters as the ATCC's role extends to all transport, including roads, parking, taxis and driver licensing.)

By late 1992, following a change of Government, the ATCC was concerned that certain transport policies being implemented by the new Government could have an undesirable impact on progress towards accessibility, particularly where a mode change on a route was envisaged (e.g. coach instead of train). To address these matters the Minister released the *"Mobility Enhancement Strategy"* in February 1993 after consultation with the ATCC, with this document effectively becoming an addendum to the earlier Mobility Improvement Strategy.

In 1995 the ATCC reviewed progress on the matters covered in the 1991 and 1993 strategy statements, and reformulated a series of recommendations to ensure progress was maintained. This review was published in September 1995 as *"Towards Access"*. The ATCC also had a key role in the conduct of and reaction to a consultancy study of tram accessibility alternatives (This study was conducted by Rust PPK in 1996 and is discussed in sections 5.3.6 and 5.4.6). The ATCC reaction is

covered in "Tram Access Study - Discussion Findings" (August 1997).

The various ATCC papers have been used as input to the Service Agreements negotiated for 1996-97 and 1997-98 between the DoI and the PTC. The outcome has been a requirement on the PTC to keep progressing disability access matters, even in the climate of relative uncertainty created by the non-proclamation of Standards.

Current membership of the ATCC, and its Terms of Reference, are shown in Appendix C.

To complement the role of the ATCC, the DoI incorporates an Accessible Transport Unit (ATU) within the Department, following the transfer of the unit originally established within the PTC. This unit provides policy and planning advice to all public transport operators in relation to access matters and helps develop public transport resource material to assist passengers with special needs. The ATU also provides guest speakers and other resources for presentations to community or special interest groups to outline the full range of accessible public transport services and facilities.

The manager of the ATU also chairs a forum with representatives from nine disability organisations, to assist with the identification and resolution of issues relating to access to public transport for people with disabilities. This Disability Services Committee has functioned since 1992

### 4.3.2 Current PTC Status

The PTC, for several years, operated under the terms of annual service agreements with the DoI. Those agreements required the PTC to continue implementing measures to improve accessibility. On 1 July 1998, the PTC's passenger transport businesses were split into five distinct operating entities (VLP, Bayside Trains, Hillside Trains, Yarra Trams and Swanston Trams) and these entities were corporatised as independent statutory corporations.

One of the major accessibility issues that has been addressed by all the PTC's operating entities has been the conduct of comprehensive access audits. Full audits have been completed on the metropolitan train and VLP networks, while for the tram system two representative routes were examined; in some cases this work was done with the assistance of consultants to provide engineering and design advice.

Consultants have also been retained by the DoI to examine a sample of bus stops.

The access audits and the follow-up work done to identify the indicative scope of works associated with achieving solutions forms the basis of much of the material discussed in the next few chapters of this Action Plan.

### ***4.3.3 Major Access Initiatives Already Implemented***

Victoria considers itself to be a leader in the implementation of measures to improve the accessibility of public transport. The policy and administrative settings associated with this (e.g. ATCC) have already been discussed. But the physical improvements to the system have also been significant.

Among the initiatives implemented over recent years are:

- grab rails/hand rails/step edges have been made to stand out more clearly from other parts of vehicles, with application of the yellow powder coating envisaged by the Draft Standards. Vehicles on each of the modes have been treated and work is ongoing
- tactile pathways have been installed at key locations on the system, notably city loop stations
- public transport information is available in alternative printed formats (e.g. braille, other languages) and via TTY access and on the Internet. The Easygoing suite of information material has been specifically designed for people with special needs and was launched by the Minister earlier in 1998
- low floor buses. There are already approximately 30 low floor buses in the fleets of suburban route bus operators and newly commissioned 10 year contracts with these operators build in a fleet replacement program which will progressively see all new buses being accessible
- accessible coaches. There are approximately 16 luxury coaches on VLP routes equipped with wheelchair hoists, and additional coaches will become accessible as vehicles are replaced
- full access audits have been carried out on the metropolitan train and VLP systems and sample routes on the bus and tram networks have also been audited, allowing plans to

be developed to progressively overcome identified barriers to access

- staff training/disability awareness. Customer contact staff in each of the modes now undergo customer service training programs which include disability awareness modules
- community education. The ATU provides resources and speakers to facilitate a wider community understanding of transport accessibility issues.
- VLP services. Due to the purchase of 21 modern Sprinter trains and also a retrofit program for some older carriages, many VLP services are operated by vehicles with appropriate accessibility features, including accessible toilets.

Notwithstanding the many improvements made, it is still early days in the ongoing process of making the public transport system fully accessible. In particular, programs over the next 10-20 years are necessary to ensure that vehicles and stops/stations are addressed, consistent with the forthcoming Disability Standards.

When launching the Easygoing suite of information material in March 1998, the Minister for Transport stated:

*“This is not an issue that will go away. It is an issue that Australia as a nation is taking on board, and it is certainly an issue that I take a strong personal interest in. I reiterate this Government’s recognition of the Commonwealth Disability Discrimination Act and I urge the acceptance of appropriate Standards for accessible public transport as soon as possible.”*

### ***4.3.4 Multi-Purpose Taxi Scheme***

In parallel with the improving access to the public transport system, certain categories of people with disabilities are also entitled to use Victoria’s Multi Purpose Taxi (MPT) scheme, which has been in operation since 1990.

While important for improving general accessibility this scheme is not considered to be part of the public transport network for the purposes of this Action Plan, and is not further discussed in this document. Outline details of the scheme are that eligible users are entitled to a 50% subsidy of the fare for each taxi journey, up to a maximum subsidy of \$25 per trip. There is no limit on the number of taxi trips that can be made. There are currently more than 180,000 eligible users of the scheme in Victoria.

## 5. ADDRESSING BARRIERS

This chapter discusses actions which are being taken and Victoria's ongoing commitments to address barriers relating to:

- 5.1 policy planning and regulation
- 5.2 communications and information
- 5.3 access to infrastructure
- 5.4 access to and within vehicles
- 5.5 other matters.

Within sections 5.2, 5.3 and 5.4 there is general discussion followed by an outline of cross modal measures, then measures specifically associated with each mode. Section 5.1 and 5.5 only involve cross-modal discussion.

### 5.1 POLICY AND PLANNING

#### 5.1.1 *The Need for a Coordinated Approach*

It is clearly intended that the private companies soon to become public transport service providers in Victoria have a great deal of autonomy in deciding how to respond to their various challenges and to meet their obligations. Nevertheless, enhanced accessibility is certainly an area where a certain amount of 'invisible hand' policy and program coordination will be appropriate.

Section 122 of the DDA provides that:

*"A person who causes, instructs, induces, aids or permits another person to do an act that is unlawful ... is, for the purposes of this Act, taken also to have done the act."*

In this context 'permitting' would carry a wider meaning than simply the direct and active giving of permission for the conduct of an unlawful act. It may also include, for example, the failure to exercise a power reasonably available to prevent the unlawful act. HREOC has indicated that licensing/regulator/contracting authorities need to be mindful of section 122 provisions as they exercise their powers.

More importantly, straightforward common sense indicates that maximum community benefit will be achieved if there is a certain degree of commonality of approach to improving accessibility. To use an extreme example for illustration purposes; it would not be at all helpful if one train operator

used tactile surfaces to indicate a pathway to follow but the other operator used tactile surfaces as an indicator of where not to step.

#### 5.1.2 *Ongoing Victorian Measures*

The approach to be adopted in Victoria for the future will build on the successful co-ordinating framework which already exists, and of which some elements have already been mentioned. This framework includes:

- Service Provision Contracts

It is envisaged that the contracts to be established between the DoI and the incoming private operators could:

- generally require operators to comply with the DDA
- require operators to prepare their own Action Plans within eighteen months of execution of the service provision contract; with such Action Plans to be consistent with the aims of this Action Plan and, where relevant, appropriate current programs of the PTC
- indicate to operators the range of accessibility issues on which consultation/co-ordination, via the ATU, will be appropriate to ensure individual Action Plans and particular measures provide a consistent and integrated approach for people with disabilities
- require operators to participate in working groups convened by the Minister's Consultative Reference Group or ATU to address nominated accessibility issues
- without unduly constraining operator initiative, ensure that an operator cannot deliberately or by default modify a system-wide metropolitan standard
- preclude an operator from implementing a measure which is directly at odds with intentions expressed in this Action Plan, unless with the explicit approval of the Secretary
- encourage operators to be as innovative and creative as possible in addressing their obligations under the DDA and in preparing their individual Action Plans; and to encourage direct liaison between

operators and relevant user groups to facilitate such innovation

- establish a mechanism to ensure that the programming/ prioritisation of works required to achieve accessibility is done on a fully effective basis, taking into account community costs/ benefits as well as direct operator costs/benefits. This provision will preclude, for example, a first franchise operator carrying out a program of works distorted in his own self-interest and leaving more difficult/expensive works to a subsequent franchise
- provide enforcement mechanisms to ensure operators comply with the above objectives.

- Consultative Mechanisms

A Consultative Group with Ministerial reference will continue; provision will allow for representatives of new operators to be invited to attend selected meetings as observers (just as has occurred with the PTC in the past at ATCC meetings).

- Accessible Transport Unit

The DoI will continue to sponsor the ATU within the Department. This unit will continue to provide resources and expertise for both operators and the community. The ATU will from time to time act as a coordinator of working groups including the Minister's Consultative Reference Group and/or DSC representatives and operators to resolve particular issues as they arise.

- Centralised Telephone Enquiry Service (VicTrip)

There will be a central telephone passenger information service, to be known as VicTrip, giving timetable and route details for all services in the network. This will continue to provide TTY facilities and will collaborate with the ATU as appropriate.

- Internet Information Service

To supplement the telephone enquiry lines, an Internet home-page has been established and will continue to be available as a host site for all operators to present their route and timetable information.

- Easygoing Suite of Information

The Easygoing suite of information to help people with disabilities plan and conduct their public transport trips was launched by the Minister early in 1998. It includes:

- station access guides for each metropolitan train service
- a fact sheet
- a pamphlet
- communication card
- stop reminder slips
- large print system maps for the metropolitan tram and train networks.

A short summary of the contents of each element of the information suite is in Appendix D.

Co-ordination of the Easygoing suite will be continued by the ATU; availability of information will be maintained and possibly extended by operators, to give corresponding information about country services and to develop a consistent format of large print timetables which are currently photocopied on a reasonably ad hoc basis.

- Staff Training

The particular methods/extent of staff training programs will be a matter for individual operators. The ATU will continue to assist with resources for disability awareness modules, so that all operators cover similar material.

## *Victoria's commitments are to .....*

- *Ensure accessibility obligations are appropriately covered in the operating contracts with incoming private operators.*
- *Continue with a Consultative Reference Group, having the role of providing direct policy advice to the Minister on transport accessibility matters.*
- *Maintain the ATU within the DoI as a means of*
  - providing resources and expertise to operators and the community*
  - convening working groups of operator representatives and users to resolve system wide accessibility issues*
  - oversee the availability of transport information for people with disabilities*
- *Ensure disability awareness modules are part of customer service training programs.*

## **5.2 COMMUNICATION AND INFORMATION**

### **5.2.1 General Discussion**

There are undoubtedly many physical aspects of public transport systems which require modification over time to allow full accessibility. It is equally true, however, that one of the biggest barriers to use is one that can be tackled quickly; this is the issue of attitudes, understanding, communication and information.

The explanatory guidelines issued with the Draft Standards include this quote:

*“Attitude is one of the main barriers to non-discriminatory access for people with disabilities.”*

Of course, a lack of readily available and/or readily understandable travel information is not going to contribute to optimum usage of a system by any group of passengers, whether disabled or not.

In the interests of equity, staff training to overcome attitudinal issues is necessary in its own right, but it is to be noted that staff training should also include practical ‘customer service’ components. This will enable public transport employees to feel more comfortable in communicating helpfully or in directly assisting passengers with disabilities, without being patronising in language, attitude or actions.

Equally, travel training and/or promotion of sensible communications can be most beneficial for people with disabilities. The first page of the Victorian brochure “Public Transport Disability Services for Customers with Specific Needs” states:

*“Communication is the key - if you need assistance, let staff know. Your disability may not be obvious to staff. Many disability organisations can provide identification cards which will indicate your disability. Help staff to assist you by letting them know when and how you need assistance.*

*On the other hand, you may have an obvious disability but not require any help.*

*For example, you may use a wheelchair for most of your mobility but be able to walk short distances or even negotiate steps, in which case you could be capable of travelling by bus or coach. Let staff know your disability.”*

Many of the Draft Standards relevant to this area are among the least prescriptive, and where they are prescriptive they mostly pick up Australian Standards which are common place in many fields other than transport. The accompanying guidelines do, however, clearly establish the purpose behind operators being attentive to this issue. In regard to publicity/information, and with minor paraphrasing, the guidelines state:

*“Information is an essential component of any public transport system. The Standards assume that information about accessible transport services will be readily available and therefore provide that operators or providers will supply all passengers with information necessary to use a transport service. However, the Standards assume a minimum level of literacy and language skills.*

*Operators and providers should expect requests for information in formats such as standard or large print, Braille, audio, touch-tone telephone, TTY and on-line computer or disks. Passengers should anticipate that certain formats may only be available*

*from certain outlets. For example, while bus drivers may provide verbal information on timetables and bus routes, they would not be expected to have alternative format timetables on hand.*

*Where it is not possible for operators or providers to supply information in a particular format, passengers may expect assistance to be provided to use documentation in the available formats. For example, this could include provision of a photocopy enlargement of a timetable. However, essential travel and safety information must be available in an accessible format or direct assistance given.*

*Operators could choose to announce scheduled stops as one way of informing passengers on their whereabouts during a journey.”*

Requirements in regard to communications/information can therefore be summarised as encompassing the following areas.

- That staff training packages include modules directly targeted to improving customer communications.
- That publicity and information material be available in both standard and alternative formats.
- That signage complies to the Disability Standards in terms of size, placement and illumination (and length of display for electronic signage).
- That nationally/internationally accepted symbols are used.
- That alarms/warning systems are installed in accordance with standards.
- That hearing induction loops are installed as a supplement to any public address systems.
- That progress information about whereabouts during a journey is available to all passengers (most often requiring announcements).

### **5.2.2 Cross Modal Measures**

The current operators comprising the Victorian public transport system are already well advanced in implementing most of the measures necessary in this area. All programs will be continued and, where appropriate, enhanced to achieve full compliance.

### **Printed Material**

As already discussed, the Easygoing suite of material for travellers with disabilities will be expanded and regularly updated, under the co-ordinating influence of the ATU.

The main area of expansion will be to more adequately cover country services. Updates will cover such matters as physical alterations at a site, locations of additional car parking or newly installed TTY services etc..

Production/availability of large print timetables has thus far been carried out on a relatively ad hoc basis. The DoI will work with operators to ensure large print timetables become more systematically and consistently prepared/ distributed.

### **Telephone Information Services**

There are two major public transport enquiry numbers in Victoria, one for all Metropolitan services (train, tram and bus) and the other for VLP services, providing both an information service and a reservation service for the few routes that still require bookings. Both services have TTY functionality. Both services are attentive to the needs of people with disabilities and can facilitate such things as, for example, mail out of Easygoing material.

With the forthcoming introduction of the new private operators, it has already been decided that the telephone information services will remain centrally provided, and become re-branded as VicTrip, rather than become the separate responsibility of each operator. (Indeed it is possible that the two current numbers could be merged but this has not yet been finalised).

With it being definite that the key information services will be centralised, travellers with disabilities and all other passengers are guaranteed that route, timetable and special events information will continue to be available on a consistent basis.

### **Internet Information**

As an adjunct to the availability of printed and telephone information, the 'VicTrip' home page has already been established to allow all public transport operators to have information available through the Internet.

The information available via this service will be consistent with the information available to people calling the centralised telephone information service.



### Staff Training for Communications

As previously indicated, the content of staff training is a matter for individual operators to develop in detail. The ATU will continue to assist with resources and expertise, whenever requested, to enhance the worth of training programs.

### Signs and Symbols

All current operators have made substantial progress in this area, and all vehicle manufacturers, graphic designers etc. are well aware of the relevant standards from their work in non-public transport fields. Typically they will build in compliance as an automatic component of a response to a brief for any new or remedial work.

Incoming operators will be similarly aware of requirements.

### Hearing Induction Loops/TTY Facilities

Hearing Induction Loops and TTY facilities are predominantly relevant for the metropolitan train system and are addressed in more detail in section 5.2.5.

However, Hearing Induction Loops and TTY facilities will progressively be implemented wherever else they are appropriate and in accordance with the Draft Standards.

### *Victoria's commitments are to .....*

- *Maintain and expand the Easygoing suite of transport information*
- *Keep a central telephone information service, with TTY access, to be known as VicTrip, and link this service with the facility for Internet access to transport information.*
- *Maintain programs which are designed to enhance on-system communications for people with disabilities, including staff training in communications, implementation of signs/symbols to standard specifications and progressively wider availability of Hearing Induction Loops and TTY facilities.*

### 5.2.3 Bus Measures

Route bus operators in both metropolitan and country areas are mostly members of the industry body, the Bus Association of Victoria (BAV). Among its other functions BAV acts as a provider of expertise and specialist resources on certain industry matters. Driver/staff training is one such issue. BAV has negotiated arrangements which enable driver training to be conducted as a TAFE affiliated course, with appropriate certification; disability awareness modules are a compulsory segment of the course and potential drivers for route service work (i.e. public transport) are not accredited until they demonstrate successful completion of the course.

In the metropolitan area timetable information is available via the centralised telephone enquiry line already discussed. For the larger regional centres bus timetables are produced on a cross-company basis to cover all services (e.g. Geelong). Throughout the state, including the metropolitan area, individual bus operators produce their own timetable pamphlets; large print versions are made available as photocopies on request and other requests for alternative formats are handled on a case-by-case basis by operators, with direct assistance the most common response.

Bus operators are encouraged to include their timetable/route information on the Internet via the VicTrip facility.

Vehicle manufacturers and operators are planning for compliance with signage/symbols aspects as a design component of new vehicle specifications. For instance the international accepted accessibility symbol is displayed on the exterior of low floor buses.

For many other communication needs, such as the need for advice of progress along a route, the means of communication is of course via verbal/visual contact with the driver.

Automated announcements may be implemented by some operators for certain routes but are unlikely to become standard industry practice in the foreseeable future.

The availability of communication cards and stop reminder slips for passengers with special needs are very effective for travellers on bus services.

### *Victoria's commitments are to .....*

- *Ensure there is liaison between the BAV, individual bus operators and the ATU to facilitate implementation of communication improvements on buses which are consistent across operators and co-ordinated with measures being implemented on other modes.*
- *Ensure the VicTrip centralised telephone information service continues to provide information about bus services.*
- *Maximise the number of bus operators using the VicTrip Internet facility.*
- *Ensure bus drivers are trained to be aware of the communication needs of passengers with disabilities, especially the need for advice of progress along a route.*

#### **5.2.4 Country Train/Coach Measures**

The major information outlets for VLP services are the telephone enquiry line already discussed and printed line-by-line timetables which are readily available in two formats (a comprehensive booklet and a wallet-size card). Large print versions are made available on request and other alternative formats are responded to case-by-case.

West Coast Railway, Hoy's and individual country stations also handle some requests for information and the VicTrip Internet site includes VLP services.

All VLP services operate with conductors so that regular announcements and other on-board communications matters are systematically managed. Conductor training includes disability awareness and customer service components.

Station staff are located at the 31 busiest VLP stations and are generally well attuned to the requirements of people with disabilities; any in-service retraining programs will include disability awareness modules.

Hearing induction loops have been installed at Bendigo, Ballarat, Geelong, Moe and Traralgon. Where effective, devices will progressively be installed at other stations where PA announcements can be made, most often in conjunction with an upgrade of the PA system itself. TTY access is available into the centralised enquiry/reservations service and also to major country stations including Ballarat, Bendigo, Geelong, Moe, Traralgon, Warragul, Wodonga and Shepparton. There is a program under way to progressively install remote PA systems at all unstaffed country stations.

VLP coach services operate under the same communications framework as the train services. Coach drivers must go through disability awareness and customer service training as a pre-requisite for employment on VLP services.

Most coach services operate to/from at least one station so station staff are available to assist where appropriate.

A systematic approach to the improvement and maintenance of standardised signage at all VLP stations and coach stops has been in place for several years and will be continued.

### *Victoria's commitments are to ...*

- *Maintain current programs relating to staff training for communications for station staff, conductors and coach drivers.*
- *Continue with a systematic approach to the improvement and maintenance of standardised signage on vehicles and at stations/coach stops.*
- *Develop an ongoing program to expand the availability of Hearing Induction Loops and TTY facilities.*
- *Ensure the VicTrip centralised telephone information service continues to provide information about country train/coach services.*
- *Maximise the amount of country public transport information available via the VicTrip Internet facility.*

### 5.2.5 Metropolitan Train Measures

A high standard of service and security is currently provided at the designated 'Premium' stations which are generally the busiest stations in the system. Well-trained customer service personnel staff these stations from first to last train. Other features at these locations include high level lighting, closed circuit television on platforms and station surrounds, fully serviced ticketing offices and waiting areas. (There are currently 51 Premium stations where both physical works and full staffing are in place; at another 10 the physical works are well advanced and full staffing is expected by the end of 1998)

All other stations are progressively being updated to include better lighting, closed circuit television, automated public address systems for customer announcements and the provision of customer intercoms on platforms, linked to a nearby Premium station to provide customer information and emergency assistance if required. This program is well advanced and will be completed later in 1998.

Current intentions are that front-line staff will eventually include up to 220 roving Customer Service Employees (CSEs), who provide customer assistance on trains or stations, supplementing existing station employees. In addition to revenue protection functions, CSEs are rostered so as to provide a presence on night-time and off peak services to ensure the optimum levels of security and customer service. These employees work closely with more than 200 Victorian Police who are responsible for safety on the system. The CSEs are trained with an emphasis on providing very high standards of customer service, especially when communicating with or assisting customers with disabilities or special requirements.

Public Address announcements are made both on trains and at staffed stations. As mentioned above there is also a continuing program to provide automatic announcements at all stations by the end of 1998. A program to improve the reliability of PA systems on trains has been undertaken and drivers are expected to announce major junction stations.

Announcements are regularly monitored and driver performance is reviewed; further investigations will continue to identify appropriate systems of implementing reliable announcements on board trains.

Passenger Information Displays (PIDS), have been installed at all Premium stations. Large passenger clocks are provided or are being installed at 60 strategically located stations. There is an

ongoing program to provide clearly visible high quality signage, with easy to recognise symbols at all stations by late 1998.

A station access guide for the train system has been launched as part of the Easygoing material and disability service information booklets are available in 6 languages, large print and audio cassette. These are distributed by stations and through the various service organisations.

Large print timetables are provided on request and easy to read train system map books are also produced for people with a visual impairment. Special large print business cards with all relevant contact details are also available. Travel wallets with driver reminder notices are supplied for users of wheelchairs or mobility devices who require assistance boarding or alighting trains. Communication cards are provided to enable persons with special needs to discreetly communicate their needs.

Hearing Induction loops are available at all city loop stations and at Box Hill, Cranbourne and Merinda Park. Such devices could progressively be installed at other key suburban stations where they can be effective.

TTY facilities are available at major stations. Negotiations with Telstra have commenced such that public telephones on station platforms will progressively be converted to accessible instruments.

Audible warning devices are installed in all trains to warn passengers of imminent door closure.

#### *Victoria's commitments are to .....*

- *Complete the implementation of communications improvements and full staffing at 61 designated "Premium" stations.*
- *Investigate a reliable system of announcements on-board trains.*
- *Continue with a progressive approach to implementation of a range of other communications/information related measures including better signage, large print timetables, TTY facilities and Hearing Induction Loops.*

### 5.2.6 Tram Measures

The Melbourne tram system will henceforth be a driver-only system, as one of the consequences of the advent of automated ticketing (discussed in Section 5.5.2). All new drivers undergo disability awareness and customer service training as part of their overall accreditation process. Existing drivers are expected to undergo similar modules as part of in-service refresher courses.

Customer Service Employees are also present on a roving basis. This group of employees is also appropriately trained and can assist with information needs.

Driver announcements of approaching stops are made throughout the city and at other key locations. Investigations will continue to allow evolution of a suitable method of comprehensive and systematic announcements.

Destination signage at the front of trams is not completely satisfactory, being too high and typically using dot matrix technology which does not give sufficient clarity. As an interim measure alternative means of providing supplementary route destination signage at eye level are being investigated and will be progressively implemented.

As technology develops it may become feasible to consider establishing a transmissions link such that people waiting at stops can hear or see information about the remaining wait time for forthcoming trams. Such a system could be implemented progressively across the system, with attention directed first to key city stops and major trip attractions.

#### *Victoria's commitments are to .....*

- *Investigate a suitable method of comprehensively providing reliable announcements on-board trams.*
- *Investigate and then progressively implement supplementary eye level route destination signage at the front of trams.*
- *Ensure tram drivers and other customer contact staff are trained to be aware of the needs of travellers with disabilities and, wherever reasonable, render communications and information assistance.*

## 5.3 ACCESS TO INFRASTRUCTURE

### 5.3.1 General Background

When a public transport system is under consideration for any purpose it is natural enough that attention tends to jump to the particular vehicle/mode involved. In fact, of course, no public transport service can operate without a considerable surrounding infrastructure in the form of buildings, pathways, waiting areas, shelters etc.. Most of this infrastructure is often taken for granted but it can present many barriers to access for people with a disability.

Transport infrastructure is most obvious for the train networks where purpose-designed buildings (i.e. stations) are necessary and associated features such as car parking, waiting areas, ramps and toilets are all part of, or close to, that building environment. For tram and bus routes, the infrastructure is usually less obvious and is most often shared with other urban users; the infrastructure includes footpaths, street furniture and sometimes bus/tram waiting shelters.

The issue of access to infrastructure is further complicated by the fact that not all transport infrastructure is owned or provided by the public transport operator. In Victoria's case there is an obvious sequence:

**Train** - most infrastructure is provided by transport operators; some liaison is necessary with others concerning, for example, car parking.

**Tram** - much infrastructure is shared with general community usage, necessarily involving liaison with other organisations, notably local municipalities and VicRoads; some specialised infrastructure is provided by operator, e.g. safety zones.

**Bus** - virtually all infrastructure is in common use for other purposes and extensive liaison with other bodies is essential, mainly local municipalities.

The task of ensuring that infrastructure becomes accessible is one that requires a thoughtful and structured approach, if all barriers are to be identified and removed.

The explanatory guidelines associated with the Draft Standards are of considerable assistance in this regard. They introduce and explain some concepts, which clarify particular Standards and associated concepts. Most significant is the concept of an "Access Path" on which the guidelines state:

*“The concept of an ‘access path’ is used in the Standards to specify requirements for independent movement of passengers through premises and infrastructure.*

*Access paths are often used for other purposes, such as standing areas, but it is expected that passengers can still transit them and that they will be cleared for people with disabilities when required.*

*Operators should avoid hazards created by poles, columns, stanchions, bollards and fixtures alongside access paths. For example, operators and providers should avoid the use of short posts to prevent delivery vehicles from driving onto parts of pedestrian areas. Similarly, they should avoid having commercial signs projecting from walls, or portable ‘sandwich’ advertising boards.”*

The concept of an access path is also relevant within a vehicle as will be discussed in Section 5.4.

One of the important considerations in establishing a clear access path is that of passing areas. The guidelines establish that:

*“The intent of the Standards is that passing areas are wide enough for two passengers, each using a mobility aid, to pass one another. The limiting margin around this intention, will be that the Draft Standards will assume that a passenger using a mobility aid should not have to move more than six metres along an access path to allow another passenger using a mobility aid to pass.”*

Rendering access paths and all transport infrastructure barrier free will also require attention to a range of other aspects, including:

- ramps, where the guidelines confirm that slope gradients are the critical factor
- waiting areas, where the general principle is that operators and providers should make seats and space available to passengers with disabilities wherever waiting areas are provided
- surfaces, establishing that the Draft Standards require access paths to be stable and level across their width and slip resistant
- handrails/grabrails, to enable assistance in a person’s progress along an access path. This requires that handrails be provided to assist passengers cope with changes of level,

ramps and the narrowing or change of direction of an access path. Handrails and grabrails would normally be colour contrasted with their background and should not intrude into the minimum accessible path of travel

- doorways/doors, where the guidelines indicate that although the Draft Standards allow for doors that are automatic, power assisted or manual, it is preferable that automatic doors are used
- tactile ground surface indicators, with the intent of the Standards being to provide for an operator to define key areas on an access path with tactile tiles for people with vision impairment.

It is not difficult to understand how formidable barriers associated with poorly designed infrastructure can be. The Draft Standards provide dimensions and other specifications for all relevant features including:

- tactile indicators
- cross slopes on paths/ramps
- gradients for ramps
- lighting
- doorways
- surfaces
- handrails/grabrails
- lifts
- accessible toilets

The remedying of infrastructure to achieve accessibility is one of the main areas where the Draft Standards provide timelines for progressive compliance, as it is accepted that rapid achievement of full compliance is not feasible. It is notable, however, that the timelines require faster compliance for some features than for others. For example, after 10 years it is expected that surfaces and handrails/grabrails will be fully compliant but that 55% progress will have been achieved for ramps and street furniture.

### 5.3.2 Cross Modal Measures

Access audits have been conducted throughout the metropolitan and country train systems and along sampled bus and tram routes. Programs regarding measures such as handrails, grabrails and tactile surfaces along access paths have been implemented and are ongoing.

Waiting areas and toilets are being progressively rendered accessible.

The process of conducting audits has also assisted all operators to become conscious of removal of access hazards along access paths. This program must also be ongoing and is done with the cooperation of others (e.g. councils, shop owners etc.).

#### *Victoria's commitments are to .....*

- *Continue to systematically carry out reviews of access audits to ensure appropriate maintenance of implemented accessibility measures (e.g tactile surfaces) and regularly check that hazards along access paths have not inadvertently been reintroduced.*

### 5.3.3 Bus Measures

As previously discussed virtually all the infrastructure for bus services is provided by someone other than the bus operator. Most often the facilities are provided by:

- the train system operator where routes operate into a station-based modal interchange
- local councils for all streetside stops (naturally house owners and shop owners at strip shopping centres also have an interest in such stops)
- shopping centre owners/developers for the many routes which operate into the major regional shopping centres (e.g. Highpoint, Doncaster, Chadstone, Fountain Gate)
- schools if routes actually enter the school grounds.

A limited number of bus routes have car parking sites provided at termini or key stops. Where these exist, they are provided by local councils directly or in conjunction with VicRoads.

Bus operators, assisted by the BAV and DoI as necessary, must therefore establish liaison mechanisms with all relevant infrastructure providers to develop programs to make facilities accessible and to ensure adequate maintenance occurs. The DoI has recently initiated dialogue with the representative body of Local Government CEOs to facilitate Councils' acknowledging their responsibilities in budgeting and planning cycles. Local Councils are themselves encouraged to develop accessibility Action Plans for their many other functions.

DoI also commissioned Victoria's Building Services Agency on a consultancy basis, to conduct a sample examination of a cross-section of suburban bus stops. It is estimated there are some 15,000 bus stop locations in suburban Melbourne, very few of which are fully compliant. On both cost and logistics grounds, accessibility can only be achieved over many years. Operators and Councils are encouraged to develop programs which maximise progressive community benefit from the necessary remedial works. Thus, due regard should be taken of factors such as the importance of the bus stop in patronage or interchange terms, the severity of the present non-compliant features and the possibility of scheduling works as part of other nearby work packages in prioritising and scheduling remedial works.

A similar approach is being adopted in country areas, but with a different emphasis in some areas. For example, the country network includes some services which operate only on a very infrequent basis to quite far flung districts of Victoria. In such areas there may be a number of practical limitations (including physical impediments against remedial work, the infrequency/low usage of service, cost of improvement works) which prevent full compliance. Where this is the case, methods of enabling direct personal assistance will be facilitated as an alternative solution.

#### *Victoria's commitments are to .....*

- *Maintain a dialogue between local Government, bus operators and the DoI/ATU to oversee the development and implementation of a program of accessibility improvements at bus stops.*

### 5.3.4 Country Train/Coach Measures

Most VLP stations are accessible, but not necessarily fully compliant with the Draft Standards. VLP has commissioned the consulting firm Access Design and Inspection (AD+I) to critically examine all stations and reports covering three of the five train corridors have already been received; audit reports on the final two corridors are currently being finalised.

Earlier DoI estimates indicated the extent of remedial works required at country stations could amount to up to \$13M, spread over 20 years. First reactions to the AD+I reports by VLP indicate that this early cost estimate may in fact be an over-estimate but, as yet, a comprehensive assessment of the required scope of works has not been finalised.

The major “country” station is, of course, Spencer St station in Melbourne. Redevelopment of this station for improved customer amenity is linked with broader developments occurring in this part of the city as part of the re-development of the Docklands area. (The Docklands area of Melbourne is a large, specially designated planning area stretching west from Spencer St and including much of the old port district. A Docklands Authority had been appointed by the Government to oversee staged re-development of the area over approximately the next 20 years, with various precincts within the overall area to be developed sequentially and to have different predominant uses.) In the short term a footbridge is to be constructed from near the Bourke St/Spencer St intersection across to the Docklands sporting stadium; adjacent to Footscray Road; this footbridge will have some direct access to platforms. In the longer term the site of the station is itself included in one of the Docklands precincts; the station would be comprehensively redeveloped when other works in that precinct are scheduled, probably in 10 - 20 years time.

In the meantime, station staff are available at the 31 busiest VLP stations and provide direct assistance when required; conductors are on-board all VLP services and at the remaining lightly used stations the conductors can provide direct assistance through the station.

Motorised Customer Service Vehicles are also available at Flinders Street and Spencer Street stations in Melbourne and at Ballarat, Bendigo and Geelong in regional Victoria. Station staff use these vehicles to convey passengers around the station.

Passengers travelling on VLP’s country train services can arrange personal assistance to be available at Spencer Street, Flinders Street and major country stations by telephoning in advance. Ramps for boarding and departing and lightweight wheelchairs are available on country train services, and conductors can provide assistance during the journey.

#### *Victoria’s commitments are to .....*

- *Finalise estimates of works required at stations as a response to the recently completed access audits, then to develop and implement a program to progressively carry out the required works.*
- *Continue to ensure station staff and conductors are appropriately trained to offer direct assistance to passengers on request.*
- *Continue to provide suitable means for passengers with disabilities who need direct assistance to be able to telephone in advance to arrange such assistance*

### 5.3.5 Metropolitan Train Measures

Access to virtually all 199 Metropolitan stations is provided by means of ramps or accessible lifts. These facilities arguably provide the best access of any suburban rail system in Australia, even though many of the ramps could progressively require their gradients to be adjusted to meet the Draft Standards.

Station facilities are reviewed from time to time and where problems are identified, improvements are made. Modifications such as handrails, anti slip materials and signage are provided to assist customers with comfortable and safe access to stations and this type of improvement is carried out as part of programmed maintenance at a site.

The condition of platform surfaces is monitored to identify problems with surfaces, so they can be maintained in a safe condition. Safety markings on platforms are regularly maintained.

Car parking is currently supplied with the provision of 191 accessible car parking spaces available at 90 metropolitan

stations. Facilities for passengers with a disability are identified when upgrading or developing new car parking facilities.

Clean, comfortable waiting room facilities with automatic doors are generally provided at the 61 Premium stations. Most other stations have sheltered and accessible waiting areas. An initial 40 stations are being provided with on-platform shelters installed on that part of the platform designated as the wheelchair access point. (White and yellow marked lines are provided on all station platforms, to indicate stopping points for three and six car trains).

Accessible toilet facilities are currently available at 22 stations. The PTC's policy has been that no toilet facilities are provided at unstaffed stations for safety/security/vandalism reasons. At the remaining Premium stations accessible toilets are included as part of the building works whenever structural improvements are planned. (If there are any Premium stations which do not require other structural works, accessible toilets will progressively be provided as site-specific works).

Tactile paths are already provided at City loop and other selected stations, and will be progressively installed at other stations in conjunction with other works.

Public telephones are provided at all stations. Access to most of these phones for people with disabilities is limited, but the Minister has recently initiated discussions with Telstra such that all public phones will be progressively converted to accessible instruments.

A full access audit of all 199 stations was conducted for the PTC by the Disability Resource Centre. In addition the consulting firm of Sinclair Knight Merz (SKM) has assessed a cross-section of sites to facilitate categorisation of all stations according to the extent of the engineering works required to achieve full compliance with the Draft Standards - this is in the context of the stations being regarded as generally accessible already but with total compliance being dependent mainly on remedial measures to adjust the slope of ramps or, where this is difficult, to consider installation of lifts as an alternative access path. Based on the SKM work the following station categorisation has been developed by the PTC for ramp and step issues:

• accessibility acceptable, no work required	39
• 'low' scope of works	47
• 'medium' scope of works	62
• 'high' scope of works	51
<b>TOTAL</b>	<b>199</b>

The remedial accessibility works required at stations will be developed into a systematic, long-term program and to derive this program the above engineering categorisation will be cross referenced against a low/medium/high 'station importance' ranking, developed on patronage and location grounds. Thus, the work program will embody principles including:

- priority consideration being given to stations with higher benefits for lower costs; (for example a highly patronised station needing extensive works may be made accessible earlier in the program than another station also requiring extensive works, but which has low patronage and is adjacent to stations with already good access)
- a pattern of ramp gradient remedial measures which spreads expenditure and physical works, both across the system and across time
- progressive achievement of customer benefits
- the availability of direct assistance at 61 fully staffed Premium stations
- as far as possible ensuring there are no cases where there is a sequence of more than three stations on a line with unsatisfactory accessibility
- ramps at lightly used stations (eg those in the lowest 30% on a usage basis) requiring complex remedial works being left until substantial building works are required at the station for other reasons

The cost of remedial ramp/lift works for all four of the above categories is estimated at up to \$47m - although this estimate has been prepared as if the program would be isolated from other building works at stations and, to that extent, it ignores the economies which may be achievable from adoption of the programming principles mentioned above. The estimate also excludes Flinders Street station, which is already undergoing a \$30M upgrade which will address many accessibility matters, and is discussed below.



The most used station on the metropolitan rail system is Flinders St station, famous as a city landmark, but continuing to give good access to many parts of the city and also offering convenient interchange to tram services. Flinders St is a focal point for all suburban train trips. Flinders St station is already undergoing a major physical upgrade; aspects such as external lighting and painting were completed several years ago and now a \$30m program is addressing many customer amenity features of the station.

Lifts are being installed to all platforms to enable easier access, and platforms are being re-levelled to reduce the gap between the platforms and trains. Non-slip tiles are being installed for improved customer safety and tactile paths throughout the station will assist people with vision impairments.

Other improvements will include a new and wider concourse at the Swanston St end of the station with improved lighting, re-designed seating on platforms, upgraded toilets and improved passenger information displays and directional signage.

The Flinders St works are scheduled for completion by June 1999.

While ramp gradients are the main accessibility feature requiring attention at stations, the SKM analysis has also been used to identify the scope of works likely to be required to overcome other infrastructure deficiencies, notably inappropriate cross slopes on platforms and the height and width gap between the platform and the train. In general measures such as alternative access paths, the availability of direct assistance and deployment of ramps will be utilised to maximise accessibility. In particular, all metropolitan trains carry lightweight ramps which can be deployed by drivers to ensure that passengers in wheelchairs can board and alight trains at platforms where the pavement level is different to that of the carriage floor. The location for deployment of this ramp on the platform is clearly marked. Whenever major construction or maintenance works are required on platforms or the track through stations, any platform level discrepancies will be corrected at the same time, where practicable.

The SKM examination also covered platform furniture, height of service windows/counters, vending machines, waiting areas, and handrails along ramps. As far as possible the necessary remedial program for these works will be scheduled in conjunction with the general rolling program of station maintenance/refurbishment.

### *Victoria's commitments are to:*

- *Work towards the goal of having accessible toilets at all 61 Premium stations.*
- *Continue with established programs relating to hand rails, tactile paving, waiting areas etc..*
- *Incorporate accessibility measures, such as platform levelling, platform furniture, cross slopes and counter heights, as much as possible into the regular cycle of station maintenance.*
- *Undertake a long-term program of works at stations requiring significant remedial works for ramp gradients, with the progressive scheduling to take account of the extent/cost of works but also the community benefit of making the station accessible (related to the level of passenger usage of the station and the strategic location of the station) and also the opportunity to carry out the accessibility works in conjunction with other building works.*

### *5.3.6 Tram Measures*

Tram infrastructure is a mixture of operator owned facilities and facilities provided by mainly local councils.

The PTC commissioned the consultants Rust-PPK to carry out an assessment of two representative tram routes. This study first of all examined the scope of works involved to retrofit the vehicles providing service on the two routes with wheelchair hoists (see section 5.4.6); the examination then also addressed the works required at tram stops to improve accessibility, on the assumption that vehicles had been retrofitted with wheelchair hoists.

The report concluded that extensive works could be required at safety zones including:

- modification to fencing to ensure gaps are appropriate relative to vehicle locations
- tactile paving
- adjustments to ‘platforms’ to ensure height is appropriate and width is adequate
- (at some locations) alterations to the stop lines for either trams or cars to facilitate unimpeded access
- lighting, audio and visual improvements.

To the extent that much of the more significant safety zone works (e.g. platform widening) is required as and when trams themselves become accessible, it would be scheduled on a similar timeframe. Other works will be progressively undertaken in the meantime - this could include tactile paving, where appropriate, and application of the colour contrasting yellow powder coating to the steel used in the safety zones.

The estimate of works required at safety zones was based on an assumption that trams were being retrofitted with hoists; as will be discussed in section 5.4.6, such a program of retrofitting is now seen as most unlikely. To that extent, the definition of works required at safety zones will need to be refined on the new assumption that accessibility is achieved through a long term new vehicle purchase program. Section 5.4.6 will establish that part of the lead in to a purchase program of low floor trams would be a detailed investigation of alternative designs and how those variants interact with infrastructure such as safety zones. This will allow identification of the optimum treatments to achieve accessibility at safety zones.

For kerbside tram stops, of which there are approximately 2900 across Melbourne, the scope of works is similar to that involved at bus stops, as already discussed in section 5.3.3. Accessibility at such stops will encompass aspects such as lighting, signage, kerb height adjustment, footpath treatments and, at some locations relocation/redesign of shelters and seats.

On average the works likely to be necessary at tram stops will be less extensive than at bus stops - as many bus stops are in middle to outer suburbs where creation of a stable access path at and near the stop can be required.

Some tram stops are located along sections of roadway where the operator controls its own right-of-way but for most tram stops, as for bus stops, appropriate liaison will need to be established with local government and possibly VicRoads to both carry out and fund the required works.

### *Victoria’s commitments are to .....*

- *Differentiate the works required at safety zones into the categories of*
  - (i) *works most logically undertaken in parallel with the introduction of accessible vehicles*
  - (ii) *works required to improve accessibility in existing circumstances and then develop a program to implement access enhancements.*
- *Liaise with Local Government (and, if necessary, VicRoads) to develop and implement a program of accessibility improvements for kerbside tram stops.*

## 5.4 ACCESS TO AND WITHIN VEHICLES

### 5.4.1 General Discussion

The concept of an Access Path has already been discussed in regard to transport infrastructure. There is the corresponding need to address aspects such as lighting, surface quality, clear pathways, doorways, handrails etc. to create an accessible access path **within** a vehicle.

The guidelines discuss these aspects in the following terms (with slight paraphrasing):

#### **Boarding**

Boarding devices include hoists, ramps, scissor lifts, or any other means of getting a passenger on or off a conveyance and where the Standards in regard to such devices are observed, passengers with disabilities will be able to board and alight from conveyances without assistance.

Whilst the operator would normally be responsible for activating boarding devices, this should not be seen as

diminishing the principle that independent access is desired under the Standards.

Where kerbs are in place, bus and coach operators may assume that the boarding point will be at least 150mm higher than the road surface. Consequently, operators and providers may need to consult on matching conveyances with infrastructure or providing equivalent access. Where there is no kerb, it may be assumed that the boarding point will be flat and stable.

### **Allocated Space**

Two assumptions underlie the Standards. Firstly, that some passengers will use large mobility aids such as powered wheelchairs. Secondly, that passengers often wish to travel with a companion who may also be using a mobility aid. Thus, the Standards require that specific space be allocated on conveyances to accommodate at least two passengers using wheelchairs or similar mobility aids.

Any passenger seat that is not in the allocated space is considered a 'fixed' seat.

The 'allocated' spaces may be used for other purposes. For example, when not required by passengers with disabilities, folding seats may be used to convert the allocated space to general seating.

### **Manoeuvring Areas**

The Standards recognise that the space restrictions and design limitations of many conveyances can inhibit the movement of passengers using mobility aids such as manual and powered wheelchairs, scooters, walkers, braces, artificial limbs, canes and crutches. These design limitations include driver location, engine position and roof height restrictions.

However, it is the intent of the Standards to ensure that such passengers can gain independent access. The Standards therefore outline in performance terms how operators are to accommodate people using mobility aids.

Manoeuvring areas may be used for other temporary purposes such as fare payment as long as they remain available if required by passengers using mobility aids.

### **Belongings**

The Standards require that an operator will transport any portable disability aid that a passenger carries on board and normally requires for their well-being or mobility.

Disability aids include mobility, prosthetic and medical equipment. Examples of mobility aids are manual or powered wheelchairs, scooters, walkers, braces, canes and crutches. Examples of prosthetic and medical aids include hearing aids, communication devices, prostheses and breathing equipment.

### **Restraints**

The Standards recognise the use of both active and passive restraining systems.

An active restraining system anchors a wheelchair or similar mobility aid into an allocated space. Anchorage belts are an example of active restraints.

A passive restraining system contains movement of a wheelchair to within an allocated space. A vertical surface that restricts the movement of a wheelchair is an example of a passive restraint.

An operator may rely on the sides of the conveyance or a padded rail to act as a passive restraint against excessive sideways movement of a mobility aid. The allocated space could be located behind a bulkhead to prevent forward movement. The passive restraints bounding such an area would then prevent a wheelchair from rolling or tipping.

Flowing from this discussion in the guidelines, the Draft Standards give specific requirements as to dimensions etc; it is clear from the scope of the requirements in an on-vehicle situation that full compliance will only be achievable when vehicle fleets are replaced or when major refurbishment programs are undertaken. This characteristic is acknowledged in the Draft Standards, as full vehicle accessibility is one of the matters where progressive compliance over 20 years is permitted.

### **5.4.2 Cross Modal Measures**

The single biggest issue relating to vehicle access is the actual replacement of vehicles, as discussed in the following sections. However, there are also many other 'minor' issues related to adequate on-vehicle access, mostly associated with adopting a common approach across different vehicles types.

Matters such as handrails/grabrails, yellow coating on step edges and stanchions, tactile strips, non-slip surfaces on access paths and stop buttons have all been the subject of programs for the bus, train and tram fleet. Much of the necessary installation has already been done, especially on buses and trams, although there is a need to ensure all vehicles have been finished and that post-installation maintenance is appropriate and adequate.

Direct assistance can be appropriate while vehicle upgrade programs are still in the early stages, and the staff training programs to facilitate provision of this assistance have already been discussed.

#### *Victoria's commitments are to .....*

- *ensure that, for a range of on-vehicle accessibility measures such as grab rails, yellow step edging and tactile strips, the approach is consistent across the modes and that post-installation maintenance is systematic and adequate.*

#### **5.4.3 Bus Measures**

There are approximately 30 low floor buses now operating on metropolitan route services and a handful in country areas.

On all other buses, drivers are encouraged to offer direct assistance. This may be direct/active, or passive (e.g. simply not moving the bus until a passenger is fully seated).

The contracted metropolitan bus companies operate a total fleet of approximately 1,400 vehicles and there are no current service expansion plans which would indicate a significant increase in this fleet over the foreseeable future. The 10 year contracts negotiated recently between the DoI and the operators mandate a replacement rate of approximately 80 vehicles per annum. Low floor buses will become the accepted standard as this replacement program is activated. Compliance with the proportional targets for each of the 5, 10 and 15 year timelines will be achieved and by the 20 year/100% benchmark some buses will have been replaced a second time, presumably with second or third generation low floor designs.

Country bus operators are involved in contract re-negotiations during 1998. Around 400 vehicles are to be covered by the contracts and it can reasonably be expected that a similar contract term and relative replacement rate will be the goal of both the industry and the DoI.

There are a small number of quite minor services incorporated within the overall network of country services. Such services typically utilise much older second-hand vehicles than are used on services in Melbourne or in the bigger country areas. These vehicles are not likely to be replaced with low floor buses until such time as the low floor standard has been the norm for sufficient time for it to become part of the second-hand market.

#### *Victoria's commitments are to .....*

- *Support the emergence of low floor designs as the standard route vehicle*
- *Implement fleet replacement for metropolitan operators in accordance with current 10 year contracts, so that progressive compliance timelines are met.*
- *Finalise the execution of contracts with country operators, which also build in an appropriate fleet replacement provision.*

#### **5.4.4 Country Train/Coach Measures**

The VLP fleet is quite mixed, comprising approximately:

- 59 'H' carriages which were rebuilt from superseded metropolitan stock and have an average age since that rebuild of 12 years
- 21 'Sprinter' carriages with an average age of 4 years
- 57 'N' carriages with an average age of 16 years
- 23 'S' and 'Z' carriages that are mostly around 40-50 years old, but have been refurbished on several occasions.

These carriages are used to provide a usual train fleet of approximately 50 multi-carriage trains.

Much of the VLP fleet is accessible although not fully compliant with all Draft Standards. For example, the 'H' cars are accessible in terms of boarding and doorway width, but are not fitted with an accessible toilet.

Personal assistance from station staff and conductors is also extensively available on the VLP system. Ramps are available on board all trains and, until all trains are fully accessible, alternative methods of providing service are pursued (for instance, wheelchair users will sometimes be offered travel in the conductor's compartment).

VLP's intentions have been to commence a fleet replacement program in approximately 10 years time. Any trains purchased at that time would be specified to be fully compliant. The result of the forthcoming tender/franchise process cannot be predicted, but it is certainly expected that an incoming private operator would not embark on a fleet replacement program any later than VLP's present intentions.

If a replacement program is commenced in around 10 years VLP will meet all the compliance timelines, provided a certain amount of well targeted retrofitting is also carried out over the next few years. Some 8 'N' cars have already been retrofitted to enable accessibility, with the last of these embodying all relevant Draft Standards (the earlier 7 vehicles were part of a program designed with superseded dimensions on a few features). All 8 have been equipped with accessible toilets.

Further retrofitting will be evaluated in terms of:

- the usual and predominant use of 3/4 car trains
- the regularity of use of 5 car trains (or longer) on some services
- the train sets where 2 class travel is still offered.

(These matters all have an influence on judging how many accessible carriages are needed to meet the Draft Standards, as there are permissible consolidations of allocated spaces, depending on the detail of train composition)

- cost of retrofitting
- the likely replacement program (There would be little point in costly retrofits on vehicles which were replaced after only a few years additional service).

The PTC's estimates are that the approximate cost of a *full* retrofit program of all existing VLP vehicles is \$7m, calculated as follows:

- modifications to 'H' carriages/sets (essentially fitment of accessible toilets) \$1.4m
- modifications to 'S', 'Z' and 'N' carriages/sets which have not previously been modified \$3.0m
- retrofit of 7 'N' carriages which were previously modified but with some superseded dimensions \$0.3m
- retrofit of new Sprinter carriages to adapt doorways and toilets to dimensions in Draft Standards \$2.2m.

The incoming operator will review these estimates as part of overall fleet planning, but it is thought that the above estimate can be taken as a maximum, in the sense that a partial retrofit program combined with a longer-term fleet replacement and alternative access measures may achieve full compliance.

VLP also offers services involving approximately 77 luxury coaches on a sub-contract basis. Some 16 of these coaches have been replaced over recent years with vehicles that are equipped with hoists and an appropriate seating area. Most high quality coaches are only used on high profile services for less than 10 years and accessible vehicles are now becoming the standard specification.

Coaches are not equipped with accessible toilets and it is not expected that they will be so equipped, due to the space limitations, safety issues and the difficulty of establishing a clear access path within the vehicle. As envisaged by the Draft Standards, the coach routes build in appropriate allowances for toilet stops to be taken at off-vehicle locations en-route.

### *Victoria's commitments are to .....*

- *Use a combination of longer term fleet replacement, a suitable complementary carriage retrofit program (finalised in the light of the adopted fleet replacement program) and interim direct assistance measures to ensure compliance timelines are met*
- *Progressively increase the number of coaches which are equipped with wheelchair hoists and /or have a kneeling capacity.*

#### **5.4.5 Metropolitan Train Measures**

Suburban trains are already substantially compliant with the Draft Standards, offering wide doors and flat floor access, leading directly to allocated spaces adjacent to the doorway and station staff and other customer contact employees provide direct assistance to people with disabilities, whenever necessary, to enhance access. All stations are clearly marked with indicator lines to show a wheelchair user where the front door of a 6 car or 3 car metropolitan train will be when the train stops. The train driver then deploys a ramp to bridge the gap between platform and train and a similar arrangement applies at the end of a journey. On boarding the train, the wheelchair user is encouraged to verbally advise the driver of the destination station or to give the driver a reminder slip.

Current plans would see a fleet replacement program instigated within the next ten years, but it is not yet known whether the incoming private operators will match or better this intention. In any case from an accessibility point of view it is not of major significance as the current trains are accessible and as any train vehicle purchase would be specified to build in full accessibility, whenever it occurs.

A major fleet retrofit program is not necessary. A program to ensure all on-train facilities reach and are maintained at a fully compliant level is estimated to require remaining expenditure of between \$5,000 and \$10,000 per carriage or up to \$7m. (This work would include such facilities as grab handles and yellow edge strips which come under this category of vehicle

access but would also cover the fit-out for automatic announcements.)

### *Victoria's commitments are to .....*

- *Continue to provide for drivers, station staff and other customer contact staff to provide direct assistance to passengers.*
- *Continue with adaptations to make existing on-train facilities completely compliant with the Standards, by attending to the remaining works required (eg. grab handles).*

#### **5.4.6 Tram Measures**

The Melbourne tram fleet will be discussed in two subsections, covering the older W class trams and then the more modern Z, A and B class vehicles.

##### **W Class Trams**

The PTC owns over 200 older style W class trams, all of which are at least 40 years old. Although they are by no means as fast or comfortable as more modern vehicles, the trams are widely regarded as icons of Melbourne, as demonstrated by their frequent inclusion as features in tourism and other promotional material for the city. The City Circle tram service, operated exclusively by older trams, has recently won a major tourism award and is developed under the oversight of a committee which includes representatives of Tourism Victoria and the Melbourne Convention and Marketing Bureau.

It has been estimated by Tourism Victoria that tourism activity generates approximately \$4.3 billion for the Victorian economy each year with approximately 60% of this occurring in and around Melbourne. The unique appeal of the older trams is one of the key identifiers used to differentiate Melbourne from other potential destinations.

There has been significant National Trust interest in the historical nature of the trams. In December 1997 the Trust's conservation officer was quoted as stating that "Melbourne would lose some of its identity if the W class trams were scrapped" (Herald-Sun, 13-12-97). In October 1997 the Chairman of the Trust, Simon Molesworth, wrote to the

Minister and emphasised that “W class trams are an important part of Melbourne’s heritage assets, enjoyed by both tourists and commuters” and that “the National Trust, and indeed the wider community, expects that significant numbers of W class trams will remain on the streets of Melbourne.” This has led to an agreement by the Minister that 53 will continue in public transport usage for heritage retention.

Many of the W trams are in storage at depots; over recent years up to 100 have been required on regular service, comprising 53 built in to the operating rosters at the various depots with the balance being replacements for breakdowns. Usage of the reserve vehicles is currently lessening as availability of other trams increases due to improved maintenance procedures and because the reserve trams are not being equipped with Automated Ticketing machines. The Minister has previously indicated that 53 trams will remain in use indefinitely. This is achievable, given their basic sound body shell and the ability to carry out ‘modularised’ repairs to any component. (Some components are obtainable from the vehicles which are currently in storage).

Current intentions are to neither replace nor retrofit the 53 W class trams. Whilst it is acknowledged that the trams are not accessible the requirement for accessibility needs to be balanced against heritage and other issues. To achieve this it is expected that the DoI and the new operators will negotiate an overall tram deployment regime such that use of the W trams provides for maximum visibility in a tourist/heritage/city image sense but that their use in public transport terms is increasingly that of a niche role. It is expected that the W class vehicles will be mainly deployed on services such as:

- the free City Circle route, which offers tourists and other city visitors a heritage/experience trip around the edges of the CAD
- St Kilda Road trips where there are multiple routes and the overall frequency of trams is such that there will never be a long wait for an alternative vehicle
- City shuttle services (e.g. Brunswick Street to Spencer Street along Macarthur Street and Collins Street) which are typically provided in the busy middle-of-the-day peak to supplement other trams and where again the frequency is such that a long wait for another tram is never necessary.

- Route 12, to South Melbourne and St Kilda beaches, where alternative routes are close-by and a demand responsive accessible bus service also operates.

### Z, A and B Trams

The remainder of the tram fleet comprises of 423 trams of the following types:

- 106 Z1 and Z2 vehicles purchased between 1975 and 1979
- 115 Z3 vehicles purchased between 1979 and 1986
- 70 A class vehicles purchased between 1984 and 1987
- 132 B class vehicles purchased between 1988 and 1994 (two prototypes were delivered earlier, in 1984 and 1985)

When the question of timely adoption of the Draft Standards is discussed in the explanatory guidelines, it is stated:

*“Public transport is primarily expected to become accessible by replacement or upgrading of conveyances, premises and infrastructure at the end of their service lives. All new items must comply so that non-conforming stock is gradually retired or upgraded.”* (highlighting added).

In the case of trams, the intention of the standard setting process, as expressed in the guidelines, and the timelines embodied in the Draft Standards are not consistent. This is because the cost of new trams and the condition of the current fleet is such that Melbourne trams, unless substantially damaged in a collision or fire, should be able to be kept operational for many years.

Trams are designed with an extremely strong body shell and both regular component maintenance and even traction motor repairs can be undertaken on a modularised basis. The very high cost of new vehicles, \$2m-\$3m per unit, is such that repeated repairs/replacement of individual components will be commercially justifiable in preference to purchasing a new tram. This has been confirmed recently in a study by the international consulting firm Interfleet Technology.

Thus the timing of tram replacement according to service life is difficult to estimate as there is no practical maximum life; but useful lives of 40-50 years are certainly achievable. If this benchmark was applied only between 100-150 trams would be replaced within the next 20 years and between 200-250 newer trams would be operating within 30 years.

Timeline and Target Replacement Rate As Per Draft Disability Standards	Cumulative Number of Vehicles Required to be Replaced to meet Draft Standards	Compliance Schedule Assuming Design Life of 30-35 years
After 5 years (25%)	106	nil
After 10 years (55%)	233	62
After 15 years (90%)	381	256
After 20 years (100%)	423	291
After 25 years	423	331
After 30 years	423	423

Nevertheless the engineering or design life for a tram is usually adjudged to be 30-35 years, with this being the basis of most specifications and financial analysis of fleet replacement options and also the most common minimum life quoted in world-wide references. Thus, the Melbourne tram fleet will reach the end of its engineering/design life only at a time when a systematic fleet purchase program would mean the 5/10/15/20 year targets embodied in the Draft Standards are not met.

A comparison of a replacement rate based on literal compliance with the Draft Standards and a schedule based on replacement after a 30-35 year design life is as seen above:

As an alternative to fleet replacement, the possibility of achieving accessibility by a program of retrofitting has been examined. The major device to be fitted in a retrofit program would be a wheelchair hoist, with consequent changes to the tram body and doors and to the interior of the vehicle. (Changes at safety zones and other stops would also be required).

A retrofit program could be spread over 20 years as a means of meeting the progressive compliance timelines and the trams, once retrofitted, could then be kept indefinitely. As a means of meeting the compliance targets and yet avoiding the much higher costs of full fleet replacement retrofitting can be seen as an attractive commercial approach.

In 1996, the consulting firm of Rust-PPK was commissioned to investigate retrofitting of hoists to trams providing services on two representative Melbourne routes. The report confirmed that retrofitting was technically feasible and that in addition to the on-vehicle works, a number of associated changes to tram stop infrastructure would be required. It was

estimated that the cost of a retrofit program would be up to \$160,000 per tram or approximately \$68 million for the total fleet of 423 vehicles.

As part of the study, the consultants were asked to consult with a number of key disability reference groups; along with comments about the design of alternative hoist designs etc, these groups drew attention to the fact that wheelchair hoists only enable enhanced accessibility for a small proportion of mobility impaired travellers and that there was a “risk” that retrofitting could in fact delay the more important priority of achieving better accessibility to trams for all people with disabilities.

The option, while attractive from on a commercial basis, was not supported by the ATCC in its assessment of the Rust-PPK study and will not be adopted in Victoria. On balance, retrofitting is not seen as desirable because:

- Hoists do not accommodate passengers with mobility impairments, other than those in wheelchairs.
- It is estimated that only around 1% of people classified as having a disability would benefit from a wheelchair hoist.
- Tram boardings via a wheelchair lift would involve substantial disruption to timetables.

Several other alternatives exist. These include replacing the tram system entirely with low floor buses to achieve accessibility or retaining trams but operating an accessible bus service or an expanded Multi-Purpose Taxi scheme as a comprehensive parallel service. These are considered either unworkable or undesirable, on the grounds that they are either:



Year	Number of Trams	Unit Costs	Total Costs
1999-2004	nil	n/a	n/a
2004-2009*	62	\$2 million	\$124 million
2009-2014	194	\$2 million	\$388 million
2014-2019	35	\$2 million	\$70 million
2019-2024	40	\$3 million	\$120 million
2024-2029*	92	\$3 million	\$276 million
<b>TOTAL</b>	<b>423</b>		<b>\$978 million</b>

\* Note: The fleet replacement program would actually commence in 2008 and conclude approximately 2026.

- outside Victoria’s policy to retain trams; or
- outside the intention of the DDA, which is designed to see accessibility on existing systems (paralleled systems are envisaged by the DDA and the Draft Standards in some circumstances, but not on a system wide and long term footing).

Victoria’s intention is therefore to replace Z, A and B class trams at the end of an estimated engineering/design life of 30-35 years. This will require a commitment for fleet replacement funding of approximately \$1 billion, to be incurred as shown in the above indicative program:

This replacement program may ultimately be refined to some extent, mainly in order to smooth the delivery schedules of new vehicles. To the extent that the proposed fleet replacement program has been derived with regard to a reasonable extension of time beyond that required by the Draft Standards, Victoria would also reserve the right to review the proposed fleet replacement schedule if the proclaimed Disability Standards differ substantially from the Draft Standards. Given the unsatisfactory nature of alternative methods of achieving accessibility, the proposed replacement schedule is the best method of advancing the objectives of the DDA and providing a superior standard of service to all passengers.

This indicative tram fleet replacement program demonstrates Victoria’s commitment to introduce new trams well ahead of the achievable service lives of the existing Z, A and B vehicles. While the cost to Victoria will be well in excess of the cost of retrofitting existing trams with hoists, it is recognised that

fleet replacement rather than retrofitting will meet the access needs of a much broader group of mobility impaired travellers as well as providing a more modern and comfortable fleet, offering service benefits to all passengers.

Until the tram fleet replacement program is activated and well advanced, a number of equivalent access measures will be introduced to improve the standard of service for people with disabilities as an interim measure. These include:

#### **Bus/Train Services**

The network of tram routes in Melbourne is very extensive, but it is certainly not isolated from the rest of Melbourne’s public transport services. The train system is already substantially accessible and low floor buses are to be introduced at the rate of approximately 80 per annum. There are many locations on the tram network where the alternative of using a bus/train journey is also available. Information outlets will be specifically equipped to offer advice on these alternatives.

#### **Customer Service Employees**

The tram network has roving Customer Service Employees on the system; these employees are trained in customer service and will continue to provide direct assistance whenever appropriate.

#### **Direct assistance by Drivers**

Melbourne’s tram system is now a driver-only system. Tram drivers are available to provide direct assistance to passengers as reasonably required. New tram drivers will undergo

customer service training including a disability awareness module, and any refresher training for existing drivers will include a similar module.

### Detailed Investigation of Vehicle Designs

Prior to trams reaching the end of their design life, Victoria will undertake a comprehensive investigation of alternative low floor vehicle designs and particularly the implications/interactions between different vehicle designs and infrastructure requirements. It is envisaged that this investigation could involve the digitised simulation of the operation of low floor trams in Melbourne's conditions, to assist the development of appropriate specifications for design of new trams, the associated remedial work at safety zones and all interaction between vehicles and infrastructure. If appropriate to progress the investigation consideration will be given to the acquisition of some pilot low floor trams to test proposed or alternative operating solutions.

This would achieve a number of highly desirable objectives, including:

- facilitating the evaluation of several alternative designs to allow informed selection of the best low floor tram for Melbourne's conditions
- demonstrating how a fully low floor tram system will eventually operate
- contribute to better identification of the associated infrastructure improvements which are needed, especially at safety zones, and the testing of alternative treatments at such locations
- allowing the comprehensive fleet replacement program to commence very early in the second franchise on the strength of the pilot program results.

Victoria does not believe this approach to tram fleet replacement represents a breach of the DDA, notwithstanding the extended timelines. The DDA allows for consideration of all an operator's accessibility actions, including the Action Plan's program and alternative access measures, not just the fleet replacement itself. It would be unreasonable on engineering and financial grounds to bring forward the replacement program simply to meet the timetable in the Standards. Nevertheless, to ensure the prospective new operators are clear on their obligations under the DDA,

Victoria is currently applying for an explicit exemption on the ground of unjustifiable hardship. The exemption process is being conducted separately to, but in parallel with, the development of this Action Plan.

### *Victoria's commitments are to .....*

- *Maintain 53 older style W class trams in regular service but to increasingly deploy these vehicles on services which befit their status as part of Melbourne's heritage/city image/tourism attractions and where alternative services provided in the long term by low-floor trams, are nearby much of the route.*
- *Replace the 423 newer Z, A and B trams in a program that will mean full accessibility is achieved in 25-30 years compared to the 20 years required in the standards; and to have the justification for this replacement rate tested in an Exemption Application submitted to the Human Rights and Equal Opportunity Commission.*
- *Finalise a series of alternative access measures as interim provisions until the fleet replacement program is fully activated. These measures include:*
  - *adequate and appropriate publicity of bus/train services where these are an alternative to tram journeys*
  - *continuation, and if necessary enhancement, of staff training to ensure drivers and Customer Service Employees have the ability/willingness to offer direct assistance whenever required*
  - *comprehensive examination, including by operational simulation, of the preferred specification for new low floor trams and the implications for associated infrastructure, especially safety zones*

- *Develop contract provisions for the franchise periods that will correspond with the intended fleet replacement program such that:*
  - *the replacement program actually adopted is generally in line with the indicative replacement program outlined in this Action Plan and the specifications developed over the next few years*
  - *the operator of that time is precluded from attempting to then avoid the commitment to fleet replacement by retrofitting trams with wheelchair hoists and keeping the vehicles indefinitely.*

## 5.5 OTHER MATTERS

### 5.5.1 Introductory Discussion

The explanatory guidelines associated with the Draft Standards establish that to achieve full accessibility attention must also be given to a range of ‘miscellaneous’ matters, including:

- the carriage of carers
- service animals
- passenger familiarisation
- ticketing
- reservations
- safety.

Given the nature of these aspects, the relevant Standards in these matters are mainly non-prescriptive in the sense that specified dimensions etc. are not relevant. They are also generally of cross-modal significance.

### 5.5.2 Cross Modal Measures

#### Travel Training Pass

Special passes providing free public transport are issued for trainers employed at disability organisations, hospitals, schools, adult training centres and employment agencies which train students or clients to use public transport independently. More than 2500 staff from 340 organisations currently hold special passes, which allow the trainer to travel free on public transport during training.

#### Vehicle Familiarisation

Teachers and trainers can also arrange exclusive access to a stationary train, tram or bus parked at a station or depot for vehicle familiarisation training. The service is free of charge, and provides an opportunity for special needs passengers to become familiar and confident with vehicles at their own pace.

#### Hearing and Guide Dogs

Guide dogs for the blind and hearing-dogs are carried free of charge on public transport, on all modes, on production of appropriate identification.

#### Safety Provisions

The needs of all travellers, including those with disabilities, are taken into account as safety features are designed and implemented. Programs such as better lighting and signage make a contribution to safety and other measures such as CCTV at stations, door closing warning signals on trains and improved stop buttons on trams/buses specifically target safety.

#### Reservations

The reservations system for the few country services still requiring a booking is accessible to TTY callers. The enquiry/reservations line is also available for people to give advance notice of a requirement for direct assistance to be available for a traveller.

#### Automated Ticketing for Metropolitan Services

It is now accepted best practice for large public transport networks to have automated systems for ticketing. All major systems throughout the world have such ticketing arrangements and within Australia systems have already been

in place for several years in Sydney, Perth, Adelaide and Brisbane.

The Melbourne system is in the process of being implemented. Among the features of the system which have been implemented, or are still to be introduced, to assist people with disabilities gain equitable access are:

- the mobility training offered under the auspices of the DoI now includes familiarity with ticket machines and barriers
- barrier widths have been designed to Australian Standards
- 61 premium stations are fully staffed from first to last train
- availability of a range of ticket purchase outlets; in addition to ticket machines, tickets can be obtained from staff at Premium stations, from retail agents, by mail and via telephone (including TTY)
- an access audit of retail agents is being conducted by the ticketing system provider
- an alternative to normal validation via a feature to be known as Metcard Express which is to be a stored value ticket, validated simply by touch.

Nevertheless, it is evident that certain adjustment problems are being encountered as the concentrated changeover phase is implemented for Melbourne's new ticketing system. As issues arise they will be investigated and possible remedial measures assessed. In particular, the Minister has recently asked the ATCC to review the progress of implementation of the Automated Ticketing System and to recommend any enhancements which will improve access.

### *Victoria's commitments are to .....*

- *Ensure that a co-ordinated approach is adopted by all operators in regard to matters such as travel training, public transport safety provisions and carriage of aids/assistance animals of people with disabilities.*
- *Respond to the ATCC's review of the implementation of automated Ticketing in Melbourne and consider and implement appropriate remedial measures as necessary.*

## 6. IMPLEMENTATION, EVALUATION AND REVIEW

### 6.1 IMPLEMENTATION

The Victorian public transport system has been working towards accessibility on the assumption that the Draft Standards will be very similar to the promulgated Disability Standards. It is expected this will occur in early 1999.

The Disability Standards will require immediate compliance of all new facilities and vehicles, or infrastructure/vehicles which are substantially refurbished. This expectation is built into all current work programs, and has been the case for several years.

The Disability Standards will then require full compliance within five years on specified aspects including:

- waiting areas\*
- hearing augmentation
- symbols\*
- information\*
- signs\*
- booked services
- alarms
- food and drink services
- lighting\*
- belongings
- furniture and fittings
- priority.

(\*In respect of the above aspects, their provision at bus and tram stops does not have to be achieved in just five years, but progressively over 20 years).

After 10 years, full compliance is expected to also cover:

- surfaces
- gateways
- handrails and grabrails
- vending machines.

For all other features compliance is expected on the schedule of 25% after 5 years, 55% after 10 years, 90% after 15 years and 100% after 20 years. This timeline is especially important for the Standards which imply comprehensive change to vehicles and buildings (e.g. access paths, ramps, doorways and doors, boarding).

A full tabulation of the standards and their implementation timetable is shown in the table overleaf:

Standards Ref. Number	Area Covered By Standards% Compliance Required In	5 Years	10 Years	15 Years	20 Years
2.1 - 2.9	Access Paths (within vehicles and infrastructure)	25	55	90	100
3.1 - 3.3	Manoeuvring Areas	25	55	90	100
4.1 - 4.3	Passing Areas (within infrastructure and trains)	25	55	90	100
5.1	Resting Points (infrastructure only)	25	55	90	100
6.1 - 6.4	Ramps (within infrastructure and vehicle boarding ramps)	25	55	90	100
7.1 - 7.2	Waiting Areas (general infrastructure)	100			
7.1 - 7.2	Waiting Areas (1) bus and tram stops)	25	55	90	100
8.1 - 8.8	Boarding (mainly vehicles, but also infrastructure at boarding points)	25	55	90	100
9.1 - 9.11	Allocated Space (mainly re vehicles)	25	55	90	100
10.1	Surfaces	N/A	100		
11.1 - 11.7	Handrails and Grabrails	N/A	100		
12.1 - 12.6	Doorways and Doors	25	55	90	100
13.1	Lifts (infrastructure only)	25	55	90	100
14.1 - 14.4	Stairs (infrastructure and steps onto vehicles)	25	55	90	100
15.1 - 15.6	Toilets	25	55	90	100
16.1 - 16.5	Symbols (generally within infrastructure and vehicles)	100			
16.1 - 16.5	Symbols (1) (at bus and tram stops)	25	55	90	100
17.1 - 17.7	Signs (generally within infrastructure and vehicles)	100			
17.1 - 17.7	Signs (1) (at bus and tram stops)	25	55	90	100
18.1 - 18.5	Tactile Ground Surface Indicators	25	55	90	100
19.1	Alarms	100			
20.1 - 20.2	Lighting (generally within infrastructure and buildings)	100			
20.1 - 20.2	Lighting (1) (at bus and train stops)	25	55	90	100
21.1 - 21.4	Controls (stop requests and door controls etc)	25	55	90	100
22.1	Furniture and fitments (2) (tables benches etc within infrastructure)	100			
23.1	Street Furniture	25	55	90	100
24.1	Gateways (ticket barriers etc)	N/A	100		
25.1 - 25.4	Payment of Fares (including vending machines)	N/A	100		
26.1	Hearing Augmentation - Listening Systems	100			
27.1 - 27.4	Information (generally within infrastructure and vehicles)	100			
27.1 - 27.4	Information (1) (at bus and tram stops)	25	55	90	100
28.1 - 28.4	Booked Services (trains and coaches only)	100			
29.1 - 29.3	Food and Drink service (infrastructure and country trains)	100			
30.1	Belongings (carriage of disability aids in vehicles)	100			
31.1 - 31.2	Priority (seating within vehicles)	100			

**Notes:** (1) The Draft Standards actually only refer to bus stops as being distinct from general infrastructure; it is assumed the non-mention of tram stops is simply an error of omission, reflecting that Melbourne is the only city with an extensive tram system.

(2) Under the furniture and fitments standards there are other requirements relating to sleeping berths within trains, but these do not affect any Victorian operations.

(3) The compliance timelines reproduced here are those in the Draft Standards; some could alter in the lead-up to promulgation.

The compliance timetables fall into just three categories.

A - 100% compliance required in 5 years

B - 100% compliance required in 10 years

C - progressive compliance required (25% in 5 years, 55% in 10 years, 90% in 15 years, 100% after 20 years)

The implementation timelines underlie the program planning for all matters mentioned in this Action Plan. Victoria will comply with virtually all of the above timelines; the only exceptions are in regard to the standards relating to boarding (8.1 - 8.8) and stairs (14.1 - 14.4) in so far as these standards relate to access to/egress from tram services. As discussed in section 5.4.6 the intended purchase program for new low floor trams requires an extension to these compliance schedules.

In chapter 7, all commitments mentioned in previous chapters are re-presented in tabular format, cross referenced to the standards involved and the categorisation of compliance timetables.

Implementation of most of the measures in this Action Plan will rest with the operators, although the DoI will also have significant responsibilities. The DoI will:

- oversee operators' implementation of accessibility measures
- ensure appropriate contract clauses are established
- provide consultation, expertise and resources via the ATU
- support any working groups established by the Minister's Consultative Reference Group and requiring operator input, by providing suitable venues and consultative mechanisms
- monitor contractors' performance relative to all clauses in their contracts
- exert a standard-setting and/or coordinating influence on the implementation of relevant elements of the Action Plan (e.g. Easygoing information material)

All individual operators will be required to prepare their own Action Plan within eighteen months of the beginning of their contract period. These Action Plans are expected to build on and be consistent with this document, which effectively establishes an overall policy framework for individual operators to work within.

## 6.2 EVALUATION AND REVIEW

As mentioned several times already, this Action Plan cannot be a static document, partly because of the administrative/operational changes which are occurring in Victoria but also because of the technological changes and other innovations that will occur and enable enhanced accessibility measures.

Operators will be expected to thoroughly plan and evaluate their own accessibility measures, but there will be a review and enforcement right under the contract with the DoI to ensure compliance with this Action Plan. In exercising its rights in this regard the DoI will be able to draw on the resources of its own ATU as well as the Minister's Consultative Reference Group. It is envisaged that operators will be required to provide annual reports outlining progress made in implementing their individual Action Plans and advising how progress towards achievement of milestones will be advanced over the following two years.

# GLOSSARY OF TERMS

**ABS** - Australian Bureau of Statistics

**Access Path** - The concept of an Access Path relates to the requirements for independent movement of passengers to and within transport vehicles and infrastructure

**The Act** - See DDA below.

**Action Plan** - This plan, produced in accordance with the provisions of the Disability Discrimination Act.

**ATC** - Australian Transport Council; the forum of Commonwealth, State and Territory Ministers for Transport.

**ATCC** - Accessible Transport Consultative Council; the peak council established by the Victorian Minister for Transport to provide independent advice on issues relating to transport access.

**ATU** - Accessible Transport Unit, established within the Department of Infrastructure.

**Barrier** - A characteristic of the public transport system which acts as an impediment for people with a disability attempting to gain access to the services.

**BAV** - Bus Association Victoria.

**CAD** - Central Activities District of Melbourne.

**DDA** (also the Act) - Disability Discrimination Act, 1992 (No. 135 of 1992) Commonwealth of Australia.

**DDC** - Disability Discrimination Commissioner.

**Disability Standards** - Standards which may be proclaimed under Section 31 of the Disability Discrimination Act, 1992.

**DoI** (also the Dept.) - Department of Infrastructure, Victoria (incorporating the Contracts, Regulation and Compliance Services Division responsible for administering contracts with public transport operators throughout Victoria).

**Draft Standards** - A Draft version of the proposed Disability Standards not yet submitted to the Federal Parliament for endorsement.

**DSC** - Disability Services Committee; a reference group convened by the Manager of the Accessible Transport Unit to assist in the resolution of access issues relating to public transport.

**Easygoing** - The “brand name” for a package of travel information material produced for people with disabilities in Victoria.

**Guidelines** - Explanatory guidelines issued in conjunction with the Draft Standards to provide information and comment about the Standards.

**Hearing Induction Loop** - An electronic aid to assist people with hearing aids to hear public address announcements (e.g. at stations).

**HREOC** - Human Rights and Equal Opportunity Commission; the statutory body responsible for matters under the Disability Discrimination Act, 1992.

**Infrastructure and Infrastructure Provider** - Any fixed structure or facility that is necessary for the operation of passenger transport service. An infrastructure provider need not be a passenger transport operator.

**MPT** - Multi-Purpose Taxi; a taxi designed to accommodate people in wheelchairs, which operates under special conditions to ensure priority is given to those people.

**NATC** - National Accessible Transport Committee.

**Operator** - A public transport operator, ie a person or organisation providing a public transport service to the public.

**PTC** - Public Transport Corporation.

**RIS** (Regulatory Impact Statement) - An assessment of the likely impact if the Draft Standards become the proclaimed Disability Standards, being carried out as input to the Parliamentary approval process.

**Secretary** - The Secretary of the DoI, who has the role of contracting with public transport operators for the provision of services.

**Service** - A public transport service, offering to convey members of the general public on passenger carrying vehicles.

**Tactile Path/Tactile Tiles** - A tile/path consisting of specially textured materials to give directional guidance to people with impaired vision.

**Transport Act** - Transport Act, 1983, Victoria

**TRU** - Transport Reform Unit, Victoria (a branch of the Department of Treasury and Finance, responsible for the privatisation of transport provision in Victoria).

**TTY** - Teletypewriter; keyboard device to allow use of telephones by people with hearing or speech impairment.

**VLF** - V/Line Freight.

**VLP** - V/Line Passenger.



## APPENDIX A:

### DEFINITION OF DISABILITY FROM THE DDA

The DDA's definition of 'disability' is included in Section 4(l) of the Act, which covers interpretation.

The definition is as follows.

*'disability', in relation to a persons, means:*

- (a) total or partial loss of the person's bodily or mental functions; or*
- (b) total or partial loss of a part of the body; or*
- (c) the presence in the body of organisms causing disease or illness, or*
- (d) the presents in the body of organisms capable of causing disease or illness; or*
- (e) the malfunction, malformation or disfigurement of a part of the person's body, or*
- (f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or*
- (g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour;*

*and includes a disability that:*

- (h) presently exists, or*
- (i) previously existed but no longer exists; or*
- (j) may exist in the future; or*
- (k) is imputed to a person.*

## DDA ADVISORY NOTE: PUBLIC TRANSPORT

### *Introduction*

This Advisory Note is issued by the Human Rights and Equal Opportunity Commission (HREOC) under section 67 of the Disability Discrimination Act (DDA).

It is intended to clarify the existing obligations which public transport operators, and providers of related infrastructure (such as boarding points), have under the DDA, and to assist them in eliminating discrimination.

It is also intended to clarify the relationship of these existing obligations to the draft Disability Standards for Accessible Public Transport (and accompanying guidance material) issued by the Australian Transport Council in 1996. The draft Standards are currently the subject of development of a Regulatory Impact Statement, prior to the Attorney-General considering their placement before the Parliament for authorisation.

In HREOC's view, Standards have an important role in reducing the uncertainty to which providers are exposed at present. This Note is not intended to substitute for authorisation of appropriate Standards.

Pending the introduction of such Standards, transport providers remain subject to the existing requirements of the DDA (and largely equivalent obligations under State and Territory laws of all mainland States and Territories).

The DDA imposes a general obligation not to discriminate in service provision (including public transport services) and in access to premises (including vehicles and vessels). This obligation is subject to the limitation that non-discriminatory service and access is not required where it would impose unjustifiable hardship.

Discrimination under the DDA includes direct and indirect discrimination, and thus clearly includes lack of equal accessibility, but is not defined in any further detail.

In particular, the DDA does not provide (and equivalent State and Territory laws do not provide) any schedule defining how long movement towards non-discriminatory service provision may permissibly take. This Advisory Note encourages public transport operators and related infrastructure providers to

consider the draft Standards as a basis for developing and implementing their own strategies for achieving non-discriminatory service over time. It also provides information on the provision of the DDA for granting of temporary exemptions.

### *Draft Standards reflect existing DDA obligations*

Subject to issues discussed later in this Note (in particular regarding implementation schedules), HREOC regards the draft Standards as reflecting the existing obligations of public transport operators and providers under the DDA. While they give more guidance for practical implementation than the brief provisions of the DDA, in HREOC's view they do not seek to impose any substantial new obligations.

This does not mean that the specifications given in the draft Standards will always and in all circumstances be regarded as mandatory under the DDA. The draft Standards recognise the concept of "equivalent facilitation" - that is, alternative means of providing equal access to the same public transport service. They recognise that in some circumstances it may be shown that to achieve non-discriminatory service would impose unjustifiable hardship. They also seek to encourage innovation and recognise that they may need review in future in the light of technical and other change.

Similarly, HREOC will be bound to take into account evidence of any relevant technical, regulatory or other developments in exercising its functions under the DDA.

### *Use of the draft Standards in compliance activity*

Public transport operators and providers of relevant infrastructure are encouraged to refer to the draft Standards in planning and implementing measures to comply with the obligations which they have under the DDA. This should include design and implementation of new services and construction, as well as changes to existing services, facilities and premises over time.

### *Use of the draft Standards in developing Action Plans*

Public transport operators and providers are encouraged to refer to the draft Standards as a basis for development of voluntary Action Plans under the DDA.

Development of an Action Plan gives transport operators and providers a means of planning their own measures to achieve compliance with the DDA, rather than possibly having these measures imposed on them as a result of complaints.

Simply having an Action Plan is not a defence against complaints. The DDA allows for preparation of Action Plans as a way of achieving compliance with obligations under the DDA, not as a substitute for compliance with those obligations. However, development and implementation of an effective action plan should reduce the potential for successful complaints:

- by removing the causes of complaint over time
- by demonstrating to people with a disability, their associates and advocates that the provider is already taking all achievable measures to ensure equal treatment and access to services, and/or
- by providing a method through which continuing concerns can be addressed co-operatively rather than through complaints.

As noted below, HREOC will consider a service provider's Action Plan in relation to any application for exemption by or on behalf of that service provider.

HREOC has prepared guides on the development of Action Plans for business and for State and Territory Government authorities. Subject to staff availability HREOC may also be able to provide more direct advice and assistance on request regarding development of an Action Plan.

### *Complaint handling*

The draft Standards do not have direct legal force. HREOC is bound to apply the provisions of the DDA. However, given HREOC's view that the draft Standards generally reflect the existing effect of the DDA, HREOC will take the draft Standards into account in dealing with complaints under the DDA.

### *Use by passengers*

This Advisory Note is directed principally to operators and providers, who have responsibilities under the DDA. Passengers with a disability may also wish to refer to the draft Standards in considering what to expect in using public transport services; and whether, and how, a complaint of discrimination may be brought successfully in cases where non-discriminatory access and service is not provided.

### *Note on implementation schedules*

The draft Standards include an implementation schedule under which particular obligations would only arise after five, ten, fifteen or twenty years. If the Standards were in force, operators and providers would not be required to implement those obligations earlier, whether or not they could have shown that earlier implementation would have imposed unjustifiable hardship.

Given the importance of certainty of obligation for providers, HREOC regards this effect, limiting some otherwise available rights, as an acceptable part of draft Standards which overall would promote elimination of discrimination.

In the absence of Standards, or unless an exemption is obtained from HREOC, providers are exposed to immediate liability for any discriminatory features which it would not have been an unjustifiable hardship to remove, in the period since the entry into force of the DDA (and the period, in some cases substantially longer, since the entry into force of equivalent obligations under State or Territory law).

In particular, HREOC considers that in many cases the five years which the draft Standards would provide for achieving equal accessibility of information and communications features of public transport may be longer than the period which would be found permissible under the existing provisions of the DDA.

Operators and providers are encouraged to give these areas particular consideration for early attention accordingly.

## Exemption applications

HREOC has power under section 55 of the DDA to grant temporary exemption (for a period of up to five years, but with successive exemptions on the same matter being permitted) from most of the discrimination provisions of the DDA, including section 24 which applies to services and to public transport services in particular. Exemptions may be issued subject to conditions.

HREOC will consider applications for exemption on terms which promote the objects of the DDA. This does not involve using the exemption power to certify past compliance efforts as sufficient. Consistent with the objects of the DDA, it does involve encouraging such efforts and their continuation.

Generally, commitment to and demonstration of continuing progress towards non-discriminatory service provision (whether through development and updating of a formal Action Plan or otherwise) will be relevant.

HREOC will consider the draft Standards, and measures taken or proposed to be taken to comply with them, in relation to applications by a public transport operator or provider for temporary exemption under the DDA. This includes consideration of the implementation schedule contained in the draft Standards, although, as noted above, HREOC would not automatically endorse that schedule in all respects.

HREOC has issued Guidelines on Application for Temporary Exemption under the Disability Discrimination Act. Transport operators or providers considering applying for a temporary exemption are encouraged to refer to these guidelines.

HREOC's decision granting an exemption for South Australia's State public transport authorities may also be of interest. More information on exemption applications may be provided on request.

For further information contact the:

Disability Rights Policy Unit  
Human Rights and Equal Opportunity Commission  
GPO Box 5218  
Sydney NSW 1042  
E-mail: [disabdis@hreoc.gov.au](mailto:disabdis@hreoc.gov.au)  
Facsimile: (02) 9284 9849

## MEMBERSHIP OF THE ACCESSIBLE TRANSPORT CONSULTATIVE COUNCIL

### Name Organisation

Ms Judi Hollingsworth (Chairperson)

Mr. Kim Beasley Disability Employment Action Centre

Mrs. Vivian Bradbury Royal Victorian Institute for the Blind,  
Regional Rehabilitation Officer, Ballarat

Mrs. Tricia Greenway Liaison Officer, Arthritis Victoria

Mr. Gregory Kidd Australian Quadriplegics Association

Mrs. Amanda McNeill Gippsland Disability Resource Council

Mr. Anthony Nichols Disability Consultant

Ms Margaret O'Callaghan Older Persons Action Centre

Mr. Peter Prendergast CEO, Paraplegic and Quadriplegic Association of Victoria

Mr. Emilio Savle Disability Resource Centre

Mr. David Skewes ACROD (Victoria) <sup>(1)</sup>

Mrs. Robyn Stephens National Federation of Blind Citizens of Australia

Mr. John Wakefield Headway Victoria

Mr. Ivan Peterson<sup>(2)</sup> Victoria, Coordinator, National Federation of Blind Citizens of Australia

### NOTE:

<sup>(1)</sup> ACROD is the peak body for disability service providers.

<sup>(2)</sup> Mr Peterson is not a member of the ATCC but receives copies of all its papers.

<sup>(3)</sup> The Accessible Transport Unit of the Department of Infrastructure is represented at meetings of the ATCC by Mr. Kym Irvine, Manager of the Unit.

<sup>(4)</sup> Representatives of transport operators are regularly invited to attend meetings of ATCC as observers.

## TERMS OF REFERENCE FOR THE ACCESSIBLE TRANSPORT CONSULTATIVE COUNCIL

1. To maintain a broad overview of matters effecting the access of people with disabilities to transport services in Victoria.
2. To provide strategic advice to the Minister for Transport on the provision of effective transport services for people with disabilities.
3. To consult with constituencies across the State on transport issues of concern to people with disabilities and to maintain liaison with other disability-related advisory groups so as to ensure consistency of advice to Government.
4. To advise the Minister of consumer priorities for improving the accessibility of transport in the context of budgetary limits.
5. To advise on the performance of Government and private providers of transport services for people with disabilities, including the identification of deficiencies in services and facilities.

### SUMMARY OF 'EASYGOING' PASSENGER INFORMATION MATERIAL

**Easygoing Fact Sheet** - A loose sheet guide to transport disability services in Victoria

**Public Transport Disability Services** - A brochure for customers with special needs also available on audio cassette.

**Met Station Access Guide** - A line-by-line booklet for older people and those with disabilities.

**Metropolitan Rail Network** - A large print or Braille book of line maps for the metropolitan train network.

**Metropolitan Tram Network** - A large print or Braille book of route maps for the metropolitan tram/light rail network.

**Contact Card** - An easy to display card with all telephone numbers (including TTY) for enquiries about suburban and country public transport).

**Travel Wallet/Reminder Slips** - A self-contained package of 'sticky label' reminder slips which can be used by disabled persons to remind drivers of their destination stop.

**Communication Cards** - A pad of cards which can be used by disabled travellers to indicate they need direct assistance or to indicate they type of ticket they wish to purchase.

**Easygoing Newsletters** - A newsletter series to be circulated approximately every four months, to give details of developments in accessible transport.

## LIST OF REFERENCES

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- Draft Disability Standards for Accessible Public Transport (Commonwealth Attorney-General's Department, 1996).
- Disability Discrimination Act Action Plans, A Guide for State and Territory Government Departments and Agencies (Human Rights and Equal Opportunity Commission)
- Urban Transport: Coming to Terms with Disability Discrimination Law (speech by Elizabeth Hastings, then Disability Discrimination Commissioner, August 1996).
- DDA Exemption Decision: Minister for Transport (South Australia) and Others (Human Rights and Equal Opportunity Commission, 1997).
- Guidelines on Applications for Temporary Exemption under the Disability Discrimination Act (Human Rights and Equal Opportunity Commission, 1997)
- DDA Advisory Note: Public Transport (Human Rights and Equal Opportunity Commission, 1997).
- Disability, Ageing and Carers - Summary of Findings (Australian Bureau of Statistics, 1993)
- Regulation Impact Statement on Draft Disability Standards for Accessible Public Transport (Attorney-General's Department, forthcoming)
- Access All the Way 1995-2015 (South Australian Passenger Transport Board), 1996)
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