RESPONSE TO THE REFORMS OF THE DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC TRANSPORT 2002: STAGE 2 CONSULTATION REGULATION IMPACT STATEMENT MARCH 2022

About Queenslanders with Disability Network (QDN)

Queenslanders with Disability Network (QDN) is an organisation of, for, and with people with disability. The organisation's motto is "nothing about us without us". QDN operates a state-wide network of over 2,000 members and supporters who provide information, feedback, and views from a consumer perspective to inform systemic disability policy and disability advocacy.

QDN value statement

QDN believes that:

- All people with disability have a right to a place in the community and have contributions to make to the community. This is as empowered, free citizens who are as valued, present, participating and welcomed as members of a dynamic and diverse society.
- The place of people with disability in the community is not just about people with disability having a house in the community. Core to this is that they are welcomed in the community as ordinary citizens where they are genuinely given opportunities to contribute and actively participate. People with disability need to be in communities where their individuality, their talents, and their lived experiences of disability are recognised and acknowledged.
- Culturally and historically, people with disability are not afforded the same value, opportunities, or access to community life.
- Any inclusion in community for people with disability is conditional and vulnerable to withdrawal.
- Many people with disability in Queensland are excluded from the most basic experiences of ordinary lives.
- Current exclusionary practices are unacceptable and must be challenged.
- These issues affect not only people with disability but the whole community.
- The responsibility is shared. It lies within government (federal, state, and local) and the community at large, to ensure that people with disability have a place and are resourced to belong in community.

Overall Comment

The Disability Standards for Accessible Public Transport (DSAPT) reforms must be undertaken within the scope of Australia's Disability Strategy The Disability Strategy is designed to meet Australia's responsibilities under the United Nations Convention on the Rights of Persons with Disabilities (CRPD), to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Aligning the DSAPT reforms to this will ensure universal design principles that allow everyone, regardless of age or ability, to have a fully accessible use public, private and community transport to move around the community. This underpins all aspects of life for all people. Being able to move around the community has positive impacts on everyone's health, social life, education, and employment. For this to occur, transport

and its entry points (e.g., stations and platforms) need to be accessible to everyone, including people with disability.

In most cases, the regulatory option is supported as it gives the public a nationally consistent compliance benchmark. If the benchmark is not achieved the public has a stronger case in complaint or advocacy. This also provides data for reporting to the United Nations Convention of the Rights of Persons with Disability required by jurisdictions and operators to periodically report to the Commonwealth and to the public on the accessibility of services and products.

Below is QDN's response each aspect of the DSAPT consultations

PART 1: TRANSPORT STANDARD PRINCIPLES

Reporting

QDN supports a regulatory option accompanied by explanatory guidance. Transport delivery across Australia is complex. There are multiple providers from State Governments, local councils and private operators. The public should expect that all providers in all regions are working to the same set of standards to deliver services that are universally driven. Reporting of this should be publicly available, and uniformly presented on transport assets to ensure accountability to the community.

Equivalent Access

QDN support a regulatory option accompanied by explanatory guidance. QDN members have participated in many Equivalent Access processes in Queensland, used for many medium to large transport projects in recent years.

In most cases, these have led to satisfactory outcomes the community can support. The experience of QDN members, is the process undertaken is directly linked to the outcomes achieved.

If the disability community are engaged to co-design the terms of reference for an equivalent Access process it is highly beneficial. If co-design principles aren't followed from concept to delivery, the outcomes are often compromised.

A co-designed understanding of what constitutes an accessible equivalent outcome must be reached prior to procurement and or design. Once this understanding is achieved the project can produce often outstanding results.

Rideshare

The regulatory option accompanied by explanatory guidance is supported.

Rideshare providers do not have the same DSAPT obligations which means that people with disability can not access the fleet, despite the industry offering an equivalent service to taxi industry. Consequently, people who struggle with digital booking, digital payments, and those whose mobility aids such as

wheelchairs, and particularly power wheelchairs do not have access to vehicles that are accessible for them to travel in and therefore can not access a service. This is highly discriminatory and not in keeping with requirements under the Disability Discrimination Act 1992. Until rideshare is incorporated into the DSAPT it will continue to provide a public transport service that is not compliance to its own benefit rather than for the public good.

Dedicated School Buses

Regulatory option 2 is supported, accompanied by explanatory guidance. This is due to the requirement for school bus operators in rural and remote settings to adapt their service to meet community needs. It would be illogical, for a small remote school to be enforced purchase of a large, low floor bus with low clearance that doesn't meet the community needs. Should the need for an accessible service arise though, the processes developed in each jurisdiction to deliver an accessible bus can then be triggered.

PART 2: INFORMATION, COMMUNICATION AND WAYFINDING

Better Communication of Accessibility Features

The Regulatory option is supported as it gives the public a nationally consistent compliance benchmark. To implement successfully, an agreement to the definition of the accessibility features would be required. People with disabilities are not a homogenous group, what is good for one person, may prove inaccessible for another. These difficulties notwithstanding, a nationally agreed set of definitions and the process (through co-design) to reach them are strongly supported.

People with disability depend on communication to enable detailed journey planning. A single barrier can delay or end an entire journey. For this reason, consistent and reliable information will build the trust of the community to use public transport effectively.

An accessible service or facility must be able to provide all passengers the same level of amenity, availability, comfort, convenience, dignity, price, and safety. Whilst these provisions should remain the basis for defining accessibility features, what is deemed accessible, may change (as technology changes) over time. Some degree of review should be incorporated into the accessibility definitions.

Timely Provision of Information

The regulatory option accompanied by explanatory guidance is supported. Providing information in a person's preferred format widely exists in community now and implementation should be relatively straightforward but regulation is required to deliver compliance in this area. There may be some challenges during establishment, but once resolved, this should formulate part of business as usual for operators.

Real Time Communication

The regulatory option accompanied by explanatory guidance is supported. All points of a public transport journey require real time communication and for all hours of operation. The importance of any stage of the journey will vary depending on the passenger's disability. For example, people with vision impairment must be able to hail their bus or know that the train pulling in is their service. Equally they must be able to know that their intended stop has been reached. People with mobility impairments who need assistance to board or alight must be able to communicate this.

Most of the necessary technology for real time communication exists currently. It is a matter in most cases of deploying the appropriate human and technical systems rather than facing technical challenges. Where the technical product isn't mature or financially viable, direct assistance can provide an alternative, if the solution is co-designed effectively with the community and in a way that ensures it can be adjusted as technology develops and changes.

Passenger location during journey

The regulatory option accompanied by explanatory guidance is supported. The technology for next stop announcements is mature and applied commonly on trains in Qld for some time. However, next stop audio-visual announcements aren't universally applied, such as on the bus network in Brisbane. This is an essential service and would be seen as the minimal standard required.

Of the options provided, sub-option 2 is preferred as it provides greater choice for people over where they travel within a mode of transport, by having access to the audio-visual announcement from any seat. In smaller vehicles, such as taxis and rideshares, next stop information can be provided by driver direct assistance. Agreeing to which vehicle type requires which method should be co-designed prior to implementation.

Hearing augmentation on conveyances

The regulatory option accompanied by explanatory guidance is supported. Option 1 is the preferred solution given it provides full coverage in all situations. If there are issues with providing full coverage (due to field interference), the equivalent access process should be enacted.

People who have a moderate to severe loss of hearing will usually have a hearing aid that incorporates a telecoil switch. These hearing aids can pick up any message broadcast over a PA system that has an associated magnetic induction loop. Hearing aids will pick up all sounds without discrimination and so the capacity of the telecoil switch to block ambient noise while clearly hearing the message broadcast on the PA system is of great benefit.

Hearing augmentation: infrastructure and premises

The regulatory option accompanied by explanatory guidance is supported. Option 1 is the preferred solution given it provides spatial targets for coverage of the system that must be met. If there are issues with providing full coverage (due to field interference), the equivalent access process should be enacted. Way-finding audio information at boarding/disembarking and decision points should include information

about surrounding areas and attractions to assist visitors as well as people with disability navigating from transportation to destination.

Print size and format

The regulatory option is supported, and the reference material mentioned in the CRIS [untitled (printdisability.org)](printdisability.org) should form the basis of the guidance.

International symbols for access and deafness

The regulatory option is supported, although further work is required to identify appropriate sizes and symbols to ensure viewing distance and experience is considered for people whilst using transport facilities. A co-design process will be best to determine the correct solution.

Letter heights and luminance contrast of signs

The regulatory option is supported, although further work is required to identify appropriate sizes including stroke width and weight considerations for people whilst using transport facilities. A co-design process will be best to determine the correct solution.

Location of signs

The regulatory option is supported, with sub-option 2 providing the required flexibility for providers to place signs on available surfaces in a logical manner. The placement of signs needs to consider that often people are using facilities whilst there is heavy foot traffic and should be placed in locations that allow for ease of reading and wayfinding during peak usage times.

Braille embossed (printed) specifications

The regulatory option is supported and will be welcome relief for the blind community who rely on information in this format. It is important to not only consider the information but how it is "stuck" down. Often the surface signage is applied to and/or the glue used wears out quickly.

Braille and tactile lettering for signage

The regulatory option is supported and will be welcomed by members of blind community who will be able to ensure they have access to the same information as others and rely on information in this format.

Lifts: Braille and tactile lettering for signage

The regulatory option is supported and will be welcome relief for the blind community who rely on information in this format. Placement at lift landings needs to be consistent to be predictable for users. Need to be sure that they follow clear guidelines so they can be 'found' by the visually impaired for whom they are made.

Lifts: Audible wayfinding

The regulatory option is supported. This technology has been available for some time and should be standardized. Providing guidance to providers on when existing lifts should be retrofitted should be part of the process. Voice identification of landings with brief orientation messages will benefit all passengers who are not familiar with the stop or the precinct surrounding the stop. It would give people with disability confidence to independently undertake journeys that otherwise might have been considered risky.

Lifts: Emergency communication systems in lift cars

The regulatory option is supported. Currently emergency communication systems in lifts provide no provision for passengers with speech or hearing impairments. Appropriate regulation would change this situation.

Lifts: reference for lift car communications and information systems

The regulatory option is supported and will provide welcomed assistance for people who use hearing aids with telecoils.

Information and communication technologies (ICT) procurement

The regulatory option is supported. Option 5 provides the only suitable option, given:

- WCAG2.1 is included, and it provides the standards required to support the use of screen readers for modern mobile devices
- It recognises the importance of providing audio visual information using AUSLAN interpretation for the deaf community

Mobile web systems

The regulatory option is supported and is critical to apps getting to market that are WCAG2.1 compliant. Currently apps often get to market and then accessibility is considered when the app doesn't meet the needs of the community. It would be expected that regulation would change this, with accessibility considerations being part of the full product development lifecycle.

Accessible fare system elements

The regulatory option is supported, with option 3 being the most accessible option presented. The regulation should have built in review periods, to adjust the standards over time, as new technologies emerge. Many modern ticketing systems exceed the current DSAPT requirements, as the technology has come along way in the ensuing 20 years

PART 3: ACCESSIBILITY AT STATIONS, STOPS, WHARVES AND ACCESS ROUTES

Doors on access paths

The regulatory option is supported. Further work to co-design the best solution with people using different mobility devices and configurations (luggage trailers etc) would be recommended to ensure the standards meet the needs of the community. Holding a door open while trying to simultaneously push a manual wheelchair through the door is difficult. Power assisted doors are often the most easily to use for most people using mobility devices.

Continuous accessibility on access paths

The regulatory option is supported, however the definitions within the consultation paper require review and this is critical to the experience of people with disability using public transport. Continuous accessibility on access paths need to consider the end-to-end nature of using public transport and the required meticulous planning by the community when using transport. Currently many members of the community will only use the routes they know to be accessible, limiting transport options within the network. The challenge with this, is the connection/coordination between different transport providers and different landowners (mostly councils, state, and federal governments) to come to a coordinated place.

Flange gaps

Status quo is the supported option. Level crossings are dangerous places and fatalities from flange faps occur each year in most jurisdictions. By maintaining Status Quo rail operators are obliged to find a solution that eliminates flange gaps on level crossings. Advice on level crossing elimination is welcome and grade separated crossings are a far safer option for all and should be pursued.

Resting points

The regulatory option is supported. Providing an allocated space at rest points accommodates passengers who experience fatigue, including people who use wheeled mobility devices. Allocated spaces are currently required in waiting areas such as bus shelters, rail stations and ferry terminals, but not at rest points. This is a significant omission in the DSAPT.

Requirement for handrails in overbridges and subways

The regulatory option is supported. DSAPT Section 11.2 currently requires handrails in certain locations, however no specific direction is given on the placement of handrails. This proposed reform removes ambiguity on the provision of handrails on overbridges or in subways. Handrails provide both wayfinding

and support for people as they move along an access path. Using continuous handrails on overbridges and subways will benefit people who are vision or mobility impaired.

Location of fare system elements

The regulatory option is supported. Fare systems can be a challenge for many people with disability due to visibility, intrusion into access paths and being out of reach range. Fare systems may also require actions that are not physically or cognitively easy.

Allocated Spaces and priority seating in waiting areas

The regulatory option is supported. Allocated spaces and priority seating should be distributed along the entire platform to allow passengers to board in their preferred carriage. Allocated seating is provided in all carriages of a train, however, cannot be accessed when only one space is allocated on the platform. DSAPT currently requires the provision of allocated spaces or priority seats, however there is no requirement to identify these places or seats. As a result, people with a disability are often unable to use allocated spaces or priority seating.

Accessible toilets with equal proportion of left- and right-hand configurations

The regulatory option is supported. Currently all accessible toilets on Queensland Rails suburban fleet are left hand toilets. The regulatory option and advice are welcome and will result in significant improvement. Providing both left and right options where possible can mean the difference between being able to use a toilet or not for some people.

Emergency call buttons in accessible toilets

The regulatory option is supported. Sub-option 2 ensures a more accessible outcome and is supported. Safety and security are significant concerns for people with disability, particularly for people who rely on support to travel independently. It is important that emergency call buttons are placed within reach of the pan or from the floor in the incident of a fall.

Ambulant toilets

The regulatory option is supported. Ambulant toilets provide grabrails on both sides of the pan as support for rising or sitting, accessible toilets provide only one grabrail. In cases where only standard accessible toilets are provided, people who are ambulant often choose to use the accessible toilet. Accessible and ambulant toilets serve different groups with different needs; therefore, it is optimal to provide both options.

Lift specifications and enhancements

The regulatory option is supported. The regulatory option would be improved by emphasising the need for through cars (door on both sides) rather than turnaround cars, enabling people using wheeled mobility devices to use the lift seamlessly without the need for turning around in the small car or reversing out. Call buttons need to be sensibly located, where floor call buttons are located only adjacent to the door, they cannot be reached by those who need to turn around. Whilst lift buttons are large enough, they often lack adequate contrast with the control panel surface, making it difficult for people who have low vision. Touch screen lift controls are often located away from the lift landing, and do not provide tactile alternatives. Challenges also arise when no auditory announcement is available for lift car number.

Specifications for escalators and inclined travellators

The regulatory option is supported. Aligning the minimum width of an access path on a moving footway with the minimum width proposed for escalators and inclined travelators would be ideal. Escalators and inclined travellators are useful for many people who are ambulant and have a disability providing they are designed appropriately and have sufficient width. People who use canes, crutches or other aids find that narrower escalators and travelators present challenges to the safe use of the aids, and similar challenges arise for people who use guide or assistance dogs in cases where the dog cannot be positioned beside them in a narrow space. Designing escalators and inclined travellators ensures most efficient and seamless movement for people who otherwise find lifts and stairs less effective for their needs.

Poles, objects, and luminance contrast

The regulatory option is supported. Option 1 with sub-option 1 is preferred. Current requirements are ambiguous. Some operators and providers are ignoring such requirements, whilst others overcapitalise which results in confusing and inconsistent outcomes for passengers with disability. Colour and contrast are important, however equally important is predictable location of objects. Where location of objects is not predictable, people with no vision must feel their way around the site whilst people with low vision need to search for and detect facilities. Specific requirements around colour, contrast and location would maximise the accessibility of the site.

Lighting

The regulatory option is supported, with option 3, sub-option 1 providing the most easily deliverable solution that would meet community needs. Lighting is as much about safety and the perception of safety as it is about wayfinding. All passengers benefit from the provision of lighting that eliminates shadows and hiding places to provide uniform and consistent ambient lighting.

In addition, lighting that allows tasks to be performed where the task is required, such as reading text, boarding, or alighting should be superior to the ambient lighting of general areas and lighting should be appropriate to the task required.

Consideration should be applied to ensuring that surrounding surfaces and areas aren't reflective or cause glare issues.

PART 4: ACCESSIBILITY OF BOARDING AND ALIGHTING AND EGRESS OF INFRASTRUCTURE

Signals and process for requesting boarding devices

The regulatory option is supported, with the need to provide up to date boarding/alighting assistance is required to provide flexibility of use with the transport system. Given the nature of the track system in Queensland, many stations require assisted boarding. But often, the existing systems, that depend on human interactions through direct assistance, lack the appropriate support or flexibility to support the community. If a person with disability wishes to change their destination, and therefore the station they require assistance, this should be available during the journey.

Having the availability to communicate boarding/alighting in real time provides universal access to the transport systems that all community members deserve. However, the deaf community remains disadvantaged by a system that relies on verbal interaction until technology replaces this system with a way to communicate via AUSLAN to text/voice. On newer trains that have communication buttons, there are occasions where they are either positioned so they are difficult to use or not regularly maintained. Ensuring installation is done through co-design and a regular test schedule established to ensure workability of the proposed solutions is important.

Notification by passenger of need for boarding device

The regulatory option is supported and supported as per comments above. The technology for this is widely available and mature, the challenge is always with the staff being available or inclination to support the request.

Portable boarding ramp edge barriers

The regulatory option is supported, with sub option 3 preferred as it aligns with current standards and would have little impact to providers. In Brisbane currently, bus ramps do not have a barrier and pose a risk of fall.

Boarding ramp and removable gangway definitions

The regulatory option is supported. The definitional distinction is supported as it recognises the clear distinction in design and operating environment between vehicle boarding ramps and removable gangways, to ensure gangways have handrails and convex profile.

Gangways are already in service on the Brisbane River. The Brisbane River removable gangway design was developed through an Equivalent Access process several years ago and has performed well.

Removable gangway design – ferries

The regulatory option is supported. For safe use, a gradient, never exceeding 1:8, including at contact point at the deck, is essential. This is for all passengers, but especially people in wheelchairs. Falls by wheelchair users and ambulant passengers while exiting the former Brisbane ferry gangways prompted the Equivalent Access process that developed the current gangway design. A co-design process developed a gangway that delivered acceptable gradients for independent use and that answered the Occupational Health and Safety concerns of the operator.

Nominated assistance boarding points

The regulatory option is supported, option 1 sub option 5 is the best option proposed. In Queensland, rail services nominate a location on a platform at which people who require boarding assistance must wait to be identified and assisted. These nominated assistance boarding points are usually identified on platforms by the international symbol for access. In many cases these assistance points are distant from services and facilities available to other passenger and exposed to the weather.

Staff will sometimes insist that the door adjacent to the nominated assistance point is the only door through which people who require assistance are allowed to board. People will then be crammed into an overloaded vestibule or area of one carriage while allocated spaces and priority seats are vacant in other carriages. This can leave people using mobility aids parked in vestibules with no access to the grabrails and communication devices located in the occupied allocated spaces.

Identification of lead stops

The regulatory option is supported, with the caveat that greater promotion of lead stop boarding is required to ensure the community know which stops are providing this service and how to engage at those stops. This would give people with disability a predictable location of where to board services and reduce anxiety for people when using large, interchange hubs. This is a major issue especially at bus interchanges where buses are backed up and queues of people may obscure the presence of a wheelchair user who is unable to identify and hail the right bus. Technology will make this easier particularly where audio is required in real time/handheld devices.

Pontoon boarding points on infrastructure

The regulatory option is supported. Undersized pontoons rock considerably in adverse conditions and disincline people with reduced mobility from using these services for fear of an accident and/or motion sickness.

Bus, tram, and light rail boarding points on infrastructure

The regulatory option is supported, option 2 is the only viable option due to many bus stops not being on flat ground in hilly precincts. Many people with disability will avoid these stops, especially given they are limiting their ability to access the whole of the transport network.

Hail-and-ride boarding points on infrastructure

The regulatory option is supported, with a boarding point that is safe, comfortable, and easily identifiable waiting space with clear sightlines between driver and potential passengers. These services provide an important option for outer suburban areas that lack infrastructure, so the need to travel is important but bus services are not viable.

Accessible taxi rank

The regulatory option is supported, sub option 2 is supported where accessible boarding can occur in the first two spaces and the last space is set up for alighting. Where there are more than five spaces one space for every four spaces between the second and last space must be accessible.

Accessible passenger loading zones on-street

The regulatory option is supported, sub option 2 is supported. To ensure safety of passengers, drop kerbs should be installed on all accessible boarding location to prevent people with disability having to travel on road. There should be sufficient space to ensure appropriate rear or side loading.

Accessible parking spaces in infrastructure off-street carparks

The regulatory option is supported. Sub option 1 provides the easiest to implement whilst meeting community need.

PART 5: ACCESSIBILITY IN CONVEYANCES

Grabrails on access path

The regulatory option is supported. Grabrails provide valuable support to people with reduced mobility or stability, as well as people who are blind or have low vision who use these for guidance. For this reason, the colour is important to provide high visibility and contrast.

Grabrails in allocated spaces

The regulatory option is supported. Grabrails provide valuable support to people with reduced mobility or stability, as well as people who are blind or have low vision who use these for guidance. For this reason, the colour is important to provide high visibility and contrast. Greater diversity of height and angles enable choice for users. These should be co-designed with the community and using practical situations, such as a crowded bus, luggage present etc.

Mobility aid movement in allocated spaces: Passive restraints

The regulatory option is supported. Within Brisbane, community members have often expressed avoiding bus travel for fear of tipping or experiences of tipping, especially in some of the hillier suburbs. Further co-design work is required to determine the best solutions for not just the mode of transport but also the conditions in which it operates. A universal design restraint system needs to be automatic so neither the driver nor the passenger needs to do anything.

Mobility aid movement in allocated spaces: Active restraints

The regulatory option is supported and have been in use in wheelchair accessible taxis for some time and most drivers have good knowledge of how to apply them. Some active restraints have belt cutting technology, that should be included in the regulatory option to allow for emergency exiting of the vehicle.

Appropriate seats on booked services

The regulatory option is supported. Identifying appropriate seating during the booking process to meet people's needs should occur to reduce potential health and safety issues or awkwardness during service use. Operators must allocate unbooked accessible seats to other passengers only after all other standard seats are filled.

Conveyance dwell times at stops

The regulatory option is supported. The health and safety of passengers should take precedence over the running schedule of vehicles. Drivers need training that reinforces behaviour to monitor and assess passengers during stop/start of vehicles.

Stairs on trains

The regulatory option is supported, with sub option 2 the preferred option to ensure people who can transit between decks can do so safely. TGSI on trains was an issue as it is a trip issue for some passengers and further consultation is required to get the best option for all.

Stairs on ferries

The regulatory option is supported, with sub option 1 the preferred option to ensure people who can transit between decks can do so safely. Stairs should not be located near designated wheelchair seating/spaces or areas.

Stairs on buses

The regulatory option is supported, with high contrast nosing and handrails, to ensure buses that aren't level access can be travelled through safely.

Doorway contrast and height

The regulatory option is supported, being able to recognise a door and its height is both a safety and accessibility issue. In the case of passenger opened doors it is imperative to boarding and alighting that the door be recognisable. Glass doors without markings are easily mistaken for an open door to people with low vision.

Implementation approach

It is important that target dates are applied as a mechanism for positive change to support the transport needs of people with disability. As we are seeing currently as the 2022 deadline nears, many providers are yet to meet their obligations under the 2002 legislation and are now entering into Hardship processes that are seen as an easy opportunity to continue to provide services that don't comply. This highlights how important target dates are that are both meeting community expectation without placing undue challenges for providers. There needs to be a balance that drives change. The process for issuing exceptions needs due consideration to both ensure there is sufficient deterrent and incentive to comply, without an easy out. There needs to be the option for penalty and imposing prescriptive requirements, where it has been determined there is a specify risk to the health and safety of the travelling public.

In addition, there are assets that are yet to meet the 2002 requirements, that will likely be considered too hard to explore options and will be de-prioritised over finessing assets that are mostly compliant. A strategy to deal with these more difficult cases is required, as these will often have a greater impact on a broader cross section of the community.