

ACCESSIBLE PUBLIC TRANSPORT JURISDICTIONAL COMMITTEE

Response to an application for exemptions under the Disability Discrimination Act 1992 (Cth), the Disability Standards for Accessible Public Transport 2002 (Cth), and the Disability (Access to Premises—Buildings) Standards 2010 (Cth)

On 22 May 2015 the Australian Human Rights Commission invited the Accessible Public Transport Jurisdictional Committee (APTJC) to make any submissions it may wish to with respect to a request for temporary exemptions from the Australasian Railway Association. Outlined below is APTJC's response.

Overview

Members of the Accessible Public Transport Jurisdictional Committee (APTJC) note that more people are using rail as their preferred mode of transport every day and railway operators are committed to providing accessible rail services to all members of the community. It is acknowledged that the Disability Standards for Accessible Public Transport 2002 (Transport Standards) have been effective in addressing accessibility to public transport to some degree.

However, members are broadly supportive of the Australasian Railway Association (ARA) application for exemptions as a true reflection of the difficulties in applying the Transport Standards (and Part H2 of the Access Code in Schedule 1, prepared by the office of the ABCB of the Disability (Access to Premises – Buildings) Standards 2010) in the rail environment where the Transport Standards are seen to fail to take into account the distinct nature and limitations of railway infrastructure operations. While in some instances operators are able to achieve a higher level of compliance than that specified within the exemption clauses, it is recognised that this is an industry wide exemption application.

It was noted that it would appear that in some cases, this exemption application takes a broader approach to exemptions from certain elements of the Transport Standards rather than being more prescriptive and it was also noted that some elements of the application will only apply to some jurisdictions (eg; narrow gauge).

Two members noted that many of the statements made in Section C – ‘Reasons for seeking temporary exemption’, ‘impact on customer experience’ and ‘consultation with the disability sector and progress on alternative solutions’ seem weak or unsubstantiated. In these instances more rigor was requested to support the application and a clearer indication of the views of the disability sector should be put forward, particularly in areas where broad exemptions are sought (for example, the exemption request relating to the location of Tactile Ground Surface Indicators).

The significant effort made in preparing this application is recognised and members are pleased that the ARA has withdrawn the Rail Industry Safety and Standards Board code as the basis for its application – which afforded a significantly lower level of protection than under the Transport Standards – and has focussed upon those clauses of the Transport Standards which are genuinely not achievable in the rail environment.

Finally, members encourage the ARA to continue to ensure its operator members are striving to improve the accessibility of public transport for people with disability, through compliance with the Transport Standards and Premises Standards rather than seek ongoing exemptions.

APTJC Comments concerning specific clauses

GROUP 1	Application for temporary exemptions from the Transport Standards
Clause	Comment
<p>2.1 Access path – Unhindered passage</p> <p>Part 1: Temporary exemption: rail premises and rail infrastructure:</p> <ul style="list-style-type: none"> • For a period of five years, flange gaps of up to 75mm are permitted where a level crossing forms part of an access path on rail premises or rail infrastructure. <p>Part 2: Temporary exemption: existing rail premises and existing rail infrastructure:</p> <ul style="list-style-type: none"> • For a period of three years, an access path is required to provide entrance and exit only at a single boundary point for existing rail stations. 	<p>Supported</p> <p>At grade cross corridor access is an important element of accessible pathways and in both the rail and light rail environments. Flange gaps are an essential element of level crossings to allow unhindered passage of train wheels. Part 1. AS1742.7-2007 at 6.3.3 (iv) allows flangeway gaps to be maintained to 75 mm. Level crossings are legitimate public paths of travel that like street crossings involve an element of risk from moving vehicles. The Transport Standards are completely silent on level crossings, despite them being a public place within the rail environment. AS1742.7 (2007) has responsible accessibility requirements for level crossings. Unfortunately, this Australian Standard postdates the enactment of the Transport Standards and would with difficulty be referenced in the Transport Standards.</p> <p>Supported</p> <p>This is essential at older stations with multiple pedestrian portals. To insist on all entrances and exits providing an accessible path would significantly increase costs and reduce the overall number of accessible stations on the network.</p>

2.4 Access paths- Minimum unobstructed width

For a period of five years, for existing rail premises and existing rail infrastructure:

- where the 1200mm minimum unobstructed width for access paths cannot be met due to structural and technical constraints, an access path with a minimum unobstructed width of 1000mm may be provided;
- the 850mm minimum unobstructed width (applicable to doorways and gateways) is also permitted on access paths for the purposes of passing an obstruction limited to less than 800mm in length; and
- platform edge warning TGSIs are permitted to intrude into access paths.

Majority Support

Compliant access paths on rail platforms may on many occasions only be achieved through the resumption of surrounding property and complete reconstruction of the rail station. While the work is technically feasible, the huge cost to the public purse, the lengthy administrative process involved in resuming property and the disruption to existing services can effectively be prohibitive.

At older stations with island platforms width constraints may be able to be achieved along the full length of the platform. TGSIs require a total of 1300mm for installation, comprising 100mm painted platform edge, 600mm set back from coping edge and / or painted platform edge, 600mm TGSIs. On narrow width platforms, particularly where there are heritage buildings on the platforms, this 1300mm must be included in the access path width. It must be noted that the Premises Standards allow 1000 mm for other built environments (AS1428.1-2009 Clause 6.3).

However one member, while not supporting a revised exemption due to a need to include minimum unobstructed width when TGSIs are included in the access path, would provide support if existing exemption conditions were reinstated.

<p>2.6 Access paths- conveyances</p> <p>For a period of five years for existing rail conveyance external doors, and for a period of five years for existing rail conveyance internal doors, the width of the access path may be reduced to a minimum of 760mm.</p> <p>For a period of five years, access may be provided only by means of stairs to upper and lower decks of double deck existing rail cars.</p> <p>For a period of five years, an access path is only required at a single door rather than all doors of existing rail conveyances.</p>	<p>Majority Support</p> <p>On older trains, purchased before 2002 it is not feasible to widen doorways without impacting on the structural integrity of the carriage. The stair widths on double deck rail cars as specified in the Transport Standards have been taken from a building and construction framework and can never be achieved on rail conveyances due to the width of rail gauge. One jurisdiction noted that it is unable to comply with this element with regard to existing and new stock due to narrow gauge rail tracks and therefore narrow carriage width.</p> <p>However one member while not supporting a revised exemption, would provide support if existing conditions were reinstated.</p>
<p>3.1 Circulation space for wheelchairs to turn in</p> <p>Temporary exemption: existing rail premises and existing rail infrastructure</p> <p>For a period of five years, a manoeuvring area in existing rail premises and existing rail infrastructure complying only with the lower end of the range</p>	<p>Supported</p> <p>Stations are constrained environments. In particular the spaces where lifts can be located on the platform are limited and the dimensions required. The dimensions provided in AS1428.1-2009 at 6.5 for circulation spaces for wheelchair turn for 30 to 60 degree turns is a splay of at least 500 mm x 500 mm in a path of travel less than 1200 mm and 60 to 90 degree turns is 1500 mm wide x 1500 mm long in AS1428.1-2009 (Premises Standards) where as both the Transport and Premises Standards only provide for a 180 degree turn with a minimum area of 2070 mm in direction of travel x 1540 mm wide. This would appear unjust in comparison to other built environment provisions.</p>

<p>of dimensions stated in AS1428.2 (1992) Clause 6.2 is permitted, to the extent that space constraints do not permit a larger manoeuvring area.</p>	
<p>4.2 Passing areas- Two-way access paths and aerobridges</p> <p>Temporary exemption: existing rail platforms.</p> <p>For a period of five years, for existing rail platforms a passing area every 9 metres along any two-way access path that is less than 1800mm wide is permitted.</p>	<p>Supported</p> <p>This requested exemption is in line with the general requirements of the BCA Access Code for class 9b buildings. The more recent Premises Standards require passing areas every 9 metres. Having a passing area every 6 metres greatly increases the length of access ramps.</p>
<p>5.1 Resting points- When resting points must be provided</p> <p>Temporary exemption: existing rail premises and existing rail infrastructure.</p> <p>For a period of five years, compliance with clause 5.1 is not required for existing rail premises and existing rail infrastructure to the extent that site constraints prevent compliance (rather than only add expense or difficulty).</p>	<p>Supported</p> <p>It is not always feasible to provide resting points on access paths as the additional required area for seating and manoeuvring is not available. Some rail systems contain underground tunnels, aerial crossings and rail carparks where the provision of resting points would be dangerous.</p>

<p>6.4 Slope of external boarding ramps</p> <p>Where the slope of an external board ramp is greater than 1 in 8, ARA operators are not required to provide staff assistance in ascending or descending the ramp.</p>	<p>Majority Support</p> <p>Apart from newer platforms, the bulk of rail platforms are low. While there is no uniform level difference between platform and carriage floor it would reasonably be in the vicinity of 300 mm. A 1:8 deployable ramp would need to be 2.4 metres long to bridge this level change. A ramp of this size is difficult to store on a train and is unworkably long for most platforms when deployed.</p> <p>Compliance with the Transport Standards has led to many instances where passenger safety, vehicle standards, occupational health and safety, and workplace practices have been compromised. As a consequence, industrial injuries have been sustained, passengers have been subjected to additional risk, and operators exposed to new legal liabilities. Some operators have advised that they were currently subject to an order from occupational health and safety authorities which prevents staff pushing (direct assistance) any mobility aids up boarding ramps.</p> <p>While operators recognise that disability aids need to suit a person and their specific requirements whether that is functional, economic or social, the weight of the mobility device and the person is not easily determined. Supplying longer ramps is not practical in many circumstances because of restricted platform widths.</p> <p>Operators provide information on which of their stations are accessible via media channels such as, websites, apps, journey planners etc. If the station of choice has not had either the entire platform or a section of the platform heightened as yet, the customer may need to use another nearby station as per Transport Standards Guidelines 2004 (3) Part 33.3.</p> <p>However one member while not supporting a revised exemption would provide support if existing conditions were reinstated. It was noted that it is current policy, within that particular jurisdiction that operators do not provide staff assistance in ascending or descending ramps.</p>
<p>8.2 Boarding- When boarding devises must be provided</p> <p>Temporary exemption: rail conveyances.</p>	<p>Majority Support</p> <p>Compliance with the Transport Standards has led to many instances where passenger safety, vehicle standards, occupational health and safety, and workplace practices have been compromised. As a consequence, industrial injuries</p>

<p>For a period of five years a manual or power assisted boarding device is only required at a nominated single door rather than all doors of a rail conveyance.</p>	<p>have been sustained, passengers have been subjected to additional risk, and operators exposed to new legal liabilities. An example would be the provisions for the gap to rail vehicles where there is a safety requirement to keep vehicles away from platforms and structures (i.e. operation standards require a minimum separation), whereas the Transport Standards requirements specify a maximum gap. These two standards are in direct conflict.</p> <p>Although a number of Engineering solutions have been trialled, such as, rubber fillers attached to the rail side of the platform, sacrificial strips attached the rail car and hydraulic ramps, none of these solutions have proven to be fully reliable in providing access for people with disabilities, along with other train users such as people with shopping carts and people with young children in prams/pushers nor have they been able to ‘close the horizontal gap’ as required above. Some of the trial findings have been –</p> <ul style="list-style-type: none"> • Guide wheels can become wedged in the rubber fillers • Sacrificial strips can become dislodged and weakened. Where platform heights vary considerably in relation to the train floor height their use can be unsafe due to the inability of the strips to sustain 300kg (Transport Standards 8.6). • Mechanical ramps are problematic as they are not totally reliable and can still require staff to deploy due to reach distances and strength involved for some customers. <p>AS/NZS3856.1 (1998) in the Preface advises that this standard relates to hoists and ramps into or onto motor vehicles. The platform indicated in this AS is not a train or tram platform and as such these vertical and horizontal gap requirements have proven to be unobtainable and a suitable solution is yet to be found.</p> <p>Further issues are faced when AS 7633 Railway Infrastructure: Clearances 2012 and AS 7507 AS 7507.1-2009 Australian Standard - Railway Rolling Stock is required. Rolling Stock Outlines are current Australian standards that have been developed by the Rail Infrastructure Safety and Standards Board (RISSB). The standards provide a method to control the hazard of a collision between a railcar and a platform by considering a range of tolerances. For example, the combined result of the tolerances lateral translation of vehicle body, body roll, wheel clearance and the cant effect is a 115mm from the nominal platform to the rolling stock outline. Some rolling stock is smaller than the outline, then the gap increases to 148mm. In curved platforms it is necessary to make additional allowance for the effect of end or centre throw. Further variations due to historic platforms and movement of ballasted track may also negatively impact the gap at some locations. Vehicle movement is necessary to provide for an acceptable ride quality. Likewise track is constructed to achievable tolerances. To avoid a collision between rolling stock and platforms a gap greater than 40</p>
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	<p>mm horizontal must be provided.</p> <p>At this time the vertical gap is as problematic as the horizontal gap as operators have different models and types of rolling stock with different dimensions, such as floor heights, on the same tracks stopping at the same stations. Although consistent vertical and horizontal gap clearances are unattainable at present rail operators continue their commitment to people with disabilities in ensuring accessibility to all their services and recognising the rights of people with disabilities in having the same opportunities as other community members to access and participate in all facets of community life.</p> <p>At many existing legacy ‘neighbourhood’ platforms, that is, low platforms that are not stopping points for express services or Key Node Stations, such as Interchanges where transport modes converge, a section of the platform has been raised ensuring required gradients are adhered to and TGSIs are used. This raised area aligns with the front door of the leading railcar and is shown by a large international symbol for access painted on that area. Signage is provided at the station and electronically to inform customers who require the ramp to be deployed to go to that area when the train is due and staff will deploy the ramp. Allocated spaces and priority seating are in close proximity inside the rolling stock. If the spaces are occupied by customers using mobility devices; drivers will obtain permission from Control to align the next car with the raised section of the platform.</p> <p>A co-ordinated identifiable central location for passengers and staff to provide boarding assistance is essential in providing access to rail services for customers who are unable to negotiate the horizontal and/or vertical gaps and properly reflects the current understanding and application for boarding assistance. This strategy is proven and widely embraced by the community.</p> <p>The building of raised areas on platforms is a fast, low-cost strategy that provides access for customers who would otherwise have to find alternative transport and possibly not have the same opportunities as other community members to access and participate in all facets of community life.</p> <p>However one member while not supporting a revised exemption would provide support if existing conditions were reinstated.</p>
<p>8.7 Boarding- Signals requesting use of boarding device</p> <p>Temporary exemption: rail conveyances.</p>	<p>Supported</p> <p>On older trains it is not always possible to locate the signal within the allocated space. Alternative locations for help</p>

<p>For a period of five years, signals for requesting boarding devices may be located in or within reach from, rather than only in, allocated spaces on rail conveyances.</p>	<p>buttons are typically placed near the exit door. Customers needing assistance are not disadvantaged by this solution.</p> <p>However one member noted that the comment in Section C.1 (Impact on customer experience), suggests that this is acceptable non-compliance because ‘customers with disabilities avoid travel during the AM and PM peak travel periods.’ This comment is highly inappropriate as this type of paradigm perpetuates discrimination.</p>
<p>11.2 Handrails and grabrails- Handrails to be provided on access paths</p> <p>Temporary exemption: rail platforms.</p> <p>For a period of five years, rail platforms are exempt from clause 11.2.</p>	<p>Supported</p> <p>It is not practical or necessary to provide handrails along rail platforms. Application of handrails would further restrict already congested access paths and in some circumstances will pose a safety risk.</p>
<p>12.2 Doorways and doors- Compliance with Australian Standard- premises and infrastructure</p> <p>Temporary exemption: existing rail platforms</p> <p>For a period of five years, existing doorways and doors on existing rail platforms are exempt from clause 12.2.</p>	<p>Majority Support</p> <p>It was noted that this is a particular issue for heritage buildings on rail platforms. However one member requested more information on the size and scope of the problem as ‘It has proved challenging to find suppliers of door’ was not seen as a valid justification for exemption.</p>

<p>12.4 Clear opening of doorways</p> <p>Temporary exemption: rail conveyances.</p> <p>For a period of five years, where design constraints prevent installation of toilet doors on rail conveyances with an opening width of 850mm, a reduction in toilet door opening width from 850mm to 760mm on rail conveyances is permitted.</p>	<p>Supported</p> <p>Meeting the compliance standards for toilet door widths on board conveyances is not possible on older trains. The proposed width is in line with the European standard.</p>
<p>14.3 Stairs- Compliance with the Australian Standards- conveyances</p> <p>Temporary exemption: rail conveyances.</p> <p>For a period of five years, stairs on rail conveyances are exempt from clause 14.3.</p>	<p>Supported</p> <p>Operators cannot implement wider stair widths without significantly reducing the available seating in both the upper and lower decks. This would have a detrimental effect on all customers including those with limited mobility or sensory disabilities. The latter group are adversely affected as the hearing loop range and the passenger information screens are typically located within these areas.</p>
<p>15.2 Toilets- Location of accessible toilets</p> <p>Temporary exemption: existing</p>	<p>Supported</p>

<p>rail premises and existing rail infrastructure.</p> <p>For a period of five years, for existing rail premises and existing rail infrastructure accessible toilets are not required to be in the same location as other toilets.</p>	<p>When upgrading existing stations, it is not always possible to find space to fit-out an accessible toilet in the same location as existing toilets. This is a particular issue for heritage buildings.</p>
<p>15.3 Unisex accessible toilet-ferries and accessible rail cars</p> <p>Temporary exemption: accessible rail cars</p> <p>For a period of five years, if toilets are provided, one unisex accessible toilet without airlock is not required to be provided in each accessible rail car.</p>	<p>Supported</p> <p>The constraints of carriage and gangway widths will not permit accessible toilets to be included in all rail carriages without further reducing the access path width for all customers. Often use of end carriages is the only available option.</p> <p>However, one APTJC member noted that the proposed new temporary exemption completely removes the obligation of ensuring a unisex toilet with no airlock is present.</p>
<p>15.4 Toilets- Requirements for accessible toilets-ferries and accessible rail cars</p> <p>Temporary exemption: Narrow gauge and standard gauge accessible rail cars</p> <p>For a period of three years, compliance with clause 15.4 is not required for narrow gauge</p>	<p>Supported</p> <p>The current requirements cannot be achieved on board conveyances. It should be noted that the larger dimensional requirements of the Transport Standards over the European Standards significantly restricts the capacity of rail operators to purchase 'off the shelf' rail cars from European manufacturers. This has major cost implications for transport operators that wish to procure new fleet.</p>

and standard gauge accessible rail cars, subject to the following conditions:

- accessible toilets are configured and maintained such that passengers using mobility aids (that conform to the assumptions in Part 40 of the Disability Standards for Accessible Public Transport Guidelines 2004 (No 3)) may enter, position their aids, use the accessible toilets and exit;
- the ARA member concerned consults with the Australian Federation of Disability Organisations every 12 months on the impact of this exemption on passenger amenity; and
- the ARA member concerned reports to the Commission every 12 months during the period of this exemption on the design and configuration of any accessible toilets that have been implemented, the impact of this exemption on passenger amenity, and the

<p>outcome of the consultation with the Australian Federation of Disability Organisations.</p>	
<p>17.5 Electronic notices</p> <p>Temporary exemption: rail premises and rail infrastructure. For a period of five years, electronic notices may be displayed at rail premises and rail infrastructure for less than 10 seconds where more frequent updating is necessary because of the frequency of services or the volume of information to be displayed.</p>	<p>Supported</p> <p>Members have noted that on a number of train lines this standard is impossible to apply due to complex stopping patterns. Passengers need to make quick decisions about which train to board. Some operators have attempted to resolve the issue by using two screens but it is still necessary to scroll faster than 10 seconds in some stations. New passenger information screens and information processing effects have been tested by passengers with low vision and with low literacy with positive results.</p>
<p>18.1 Tactile ground surface indicators- Location</p> <p>Temporary exemption: rail premises and rail infrastructure.</p> <p>For a period of five years, for existing rail premises and rail infrastructure compliance with clause 18.1 of the Transport Standards and Part H2.11 of the Premises Standards is not required.</p>	<p>Supported</p> <p>Tactile Ground Surface Indicators (TGSi) can create trip hazards for other rail users, including those with balance or mobility constraints.</p> <p>Technological solutions are rapidly becoming available that allow people who have usually relied on TGSi to travel independently, such as the ground-breaking technology using Bluetooth beacons being tested by Transport for London that is for use underground . Audible directions are provided to users via "bone conduction" earphones which allow them to hear sounds around them as well. The directions warn users when they are approaching escalators and ticket barriers and which platforms they may be approaching. It's the first such trial of a technology which can guide blind and partially sighted people underground or in areas with limited mobile phone reception.</p> <p>http://www.bbc.com/news/health-31754365</p>

	<p>It is widely accepted, and identified in AS/NZS1428.4.1:2009 (Appendix A) ‘the design industry should not over-use or over-prescribe the installation of TGSIs, but rather should make full use of the range of environmental guidance features available so as to minimize inconvenience to other members of the community.’ Once installed TGSIs are not easy to un-install. Especially costly and difficult to remove are cement TGSIs recessed into cement or bitumen.</p> <p>Further research and consultation is required to determine the optimal use and location of TGSIs in a rail environment to provide consistent cues for customers. The built environment offers many other wayfinding cues that can be utilised. The layout of TGSIs should be designed to reduce the impact on people who use mobility devices such as wheelchairs and people who have ambulant disabilities or difficulties in traversing uneven surfaces.</p>
<p>20.1 Lighting- Illumination levels- premises and infrastructure</p> <p>Temporary exemption: rail premises and rail infrastructure.</p> <p>For a period of five years, compliance with clause 20.1 is not required on rail premises and rail infrastructure, subject to the condition that the ARA member concerned complies in full with the lighting levels set out in ARA’s revised application dated 24 February 2006 (see table on pages 54-55 of the Application).</p>	<p>Supported</p> <p>The clause referenced in the Transport Standards only deals with internal lighting and not outdoor situations or open platform lighting in metropolitan built up areas. These differences are explained in the Webb Lighting Report. The interpretation from using both of these Australian Standards is that the “core zone” of the station where tickets are sold, information is provided, vending machines, telephones and out of weather seating is placed will have 150 lux minimum maintenance illumination. Within this area spot vertical lighting of between 200-300 lux will be provided above ticket counters, timetables, information posters, vending machines and telephones. As open platforms are in metropolitan areas with homes in close proximity, even with the exemption down to 42 lux and the use of light shields, it is sometimes difficult to ensure light spill does not impact the community.</p> <p>Previously, high pressure sodium (HPS) yellow light was used (including when the Webb report was published), but recently CMH (ceramic metal halide) and LED (light emitting diode) white light is being used giving a much ‘clearer’ light source. This clear light (at 42 lux on open platforms), along with the Crime Prevention through Environmental Design (CEPTD) principles and surveillance cameras has greatly enhanced safety for customers and provided greatly enhanced colour rendering making it easy to identify offenders from surveillance footage.</p> <p>The new CMH lighting, at the current exemption levels and using the CEPTD principles has also enhanced the experience and accessibility for people with disabilities, such as those who have a vision impairment who have reported it is easier to see, along with providing a safer experience for everyone.</p>

<p>21.1 Controls- Compliance with Australian Standard- premises and infrastructure</p> <p>Temporary exemption: rail premises and rail infrastructure.</p> <p>For a period of five years, controls in rail premises and rail infrastructure are not required to comply with clause 21.1, subject to the condition that the controls concerned meet the requirement of a maximum 20N force for operation.</p>	<p>Supported</p> <p>The reasons for seeking the exemption are valid. The maximum 20N force meets the latest Australian Standard AS1428.1 2009.</p>
<p>26.2 Hearing Augmentation-listening systems – Public address system- conveyances</p> <p>Temporary exemption: rail conveyances.</p> <p>For a period of five years, public address systems in rail conveyances are not required to comply with clause 26.2(b).</p>	<p>Supported</p> <p>Hearing augmentation systems are difficult to retrospectively install and can interfere with or receive interference from electrical signalling systems.</p> <p>Passengers who are hearing impaired or deaf can use ‘real-time’ information onboard via mobile phone applications or equivalent access to information via on-board Passenger Information Displays (PIDs). Both the ‘phone applications and PIDs are inclusive for those customers. Consultation relating to on-board PIDs has also been conducted relating to location and colours to be used to ensure most people who have a visual impairment are also catered for if the audible announcement was not working.</p>

<p>27.3 Information- Size and format of printing</p> <p>Temporary exemption: rail conveyances, rail premises and rail infrastructure.</p> <p>For a period of five years, compliance with clause 27.3(2) is not required for rail conveyances, rail premises and rail infrastructure if alternative colours adopted provide strong contrast, including for people with impaired colour vision.</p>	<p>Supported</p> <p>This is supported by some members as this clause is not practical to implement in all circumstances and the requirement for large font printing has largely been superseded by the wide availability of electronic and real time transport information.</p> <p>However one member seeks further clarification from the ARA as to whether an exemption for clause 27.3(1) is being sought as Section C (Reasons for seeking temporary exemption) refers to difficulty complying with this section, but there is no reference to it in the exemption sought.</p> <p>One jurisdiction noted that the use of large print is achievable and provides benefit to the broader community.</p>
<p>28.1 Booked services- Notice of requirement for accessible travel</p> <p>Temporary exemption: rail conveyances.</p> <p>For a period of five years, ARA members operating rail conveyances may require reasonable notice of a requirement for accessible travel, even if this notice period exceeds the period of notice specified for other passengers.</p>	<p>General Support</p> <p>However one member sought clarification from the ARA as to whether an exemption for clause 28.1 is being sought as the ARA submission only refers to clause 28.2, while another member noted that ‘reasonable notice’ needs to be clearly outlined and communicated.</p>

28.2 Booked services- Period of notice of requirement for accessible travel

Temporary exemption: rail conveyances.

For a period of five years, ARA members operating rail conveyances may require reasonable notice of a requirement for accessible travel, even if this notice period exceeds the period of notice specified for other passengers.

Majority Support

This is particularly important in instances where rail coaches replace the heavy rail network in many rural locations. As there are generally only two wheelchairs spaces on the coach, booking is important to ensure that the customer can be accommodated. For commercial reasons, it is also important to be able to on-sell seats, if they are not required by mobility device users.

Two members noted that 'reasonable notice' needs to be clearly outlined and communicated and suggested that recent changes in the area of aviation booking policies be considered in this context.

GROUP 2	Application for temporary exemptions from the Transport Standards in relation to issues that were previously deferred
Clause	Comment
<p>11.2 Handrails and grabrails- Handrails to be provided on access paths</p> <p>Temporary exemption: rail platforms.</p> <p>For a period of five years, rail platforms are exempt from clause 11.2.</p>	<p>Supported</p> <p>It is not practical or necessary to provide handrails along rail platforms. Application of handrails would further restrict already congested access paths and in some circumstances will pose a safety risk.</p> <p>However one member noted that previously an exemption for this element was deferred on the basis that further consultation between the ARA and interested parties including the AHRC was required to determine with more precision the circumstances in which the exemption would apply and the impact of the ARA’s proposal on people with disability, and that it was unclear whether this consultation had occurred?</p>
<p>21.2 Passenger operated devices for opening and closing doors</p> <p>For a period of five years, Passenger operated devices for opening and closing manual and power assisted doors on conveyances are exempt from complying with clause 21.2.</p>	<p>Supported</p> <p>Although supported it was noted by one member that previously an exemption for this element was deferred on the basis that further consultation would occur between the ARA and interested parties including the AHRC, to determine whether there are safety issues involved in relying on operator assistance for the operation of emergency exits. It is currently unclear whether this further consultation has occurred.</p>
<p>21.3 Location of passenger operated controls for opening and locking doors</p> <p>ARA proposed exemption:</p> <p>The location of passenger operated devices for opening and</p>	<p>Supported - with one member noting that further consultation with the disability sector had occurred as recommended by the AHRC when a decision on this element was previously deferred.</p>

<p>locking doors on rollingstock are not required to be located according to AS1428.1 (2001) clause 11.1.2 when:</p> <ul style="list-style-type: none">• Varying train/platform heights prevent external door controls being positioned with the ranges specified.• Whether shields and existing door design limit the available locations to position internal door controls. In these circumstances, controls may be located within 500mm of an internal corner. Operators must ensure appropriate signage directs customers to the door controls.	
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GROUP 3	Application for temporary exemptions from the Premises Standards
Clause	Comment
<p>H2.2 (1) Access paths- Unhindered access</p> <p>Part 1: Temporary exemption: rail premises and rail infrastructure:</p> <ul style="list-style-type: none"> • For a period of five years, flange gaps of up to 75mm are permitted where a level crossing forms part of an access path on rail premises or rail infrastructure. <p>Part 2: Temporary exemption: existing rail premises and existing rail infrastructure:</p> <ul style="list-style-type: none"> • For a period of five years, an access path is required to provide entrance and exit only at a single boundary point for existing rail stations. 	<p>Supported</p>
<p>H2.2 (3) Accessways</p> <p>For a period of five years, for existing rail premises and existing rail infrastructure:</p>	<p>Supported</p>

<ul style="list-style-type: none"> • where the 1200mm minimum unobstructed width for access paths cannot be met due to structural and technical constraints, an access path with a minimum unobstructed width of 1000mm may be provided; • the 850mm minimum unobstructed width (applicable to doorways and gateways) is also permitted on access paths for the purposes of passing an obstruction limited to less than 800mm in length; and • platform edge warning TGSIs are permitted to intrude into access paths. 	
<p>H2.2 (6) Accessways</p> <p>Temporary exemption: existing rail premises and existing rail infrastructure.</p> <p>For a period of five years, a manoeuvring area in existing rail premises and existing rail infrastructure complying only</p>	<p>Supported</p>

<p>with the lower end of the range of dimensions stated in AS1428.2 (1992) Clause 6.2 is permitted, to the extent that space constraints do not permit a larger manoeuvring area.</p>	
<p>H2.2 (7) Accessways</p> <p>Temporary exemption: existing rail platforms.</p> <p>For a period of five years, for existing rail platforms a passing area every 9 metres along any two-way access path that is less than 1800mm wide is permitted.</p>	<p>Supported</p>
<p>H2.4 (2) Handrails and grabrails - Handrails to be provided on access paths</p> <p>Temporary exemption: rail platforms.</p> <p>For a period of five years, rail platforms are exempt from clause 11.2.</p>	<p>Supported</p>

<p>H2.5 Doorways and doors- Compliance with Australian Standard- premises and infrastructure</p> <p>Temporary exemption: existing rail platforms.</p> <p>For a period of five years, existing doorways and doors on existing rail platforms are exempt from clause H2.5</p>	<p>Supported</p> <p>One member noted that it has difficulty in gaining approval from its respective Heritage Council for works such as door widening that impinge on the fabric of heritage railway station buildings and that wherever possible, automatic doors are utilised.</p>
<p>H2.9 Toilets- Location of accessible toilets</p> <p>Temporary exemption: existing rail premises and existing rail infrastructure.</p> <p>For a period of five years, for existing rail premises and existing rail infrastructure accessible toilets are not required to be in the same location as other toilets.</p>	<p>Supported</p>
<p>H2.11 Tactile ground surface indicators- Location</p> <p>Temporary exemption: rail premises and rail infrastructure.</p>	<p>Supported</p>

<p>For a period of five years, compliance with clause H2.11 is not required on rail premises and rail infrastructure.</p>	
<p>H2.12 Lighting- Illumination levels- premises and infrastructure</p> <p>Temporary exemption: rail premises and rail infrastructure.</p> <p>For a period of five years, compliance with clause H2.12 is not required on rail premises and rail infrastructure, subject to the condition that the ARA member concerned complies in full with the lighting levels set out in the table on pages 85-86 of the Application.</p>	<p>Supported</p> <p>Lighting levels specified in the Transport Standards pose possible safety risks through reflective glare affecting train driver’s vision. In addition, some jurisdictions have faced significant reaction from neighbours opposed to lighting levels on aerial bridges and outdoor platforms. The proposal to rely on the Webb Report is supported. This report specifies an appropriate lighting level that is fit for purpose within various zones of a railway station.</p>
<p>H2.15 Controls- Compliance with Australian Standard- premises and infrastructure</p> <p>Temporary exemption: rail premises and rail infrastructure.</p> <p>For a period of five years, controls in rail premises and rail infrastructure are not required to comply with clause H2.15,</p>	<p>Supported</p>

subject to the condition that the controls concerned meet the requirement of a maximum 20N force for operation.	
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