



DIRECTOR-GENERAL'S FOREWORD

The Queensland Government is committed to furthering the principle that all people with a disability have the same human rights as other members of society and should be empowered to exercise their rights. This means ensuring that the transport environment and Queensland Transport's services are inclusive of people with a disability so they can live and participate in the community with the same rights, responsibilities and opportunities as all other citizens.

Queensland Transport is the lead agency responsible for developing and managing the land, air and sea transport environments in Queensland.

Access to transport is important to us all. Transport in some form enables us to participate fully in the life of the general community – for family, employment and leisure activities.

A well-functioning transport system contributes to the quality of life of all Queenslanders and helps create a strong economic environment. This leads to increased employment, safer and more supportive communities as well as supporting ecologically sustainable development.

This document – *Achieving Accessible Public Transport in Queensland* – highlights the commitments of the Queensland Government to support people with disabilities to access public transport. It outlines the extensive work undertaken on the State's public transport network to comply with the Commonwealth *Disability Discrimination Act 1992* and accompanying Disability Standards for Accessible Public Transport 2002. In addition, it describes the extensive consultation and policy development that occurs to assist all people in the state to use and benefit from public transport.

I recommend *Achieving Accessible Public Transport in Queensland* to everyone interested in achieving the goal of accessible public transport for all Queenslanders.

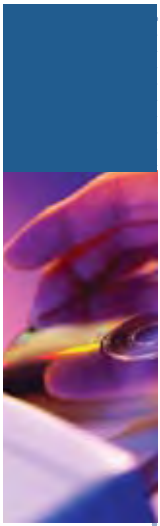
A handwritten signature in black ink, appearing to read 'Bruce Wilson', written in a cursive style.

Bruce Wilson
Director-General
Queensland Transport



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1.1 Overview of the core business and functions of Queensland Transport

Queensland Transport (QT) has three primary roles:

1. *Transport leadership* – setting the future direction and development of the transport system in Queensland.
2. *System Stewardship* – planning and managing a transport system that is sustainable, safe, efficient and equitable.
3. *Service Delivery* – delivering and operating consistent, integrated and efficient services and infrastructure to an agreed standard.

Queensland's transport system is large, complex and inter-linked and needs to be actively planned and managed, if it is to meet the diverse range of needs of the community, commerce and industry. QT continues to face a number of challenges and issues including:

- increasing demand for travel in south east Queensland including high levels of private vehicle use
- increasing and changing freight task
- integration of transport and land use allowing for diverse and changing travel patterns
- planning to support the preferred urban settlement pattern, as detailed in the South East Queensland Regional Plan
- providing equity for people without access to a private vehicle and access in rural and remote areas

- providing safety and security of the transport system and its users
- managing environmental impact of transport initiatives.

In this context, QT's vision and mission are:

- *better transport for Queensland – connecting people, places, goods and services to enhance economic, social and environmental well-being*
- *to develop, lead and manage transport in Queensland which is safe, secure, efficient, inclusive and ecologically sustainable and promotes a strong economy.*

Delivery of this vision and mission can only be achieved through partnerships and alliances across government, industry and the community.

QT leads a strong network of partnerships and alliances who are working with us to connect people, places, goods and services thereby enhancing the economic, social and environmental well-being of all Queenslanders. Queensland's transport system is created, maintained and operated by the actions of all levels of government and private providers.





1.2 Queensland statistics

- Over 1 730 000 square kilometres (km)
- 7400 km of coastline and 13 350 km including islands
- Over four million residents

1.3 A snapshot of Queensland's transport system

- Almost 9800 km of rail corridor
- 181 000 km of road network
- Over 130 airports
- 20 seaports
- Over 5000 accredited transport operators
- Over 47 000 authorised drivers of public transport
- Long distance rail network (Traveltrain) transport service contract
- 39 performance based urban bus contracts (23 in regional Queensland, 16 in the south east)
- 1260 school bus contracts
- Two air service contracts
- 23 taxi service contracts
- Over 3000 licensed taxis
- 15 long distance scheduled bus routes providing 50 regional and remote communities with access to essential services in larger population centres

- 26 transport disadvantaged communities receive essential services through the rural and remote air service network
- Over 2.71 million licensed vehicle drivers
- Over 3.7 million registered vehicles
- Over 203 000 registered recreational vessels
- Over 5700 registered commercial vehicles

Public transport services improve the lives of Queenslanders by connecting them with each other and opportunities, by removing the barriers to access and mobility.

It is QT's aim to provide the community of Queensland with a high quality public transport system through the facilitation of services provided by private bus and ferry operators, Brisbane Transport, QR, the taxi and limousine industries and remote and regional air service operators.





1.4 Links with strategic objectives

The development of this plan contributes to the Queensland Government outcome to strengthen Queensland communities through:

- safe and secure communities
- healthy, active individuals and communities
- a fair, socially cohesive and culturally vibrant society.

The Disability Action Plan links to the following Key Result Areas in Queensland Transport's Strategic Plan:

- transport leadership – QT leads the direction and development of the transport system in Queensland
- system stewardship – QT plans and manages a transport system that is sustainable, safe, efficient and equitable
- service and infrastructure delivery – QT delivers and operates consistent, integrated and efficient services and infrastructure to an agreed standard
- effective relationships – QT is an organisation that develops and sustains effective relationships with stakeholders to achieve transport outcomes.

1.5 The Commonwealth Disability Discrimination Act 1992

The Commonwealth *Disability Discrimination Act 1992* prohibits direct and indirect discrimination on the grounds of disability and makes it unlawful to discriminate on the grounds of disability in a wide range of areas including transport and infrastructure.

The Disability Standards for Accessible Public Transport 2002 (Transport Standards) are mandatory under this Act. The Transport Standards cover premises, infrastructure and conveyances, and apply to public transport operators (that is, bus, coach, train, taxi and aviation companies) and providers of public transport infrastructure and premises (for example, providers of bus stops, airport terminals and railway stations). This document – describes the progress made as well as the plans for future action that will result in public transport in Queensland moving towards greater levels of accessibility for people with disabilities.

The Disability Action Plan covers public transport for which the Queensland Government has direct responsibility such as:

- public transport in south east Queensland including rail and bus services
- regional aviation, rail, coach and bus services
- taxi services.

It also covers infrastructure supporting public transport including:

- bus stops and interchanges
- ferry terminals and pontoons
- railway stations.



1.6 Companion documents

The *Disability Services Act 2006* was passed by Queensland Parliament on 29 March 2006. This Act provides a strong foundation for promoting the rights of people with a disability, increasing their wellbeing and encouraging their participation in the life of the community. The Act includes measures to safeguard the rights and safety of people with a disability and combines with existing systems to improve the quality of services they receive.

As part of actively encouraging greater inclusion of people with a disability, the *Disability Services Act 2006* requires all state departments to develop and implement a Disability Service Plan.

QT's first plan was developed by 1 July 2007 and is available to the public on the department's website.

Outlined in the Disability Service Plan are actions QT is taking to strengthen access to generic services for people with disabilities in the following areas:

- community engagement processes
- communication processes
- policies and procedures
- complaints management
- access to public buildings under its control
- recruitment and retention strategies
- influencing attitudes and increasing awareness of employees regarding the rights of people with a disability.

The Disability Service Plan also includes actions to ensure the progress of QT towards progressively implementing the plan is tracked and monitored.

Staff training – Attitudes and awareness of employees

QT recognises that an important component of providing a high level of service to Queenslanders is to encourage and develop all people in the department to be comfortable to work with people from different backgrounds and with different needs.

People with a disability want to have mainstream career opportunities and not be stereotyped on untested assumptions made regarding their capability.

Already, QT has an encouraging spread of people at various levels in the organisation. This represents a solid base for further enhancement.

QT aims to further develop an organisational culture that values diversity in its workforce and promotes an inclusive work environment.

A further companion document is the *Action Plan 2007 – 2012: QR Accessible Passenger Services*, developed by QR Limited (QR) and published on the agency's website.



1.7 Policy Statement in the Disability Service Plan

“Queensland Transport’s Leadership Team is committed to collectively and individually furthering the principle that all people with a disability have the same human rights as other members of society and should be empowered to exercise their rights. This means ensuring that QT’s services are inclusive of people with a disability so they can live and participate in the community with the same rights, responsibilities and opportunities as all other citizens.

Included in this commitment from the Transport Leadership Team is a determination to address the employment disadvantages faced by people with a disability.

QT will incorporate the Disability Service Plan strategies into its organisational policies, guidelines and training programs so they become an integral part of day-to-day planning and decision making.”

This policy statement was endorsed by members of the Transport Leadership Team on 1 March 2007.



2.1 The Disability Discrimination Act 1992 and the Transport Standards

The Commonwealth Government has legislated to remove discrimination against people with a disability as far as possible through the *Disability Discrimination Act 1992* (DDA).

The Transport Standards stipulate the mandatory minimum technical requirements for the provision of accessible transport services and facilities, while providing a timeframe in which progress towards full compliance must be achieved. In general, they apply to all public transport conveyances, premises and infrastructure. The Standards also make reference to some Australian standards in setting out the requirements.

Compliance is to be achieved over a 20 year period from 2002 with interim progress requirements for most areas of the Transport Standards of 25 percent, 55 percent, 90 percent and 100 percent by the end of 2007, 2012, 2017 and 2022 respectively.

There are some significant exceptions to this, for example:

- waiting areas are required to be fully compliant by the end of 2007 (except for bus stops) – a full list is available in appendix 1.
- trains have until 2032 to achieve the last 10 percent of full compliance
- all new services coming into operation after 2002 must comply in full. Existing services must be retrofitted or replaced in accordance with the prescribed compliance target dates.

Some exclusions to the Transport Standards

Limousines, hire cars and charter boats

These have been excluded from the operation of the Transport Standards. They provide a pre-booked and unique service and at least in some cases, it is unlikely that the service is a 'public transport service' for the purpose of the Transport Standards.

Dedicated school bus service

A dedicated school bus service is defined in the Transport Standards to mean 'a service that operates to transport primary or secondary students to or from school or for other school purposes'. Dedicated school bus services are excluded from the physical access provisions of the Transport Standards. An example of physical access would include but not be limited to, access for wheelchairs.

Small Aircraft

A small aircraft is an aircraft with less than 30 seats for the carriage of passengers. Small aircraft are excluded from the physical access provisions of the Transport Standards. An example of physical access would include but not be limited to, on board manoeuvring.

Airports that do not accept regular public transport services

Many smaller airports do not have regular staff and are mostly used by non-commercial or charter flights. Many are not licensed to accommodate regular public transport services. These airports are excluded from the physical access provisions of the Transport Standards. An example of physical access would include but not be limited to, boarding ramps.



2.2 Direct assistance and equivalent access

The Transport Standards recognise there may be instances where operators need to vary the equipment and processes so access can be provided for a person with a disability.

This means that in some circumstances operators are permitted to alter the means by which they provide access for passengers with a disability as long as an equivalent standard of amenity, availability, comfort, convenience, dignity, price and safety is attained as that which is supplied to passengers who do not have a disability. Equivalent access does not include the provision of a segregated or parallel service.

Similarly, the Transport Standards aim to ensure the promotion of independence in accessing transport services for all users. However, operators are permitted to provide direct assistance to comply with a number of the requirements of the Transport Standards. Where premises, infrastructure or conveyances do not fully comply with these standards, such assistance can be given to provide non discriminatory access on request.

It is a requirement that people with disabilities and/or people representing people with disabilities must be consulted about equivalent access proposals.

2.3 Human Rights and Equal Opportunity Commission

Under the *Disability Discrimination Act 1992*, the Human Rights and Equal Opportunity Commission (HREOC) has been granted a number of powers. The powers of HREOC in relation to the *Disability Discrimination Act 1992* and the Transport Standards include the authority to:

- enquire into alleged infringements
- grant temporary exemptions for up to five years on the application of the Transport Standards
- monitor the operation of the Transport Standards
- receive action plans from agencies for publication on their website.

If a person experiences what they perceive to be unlawful discrimination, they may lodge a complaint with HREOC who will assess the complaint and, where appropriate, seek a resolution through conciliation, or if necessary, by a formal hearing.

Not all discrimination is unlawful. The DDA states that discrimination will not be unlawful where, for example, the elimination of all differential treatment would impose “unjustifiable hardship” on service providers.

When considering complaints in light of whether compliance with the Act will result in “unjustifiable hardship”, HREOC is required by the *Disability Discrimination Act 1992* to take into consideration action plans such as this document.



2.4 Exemption

An operator can seek an exemption of up to five years (effectively a time delay) from compliance with all or part of the Transport Standards. This exemption is sought from HREOC and involves a consultative process. Any aggrieved party may appeal the granting of an exemption in the Administrative Appeals Tribunal.

The HREOC website states *the Commission has not been prepared to grant an exemption simply to certify that discrimination may continue on the basis of unjustifiable hardship or other defences. However, the Commission has been prepared to grant exemptions on condition that the applicant makes and meets commitments to improve access or opportunity within a reasonable period.* (www.hreoc.gov.au).



2.5 Demand for transport from people with disabilities

Australian Bureau of Statistics (ABS) figures indicate that 20 percent of the Australian population, or more than three million people have one or more disabilities and that this proportion is increasing, in particular with the ageing of the population.

The *Disability Discrimination Act 1992* protects an even broader section of society by also protecting people who associate with those with a disability (including families, friends and carers).

The *Disability Discrimination Act 1992* definition of disability is wider than the definition used by the ABS (for example, the ABS excludes short-term disabilities lasting less than six months and is thus likely to understate mental disorders in particular, while the DDA covers these).

People who do not have a disability now may face disability discrimination in the future. The DDA prohibits discrimination on the basis of imputed disability.

QT provides services of some type to potentially all Queenslanders. The Disability, Ageing and Carers Survey, 2003, estimated that there are approximately 834 000 people (approximately 22 percent of the Queensland population) living with a disability in Queensland.

With the well documented ageing of Queensland's population, the numbers and percentage of people with a disability will increase. Assuming the age specific disability prevalence rate remains constant, the number of people with a disability is projected to increase to 950 000 people in 2008 (a growth of 14 percent).



The degree of disability a person may have varies with individual circumstances. Approximately 523 200 people living with a disability in Queensland reported that they need assistance with at least one living activity.

The Queensland Government is committed to increasing the public transport's share of all travel undertaken. Smart Travel Centre – Queensland was established in 2006 with the core business of:

- influencing more sustainable transport choices particularly walking, cycling and the use of public transport
- encouraging sustainable and “active” transport options as a significant response to community concerns about traffic congestion, climate impacts and liveability of cities.

Success in this area is expected to also result in an increase in the use of public transport by people with disabilities and their carers.





3.1 Policy and planning

3.1.1 Passenger Transport Division

QT's Passenger Transport Division works with bus and ferry operators, taxi and limousine companies and providers of regional air services to give Queenslanders efficient, flexible and sustainable transport services.

The Passenger Transport Division is encouraging smarter travel choices and removing barriers to improve accessibility and mobility.

3.1.2 Responsibilities

These include:

- developing sustainable passenger transport
- implementing passenger transport policy and legislation across Queensland
- implementing the School Transport Assistance Scheme
- providing public transport infrastructure and transport services
- setting strategic direction for passenger transport in Queensland.

The Accessibility and Concessions Policy Unit is part of the Passenger Transport Division. The unit contributes to improving transport services for people with a disability through:

- membership of the Accessible Public Transport Jurisdictional Committee – this committee, amongst other tasks, provides a forum for state, territory and Australian Governments to discuss transport

issues affecting people with disabilities. It provides cross-jurisdictional transport advice to the HREOC on exemptions from the Transport Standards and provides reports on jurisdictional implementation of the Transport Standards

- membership of the Accessible Public Transport National Advisory Committee (APTNAC) which provides a consultative framework to progress specific national accessible transport issues. Through the Australian Government, Department of Infrastructure, Transport, Regional Development and Local Government, APTNAC reports on outcomes to the Australian Transport Council through the Standing Committee on Transport and the Australian Passenger Transport Group.
- identifying, researching and assisting in developing policy advice and options on public transport accessibility and concessions.
- consulting and liaising with the transport industry, government and community stakeholders and groups on matters relating to accessibility and social justice (as well as concessions).
- providing strategic advice based on informed research, consultation and evaluations to the government, the Minister for Transport, Trade, Employment and Industrial Relations and the Director-General on social issues of significance to accessibility and concessions.
- preparing submissions, reports, briefs and policy papers relating to accessibility and concessions policy.
- circulating information throughout QT and the transport industry about the requirements of the *Disability Discrimination Act 1992* and the Transport Standards for all parties concerned.



- coordinating and reviewing the Disability Services Plan and the Disability Action Plan. The Accessibility and Concessions Policy Unit led the development of both plans, with extensive consultation across the department during the developmental phase and also during the monitoring, evaluation and review phases
- undertaking promotional activities for QT that recognise the impacts of different social groups, for example Disability Action Week. QT sponsors an award at this event which recognises individuals and organisations that have contributed to the quality of life of people with a disability in Queensland
- participating in a range of committees and reference groups which look at the needs of people with a disability and how these needs can best be met.

Action 1: Continue to resource the development of accessible public transport policy nationally and in Queensland.

3.1.3 Increasing awareness of the Transport Standards

The Accessibility and Concessions Policy Unit continues to work with operators to assist them in understanding their obligations regarding the Transport Standards.

The unit has prepared and released two information booklets about the requirements of the Transport Standards for distribution to transport operators

and providers of transport infrastructure throughout the state.

Booklet 1: Important Information for Public Transport Operators and Providers of Infrastructure and Premises

QT now keeps this document online so it can be continually updated with new information.

The booklet sets out the obligations of public transport operators and providers of infrastructure and premises under the Transport Standards. It explains the compliance deadlines as they relate to the various types of passenger transport services including those operated by buses (excluding dedicated school buses), coaches, trains, ferries, aircraft, taxi booking companies and services conducted by councils, ports, airports, and organisations including pubs, clubs, churches, youth hostels, hospitals and tourist operators (excluding limousines, adventure travel operators and some small aircraft).

The development of the booklet was initiated to clarify, in easy to understand language, the obligations of public transport operators and providers of infrastructure and premises.

The booklet is a distilled version of the Transport Standards that assists operators and providers to understand their obligations more easily.



Booklet 2: *Disability Discrimination Act 1992: A Guide for the Queensland Bus Industry*

This publication was produced as a joint initiative of the Queensland Bus Industry Council and QT. The purpose of this publication is to assist bus operators and providers to understand and therefore better fulfil their obligations under the Transport Standards, and more widely, the *Disability Discrimination Act 1992*.

Action 2: Continue to develop knowledge and understanding of the requirements of the *Disability Discrimination Act* and Transport Standards to achieve compliance in all new and upgraded works and services.

3.1.4 Transport Standards review

The Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government, in consultation with the Commonwealth Attorney General, is reviewing the efficiency and effectiveness of the Transport Standards within five years after they take effect in October 2007. The review will include an examination of whether discrimination has been removed as far as possible, according to the requirements in Appendix 1 (the milestones) and any necessary amendments.

The Accessibility and Concessions Policy Unit had a leading role in contributing to this review on behalf of QT.

Action 3: Coordinate the input of Queensland Transport into the Five Year Review on areas where the standards can be clarified and improved.

3.2 Policy

QT also has a significant policy development role that affects people with a disability and their access to different modes of transport.

3.2.1 The Disability Parking Permit Scheme

The Disability Parking Permit Scheme allows people with impaired ability to walk to use specifically identified parking spaces. This is particularly important around major bus interchanges and railway stations.

QT administers the policy, business rules, applications and distribution of the parking permits. Local government authorities set the level of fines for non-compliance, enforcement and number of parking spaces available.

Application forms for Red or Blue permits are available online, at QT's customer service centres and can also be posted to people on request.

QT is in the process of finalising a policy review of the Disability Parking Permit Scheme to identify current issues and future impacts on the scheme.

The principal objective of the policy review is to provide a safe and sustainable scheme for all eligible users.

The community engagement process for the policy review included the establishment of a steering committee, policy advisory committee and reference group to oversee and support the policy review. The committees comprised representatives from key stakeholder groups which included local government, police, disability organisations, interest groups and external agencies.