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PO Box 4724  
Melbourne Victoria 3001  
Australia  
Telephone 1800 800 007  
ptv.vic.gov.au

Mr John Howell  
Lawyer  
Legal Section  
Australian Human Rights Commission  
GPO Box 5218  
**SYDNEY NSW 2001**

Dear Mr Howell

#### **GRANT OF TEMPORARY EXEMPTIONS - REPORTING**

I refer to the Australian Human Rights Commission's Notice of Decision to grant temporary exemptions to members of the Australasian Railway Association (ARA) dated 1 October 2015.

As required by the terms and conditions of the exemptions, please find attached the report of Metro Trains Melbourne Pty Ltd (Metro) for the reporting period 1 October 2015 to 30 September 2016.

PTV is pleased to endorse Metro's report which relates to the *Disability Discrimination Act 1992 (Cth) (DDA)*, the *Disability Standards for Accessible Public Transport 2002 (Cth) (Transport Standards)* and the *Disability (Access to Premises – Buildings) Standards 2010 (Cth) (Premises Standards)*.

I commend the achievements and continuous improvements implemented by Metro. Throughout the five year period of exemption, PTV and Metro are firmly committed to working collaboratively to achieve continuous improvement each year.

PTV in partnership with Metro share the vision to create a public transport that is accessible to all members of the community.

PTV is looking forward to working with Metro to achieve this commitment.

Yours sincerely



Alan Fedda  
Acting Chief Executive Officer  
21/09/2016



**Temporary Exemptions Report  
Melbourne Metropolitan Railway Network  
Reporting Period: 1 October 2015 to 30 September 2016**

**Metro Trains Melbourne Pty Ltd  
Level 16, 700 Collins Street  
Docklands, Victoria, 3008**

# Temporary Exemptions Report

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## Temporary Exemptions Report

### Introduction

The Melbourne metropolitan railway network (**Network**) currently comprises:

1. 16 lines;
2. 218 stations with 498 platforms;
3. 210 six-carriage trains (1,260 carriages); and
4. 3 train types being Comeng, X'Trapolis and Siemens.

The Public Transport Development Authority (trading as 'Public Transport Victoria' and 'PTV') (**PTV**), established under the *Transport Integration Act 2010 (Vic)*, is the statutory authority responsible for managing the Network on behalf of the State of Victoria.

Pursuant to a Franchise Agreement – Train between PTV and Metro Trains Melbourne Pty Ltd (**Metro**) dated 31 August 2009, Metro is the operator of the Network.

Metro is a member of the Australasian Railway Association (**ARA**).

On 1 October 2015, the Australian Human Rights Commission (**AHRC**) granted temporary exemptions to members of the ARA in relation to various provisions of the *Disability Standards for Accessible Public Transport 2002 (Cth)* (**Transport Standards**) and the *Disability (Access to Premises – Buildings) Standards 2010 (Cth)* (**Premises Standards**).

Metro provides this report in relation to the Network and some of the temporary exemptions which contain reporting requirements.

This report is for the period 1 October 2015 to 30 September 2016 (**Reporting Period**) and is based on the best available information to Metro.

Should you have any feedback in relation to this report, please contact:

**Phone (free call):** 1800 800 007 – Public Transport Victoria  
6am to midnight daily (all night on Fridays & Saturdays)  
**Email:** <http://www.metrotrains.com.au/customer-feedback/>  
**Website:** [www.metrotrains.com.au](http://www.metrotrains.com.au)  
**Postal address:** Metro Trains Melbourne Pty Ltd  
Customer Feedback  
GPO Box 1880  
MELBOURNE VIC 3001

## Temporary Exemptions Report

### Part A – Exemptions from the Transport Standards

#### 2.1 Access paths – Unhindered passage

Temporary Exemption: Rail premises and rail infrastructure.

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.

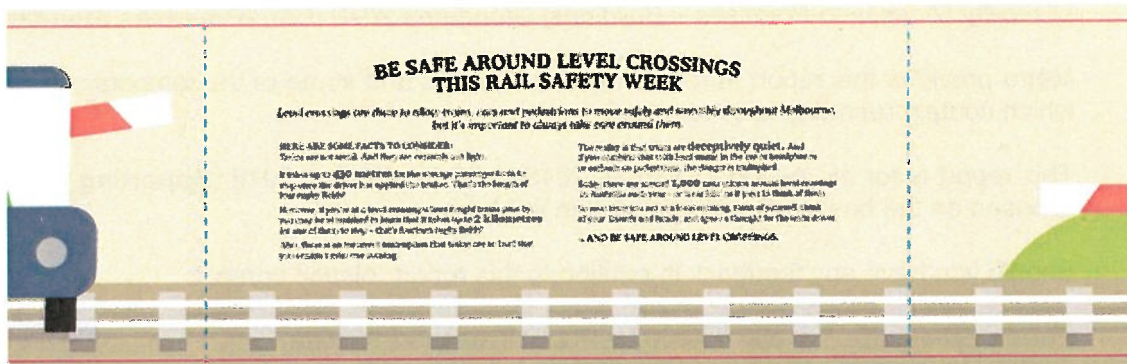
#### Reporting Requirements:

- a. **Action taken to improve safe use of level crossings where they form part of an access path.**

Metro has taken the following action to improve safe use of level crossings where they form part of an access path:

1. Passenger information

The Metro 'Dumb Ways to Die' safety campaign encourages safe behaviours around the Network including Level Crossings (as per the example below).



'Dumb Ways to Die' level crossing safety messaging

Metro's Community Education Unit (CEU) proactively engages with schools and community groups to teach and promote safe train travel, including the navigation of pedestrian level crossings. The sessions are tailored specifically to groups and relay information concerning:

- types of level crossings;
- types of warning devices;
- use of emergency gates;
- presence of flange gaps;
- Tactile Ground Surface Indicators (TGSIs) and paths; and
- adequate timings needed to safely traverse level crossings.

Throughout the 2015/2016 financial year, the CEU presented 77 sessions to a total number of 2,998 community members with disability to encourage safe and confident use of the Network.

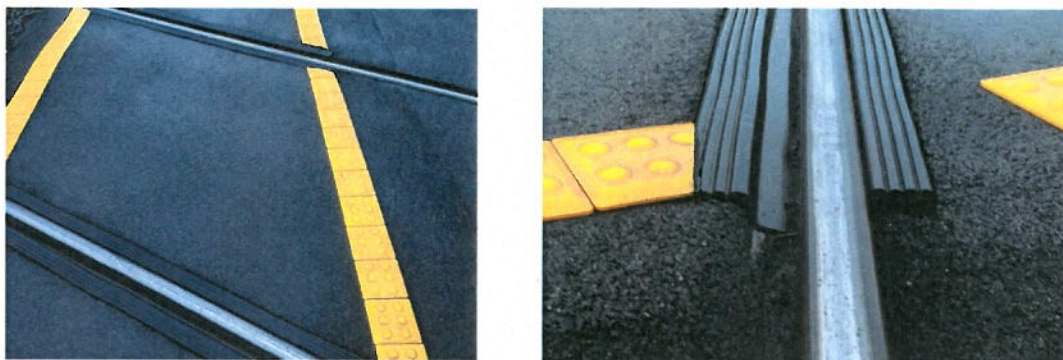
## Temporary Exemptions Report

### 2. Upgrades

Over the next 3 years, 15 passive maze crossings within the Network will be upgraded to install electromagnetic latches and gates which automatically close as a train approaches.

### 3. Technical solutions

Metro uses asphalt and rubber gap fillers on pedestrian level crossings which reduce the flange gap to approximately 60mm.



**Rubber gap fillers at the Charman Road Level Crossing, Cheltenham**

### b. **Progress made in the removal of level crossings.**

The Victorian Government Level Crossing Removal Authority will oversee the removal of 50 level crossings across the Network by 2022. To this end, the Victorian Government has allocated \$2.4 billion in its 2015/2016 budget to remove at least 20 level crossings by 2018. The following 4 level crossings were removed during the Reporting Period:

1. Burke Road, Glen Iris;
2. North Road, Ormond;
3. McKinnon Road, McKinnon; and
4. Centre Road, Bentleigh.

### c. **Any developments in research into possible technical solutions for bridging flange gaps.**

The Australasian Centre for Rail Innovation is currently undertaking a 'Rail Flange Gap Risk Reduction' project which will investigate available treatments for rail flange gaps and trial a variety of solutions to provide advice on the safest and most suitable solution.<sup>1</sup>

## **2.1 Access paths – Unhindered passage**

**Temporary Exemption: Existing rail premises and existing rail infrastructure.**

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 where providing access at each entrance would require significant structural building work or not be feasible due to space, topographical or heritage reasons.

<sup>1</sup> See: <http://www.acri.net.au/about/acri-research-projects/>.

## Temporary Exemptions Report

### Reporting Requirement: Rail stations which have inaccessible entrances.

For the purpose of this report, a station with an 'inaccessible entrance' is a station which is 'accessible only by steps'. Heyington station is the only station in the Network which is accessible only by steps.

### **2.4 Access paths – Minimum unobstructed width**

#### Temporary Exemption: Existing rail premises and existing rail infrastructure.

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

- where the 1,200mm minimum unobstructed width for access paths cannot be met due to structural and technical constraints, an access path with a minimum unobstructed width of 1,000mm 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.

### Reporting Requirement: Stations with restricted paths of travel.

The following 64 stations have restricted paths of travel:

Alamein	Burnley	Flinders Street	Holmesglen	Moorabbin	South Yarra
Albion	Camberwell	Footscray	Huntingdale	Mount Waverley	Springvale
Alphington	Canterbury	Gardenvale	Jacana	North Melbourne	Tecoma
Armadale	Carnegie	Ginifer	Keilor Plains	North Richmond	Toorak
Ascot Vale	Chatham	Glenberrie	Laverton	Patterson	Tyabb
Ashburton	Crib Point	Glenferrie	Lilydale	Richmond	Victoria Park
Auburn	Croydon	Hallam	Macaulay	Ruthven	Werribee
Baxter	Dandenong	Hampton	McKinnon	Seaholme	Westona
Bentleigh	Fairfield	Hawksburn	Middle Brighton	Seddon	Williamstown Beach
Bittern	Fawkner	Hawthorn	Mont Albert	Somerville	
Box Hill	Flemington Bridge	Heatherdale	Moonee Ponds	South Kensington	

### **2.6 Access paths – conveyances**

#### Temporary Exemption: Existing rail conveyances.

For a period of five years, an access path is only required at a single door rather than all doors of existing rail conveyances.

**Reporting Requirement: Measures taken to ensure that staff and passengers are adequately informed of both the access paths available at the doors of existing rail conveyances and the equivalent access measures available.**

## Report – Temporary Exemptions

### 1. Passenger information

Metro train drivers provide direct assistance to passengers who require boarding assistance. The nominated platform boarding point aligns with the primary boarding door which is in the same location for all train types. The location of the secondary boarding door differs depending on train type.

Metro consulted with passengers in relation to the information which they need to assist them with boarding for the different train types. Passengers requested that, at first instance, information be provided in relation to the location of the primary boarding door for all train types.

If a secondary door was required at the time of boarding, the train driver could provide information in relation to the location of the secondary boarding door at that time.

Floor decals at the entrance of most platforms direct passengers to the nominated platform boarding point. In addition, the nominated platform boarding point is identified by a floor decal showing the International Symbol for Access.



**Decal directing to the boarding point**



**Decal identifying the boarding point**

Passengers can obtain boarding information from other sources including:

- Metro's website (see <http://www.metrotrains.com.au/accessibility/>);
- Metro staff; and
- Traveller's Aid Centres.

### 2. Staff information

Relevant Metro staff are informed through training, bulletins and briefings.

## **4.2 Passing areas – Two-way access paths and aerobridges**

### **Temporary Exemption: Existing rail platforms.**

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 1,800mm wide is permitted where it is not possible to provide one every 6 metres due to structural or heritage constraints.



## Report – Temporary Exemptions

**Reporting Requirement: Rail station platforms which do not provide passing spaces every 6 metres where any two-way access path is less than 1,800mm wide.**

The following 51 rail station platforms do not provide passing spaces every 6 metres where any two-way access path is less than 1,800mm wide:

Station	Platform(s)	Station	Platform(s)	Station	Platform(s)
Albion	1	Flemington Bridge	1, 2	Mont Albert	3
Bell	1	Flinders Street	1, 3, 4, 5, 8, 9, 10, 13	Moonee Ponds	2
Bentleigh	1	Gardenvale	1, 2	Mooroolbark	2
Box Hill	4	Ginifer	2	North Richmond	1, 2
Burnley	3, 4	Glen Waverley	1, 2	Northcote	2
Camberwell	1, 2	Glenferrie	3	Patterson	1, 2
Canterbury	1, 2	Hawthorn	3	Ruthven	2
Chatham	3	Heatherdale	1	Seddon	2
Cheltenham	3	Ivanhoe	2	Surrey Hills	2
Collingwood	2	Jacana	1	Werribee	2
Croxton	2	Keilor Plains	1, 2	Westona	1
East Camberwell	3	Merri	2		

### **5.1 Resting points – When resting points must be provided**

**Temporary Exemption: Existing rail premises and existing rail infrastructure.**

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).

#### **Reporting Requirements:**

##### **a. Outcome of consultation.**

The outcome of consultation included general requests for additional seating on platforms only. Metro will continue to consult with customers about specific platform locations.

##### **b. Locations of any non-compliance.**

For the purpose of this report, a 'non-compliance' is a station which 'does not contain a resting point along an access path if the walking distance between facilities or services exceeds 60 metres'. The following 126 stations do not contain a resting point along an access path if the walking distance between facilities or services exceeds 60 metres:

## Report – Temporary Exemptions

Aircraft	Carnegie	Footscray	Kooyong	Noble Park	Southern Cross
Albion	Carrum	Frankston	Laburnum	North Brighton	Spotswood
Anstey	Caulfield	Gardenvale	Lalor	North Williamstown	Springvale
Armadale	Chatham	Gardiner	Laverton	Northcote	St Albans
Ascot Vale	Chelsea	Ginifer	Lynbrook	Oak Park	Sunbury
Ashburton	Cheltenham	Glen Waverley	Macaulay	Officer	Sunshine
Auburn	Clayton	Glenbervie	Melbourne Central	Ormond	Surrey Hills
Balaclava	Clifton Hill	Glenferrie	Mentone	Parkdale	Thornbury
Bayswater	Craigieburn	Glenhuntly	Merinda Park	Parliament	Toorak
Beaconsfield	Croxton	Glenroy	Merri	Prahran	Tooronga
Belgrave	Dandenong	Hallam	Middle Brighton	Preston	Tottenham
Bell	Darling	Hartwell	Mont Albert	Richmond	Upper Ferntree Gully
Berwick	Diggers Rest	Hawksburn	Moonee Ponds	Ripponlea	Watergardens
Blackburn	East Camberwell	Heidelberg	Mooroolbark	Riversdale	Werribee
Box Hill	East Malvern	Heyington	Mordialloc	Rosanna	West Footscray
Broadmeadows	East Richmond	Hoppers Crossing	Moreland	Roxburgh Park	Westall
Burnley	Edithvale	Huntingdale	Mount Waverley	Rushall	Westona
Burwood	Fairfield	Ivanhoe	Murrumbeena	Sandown Park	Williams Landing
Camberwell	Ferntree Gully	Jacana	Narre Warren	Seaford	Williamstown Beach
Canterbury	Flemington Bridge	Keilor Plains	Newmarket	Seddon	Willison
Cardinia Road	Flinders Street	Kensington	Newport	South Kensington	Yarraville

### **6.4 Slope of external boarding ramps**

#### **Temporary Exemption: Rail conveyances.**

For a period of five years, where the relationship between the platform and rail carriage means that an external board ramp can only be provided at a gradient greater than 1 in 8 and less than 1 in 4, ARA members are not required to provide staff assistance in ascending or descending the ramp.

# Report – Temporary Exemptions

## Reporting Requirements:

- a. **Number of locations where boarding ramp slopes of 1 in 8 or better cannot currently be achieved.**

Based on the mean height of the platform and the carriage floor height of the Siemens type train, there are 321 platforms where boarding ramp slopes of 1 in 8 or better cannot currently be achieved for all train types. The gradient is improved for the Comeng and X'Trapolis train types, which have lower carriage floor heights.

- b. **Measures to be taken to increase the number of locations where external boarding ramp slopes of 1 in 8 or better will be achieved.**

A new platform height standard has been introduced which will better align platform heights with train floor heights and increase the number of locations where external boarding ramp slopes of 1 in 8 or better will be achieved.

- c. **Results of examination of alternative methods of achieving accessible boarding.**

Metro has examined the following alternative methods of achieving accessible boarding:

1. Raised Boarding Platforms

In 2013, raised boarding platforms were installed at Box Hill and Flinders Street stations as an alternative to assisted boarding. The trial informed changes to the recommended height, as well as modifications to the Platform Gap Fillers for improved boarding experience. There are now 99 raised boarding platforms installed across 35 stations.

2. Box Hill Trial

In 2015, Metro invited 22 mobility device users to participate in a trial to traverse gaps of various sizes in a test environment. The trial involved a test rig which could be adjusted to create larger and smaller gaps (both horizontally and vertically) to mimic the train and platform boarding environment.

The trial provided insight into how user ability, confidence and perception impacted the ability to navigate gaps.



A participant traverses simulated platform gap on trial test rig

## Report – Temporary Exemptions

### **8.2 Boarding – When boarding devices must be provided**

**Temporary Exemption: Rail conveyances.**

For a period of five years, a manual or power assisted boarding device is only required at a single door rather than all doors of a rail conveyance.

**Reporting Requirement: Measures taken to ensure that staff and passengers are adequately informed of both the doors of rail conveyances at which boarding devices are available and the equivalent access measures available.**

Please see Metro's response to Part A, clause 2.6 Access paths – conveyances (pages 6 and 7).

### **11.2 Handrails and grabrails – Handrails to be provided on access paths**

**Temporary exemption: Rail platforms.**

For a period of five years, rail platforms are exempt from clause 11.2.

**Reporting requirement: Where a request is made but the installation of a handrail does not proceed, report on the request and the reasons for not taking action.**

No requests received for the Reporting Period.

# Report – Temporary Exemptions

## **Part B – Exemptions from the Premises Standards**

### **H2.2 Accessways**

**Temporary exemption: Rail premises and rail infrastructure.**

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.

**Reporting Requirements:**

- a. **Action taken to improve safe use of level crossings where they form part of an access path.**
- b. **Progress made in the removal of level crossings.**
- c. **Any developments in research into possible technical solutions for bridging flange gaps.**

Please see Metro's response to Part A, clause 2.1 Access paths – Unhindered passage (pages 4 and 5).

### **H2.2 Accessways**

**Temporary exemption: Existing rail premises and existing rail infrastructure.**

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 where providing access at each entrance would require significant structural building work or not be feasible due to space, topographical or heritage reasons.

**Reporting Requirement: Rail stations which have inaccessible entrances.**

Please see Metro's response to Part A, clause 2.1 Access paths – Unhindered passage (pages 5 and 6).

### **H2.2 Accessways**

**Temporary exemption: Existing rail premises and existing rail infrastructure.**

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

- where the 1,200mm minimum unobstructed width for access paths cannot be met due to structural and technical constraints, an access path with a minimum unobstructed width of 1,000mm 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.

**Reporting Requirement: Rail stations which have restricted paths of travel.**

Please see Metro's response to Part A, clause 2.4 Access paths – Minimum unobstructed width (page 6).

# Report – Temporary Exemptions

## **H2.2 Accessways**

### **Temporary exemption: Existing rail platforms.**

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 1,800mm wide is permitted where it is not possible to provide one every 6 metres due to structural or heritage constraints.

**Reporting Requirement: Rail station platforms which do not provide passing spaces every 6 metres where any two-way access path is less than 1800mm wide, and provides an updated version of that report every 12 months, and that these reports include a description of any measures taken by the ARA member to address any impacts this may have on users.**

Please see Metro's response to Part A, clause 4.2 Passing areas – Two-way access paths and aerobridges (pages 7 and 8).

## **H2.4 Handrails and grabrails**

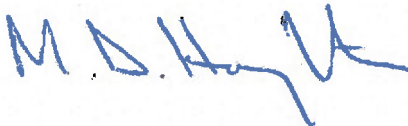
### **Temporary exemption: Rail platforms.**

For a period of five years, rail platforms are exempt from clause H2.4(2).

**Reporting requirement: Where a request is made but the installation of a handrail does not proceed, report on the request and the reasons for not taking action.**

Please see Metro's response to Part A, clause 11.2 Handrails and grabrails – Handrails to be provided on access paths (page 11).

Dated 20 September 2016



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**Michael Houghton**  
Chief Executive Officer  
Metro Trains Melbourne Pty Ltd