



Transport
for NSW

Temporary Exemptions to the Australian Human Rights Commission

Disability Standards for Accessible Public Transport
Disability (Access to Premises – Buildings)
Standards)

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1 Introduction

Transport for NSW (TfNSW) was established in November 2011 and is the lead agency of the NSW Transport cluster. TfNSW leads the development of a safe, efficient, integrated transport system that keeps people and goods moving, connects communities, and shapes the future of our cities, centres and regions.

TfNSW is responsible for planning, policy, strategy, regulation, funding allocation and other non-service delivery functions for all modes of transport in NSW. These include road, rail, ferry, light rail, point-to-point, regional air, community transport, cycling and walking.

During 2018–19, TfNSW focused on delivering new infrastructure with a multi-billion dollar investment program, growing public transport services and networks, and providing excellent customer service.

TfNSW is a member of the Australasian Railway Association (ARA). On 1 October 2015, the Australian Human Rights Commission 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).

TfNSW provides this report in collaboration with its rail operating agencies Sydney Trains and NSW Trains in relation to exemptions with annual reporting requirements as conditions of the exemptions.

The rail operational agencies, Sydney Trains and NSW Trains, are responsible for front line service delivery. Their focus is delivering reliable, safe and accessible transport services. Sydney Trains is the operator and maintainer of train services across metropolitan Sydney and also maintains regional NSW rail services other than the Country Rail Network. NSW Trains provides intercity and regional train services under the name NSW TrainLink. Intercity services operate between Sydney, Newcastle, Maitland, Bombaderry, Southern Highlands, and Lithgow whilst regional services operate throughout NSW and into Victoria, Queensland and the Australian Capital Territory.

TfNSW is currently planning access audits to be conducted across the network. These audits will assist in future planning initiatives and projects to remove barriers to accessibility where practically achievable.

This report is for the period 1 October 2018 to 30 September 2019.

To provide feedback in relation to this report, please contact:

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Website: transportnsw.info
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2 Key achievements

Future Transport 2056 is our 40 year vision for a modern and connected roads and public transport network that gives people the freedom to choose how and when they get around, no matter where they live and work. Accessibility remains a core outcome area of the Future Transport 2056 and is supported by the *TfNSW Disability Inclusion Action Plan 2018-2022*. The Plan has over 160 actions and is our commitment to reducing and eliminating the barriers people face in accessing public transport.

In February 2019, TfNSW launched the *Older Persons Transport and Mobility Plan 2018-2022* which details our commitment to achieving accessible and affordable transport to support people as they age to maintain access to services and activities. Providing access to transport supports older people to sustain their health and wellbeing, their independence and their continued participation in, and contribution to, the social and economic life of their communities.

In May 2019, Sydney Metro officially opened to deliver frequent turn-up-and-go services at 13 stations along the Metro North West Line, including eight new stations and five upgraded stations. Sydney Metro is the first fully automated driverless metro passenger rail system in Australia. Sydney Metro is a fully accessible railway with lifts at all stations and level access between platforms and trains. Customers also benefit from added safety features such as platform screen doors which are automated to keep people and objects away from the tracks.

Outlined below are some other key achievements from the reporting period of 1 October 2018 to 30 September 2019:

- TfNSW and NSW Trains partnered with Northcott to deliver training to front line staff focused on communication with people with disability or CALD backgrounds. The pilot training project was completed in June 2019.
- In February 2019, Newcastle Light Rail opened to provide customers a new accessible, high capacity, frequent and reliable service connecting key activity precincts. The service covers six stops with the capacity to transport 1200 people per hour.
- The Transport Access Program continues to provide upgrades and improvements to infrastructure across the existing transport network to make services more accessible. The NSW Government has invested more than \$2 billion in the Transport Access Program since 2011. This financial year, \$334 million is being invested to improve accessibility at train stations and ferry wharves. A total of \$885 million has been allocated over the next four financial years for upgrades to metropolitan and regional train stations, and ferry wharves.
- Conducting regular consultations with the disability and ageing sector through the TfNSW Accessible Transport Advisory Committee. The Committee provides advice on programs and projects being delivered across the Transport cluster to ensure functional outcomes for people with disability and older people are achieved.
- The NSW Government signed a contract with Momentum Trains for \$2.8 billion to design, build, and maintain the new regional rail fleet, along with a new purpose-built maintenance facility in Dubbo to help stimulate regional economies. The new fleet will replace existing regional rail trains that are close to 36 years old and will be designed to be as accessible and inclusive as possible for all our customers.

3 Temporary exemptions from the Transport Standards and Premises Standards

The following information provides an update on the reporting requirements for temporary exemptions granted on 1 October 2015 to the *Disability Standard for Accessible Public Transport 2002* (Part A) and the *Disability (Access to Premises – Buildings) Standards 2010* (Part B). This is the fourth yearly report on the temporary exemptions.

Numbers and headings contained within this report correspond to the sections of the Transport Standards to which the relevant exemption applies. The equivalent Premises Standard exemptions are included in parentheses.

3.1 Part 2.1 Access paths – unhindered passage (H2.2)

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 for the period 1 October 2018 to 30 September 2019:

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

The Level Crossing Improvement Program (LCIP) managed by TfNSW, provides funding to accelerate improvements to level crossings at priority sites across NSW, raise community awareness of level crossing safety issues and promote new technology to improve level crossing safety.

The TfNSW Transport Infrastructure Plan provides LCIP funding of \$7.3 million a year to 2025-26. This translates to an allocation of \$29.2 million for the LCIP from 2015-16 to 2018-19, which allows for the planning and completion of future priority level crossing upgrades.

Customers are able to access information on level crossing safety by visiting transportnsw.info. Information available includes the safety features of level crossings, general safety advice and further advice for mobility device users using level crossings.

To improve the safety of pedestrian level crossings, maintenance works have been completed across multiple sites including:

- Bell replacements
- Equipment replacements including motors and pedestrian lights
- Implementation of remote monitoring equipment
- Upgrade of signage and boom mechanisms.

A project has also commenced to improve audible warnings for pedestrians. It is expected to be implemented over the next 2 years with the first sites completed in the 2019/20 financial year.

In addition to infrastructure improvements, the following safety initiatives have also taken place during the reporting period:

- Continuation of the level crossing education campaign, “Don’t rush to the other side” running since 2013.

- Partnering with the TrackSAFE Foundation to promote safety around rail environments including events such as Rail Safety Week.
- Promoting safe behaviours around rail environments to over 4500 children and young adults through the Sydney Trains Schools Program and through events to engage the wider community around rail safety.

b) Progress made in the removal of level crossings.

No pedestrian level crossings that form part of an access path to a station were closed in the last reporting period.

There are more than 3800 level crossings in NSW. Of these more than 1400 are on public roads. Currently there are 46 stations in the NSW network that have a level crossing forming part of an access path to a rail station.

To manage the risk to safety associated with pedestrian and rail interfaces, the closure of level crossings in NSW is to be pursued where it is practical and cost effective to do so.

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

In this reporting period, the Transport Access Program has progressed discussions to facilitate a level crossing trial of possible technical solutions within NSW. This has included investigating how a trial would be run and assessment of a suitable location based on previous research into flange gap filler products. It is expected that a decision on whether to proceed with the trial will be made in the next reporting period. TfNSW has also continued to monitor trials and research conducted in improvements to level crossings by other rail networks and industry in Australia and assist where possible.

3.2 Part 2.1 Access paths – unhindered passage (H2.2)

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 for the period 1 October 2018 to 30 September 2019: rail stations which have inaccessible entrances.

Currently 221 of 368 stations on the Sydney Trains and NSW TrainLink network are wheelchair accessible.

Customers are provided with accessible trip planning information through transportnsw.info. This includes trip plans that only include stations that are accessible. Some entrances at some accessible stations do not have step free access. Where this occurs, wayfinding directs customers to the accessible entry point.

Information on accessible entry points is also available in the Sydney Trains Accessible Travel brochure.

Accessibility applications, such as alibil.io and NextThere, are also available and specifically designed for customers with a disability to provide information about accessibility across the train network.

3.3 Part 2.4 Access paths – minimum obstructed width (H2.2)

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 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
- platform edge warning TGSIs are permitted to intrude into access paths.

Reporting requirement for period 1 October 2018 to 30 September 2019: stations with restricted paths of travel.

All wheelchair accessible stations provide an accessible pathway from the entrance of the station to the boarding point.

Customers are provided with accessible trip planning information through transportnsw.info. This includes trip plans that only include stations that are accessible. Additionally, accessibility information can be obtained by customers calling 131 500. There are also a number of applications available specifically designed to assist customers with a disability to utilise the network such as TripView and abil.io.

Individual station information through transportnsw.info can advise customers of features such as:

- Availability of a lift
- Hearing loops
- Accessible toilet facilities
- Tactile ground surface indicators
- Wheelchair accessible car parking

Maps which identify the access points from the station entry to the platform level are available for some locations on transportnsw.info. This information does not provide restricted paths of travel, rather the means of vertical transport options available for customers. These maps are progressively being added to transportnsw.info as they are developed in screen reader compatible format.

There are also a number of initiatives currently being delivered, such as the Sydney Trains Station Refresh Program, that aim to de-clutter stations in order to improve circulation spaces and access paths for customers.

3.4 Part 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 for the period 1 October 2018 to 30 September 2019: 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.

Customers using mobility aids can enter any door of our rail cars with direct assistance. Operationally, single door boarding occurs to both mitigate the train to platform gap but also to ensure a customer can access all onboard facilities, such as toilets, through the inter-car door.

Sydney Trains and NSW TrainLink provide line markings on platforms to indicate the most suitable boarding point for people using mobility aids. External decals on trains also assist in ensuring customers board from areas that have accessible features including allocated spaces and help points.

Frontline staff are trained to provide direct assistance to customers using a portable boarding ramp and by identifying the most suitable boarding points on the platform for people using mobility aids

Access paths throughout the length of the train are not accessible to customers with limited mobility due to the double-deck design of many of the conveyances on NSW trains.

Information on accessible travel options and how to obtain assistance is available at transportnsw.info and the Sydney Trains Accessible Travel brochure.

3.5 Part 4.2 Passing areas – two-way access paths and aerobridges (H2.2)

Temporary exemption: existing rail platforms.

For a period of five years, for existing rail platforms, a passing area every nine metres along any two-way access path that is less than 1800mm wide is permitted where it is not possible to provide one every six metres due to structural or heritage constraints.

Reporting requirement for the period 1 October 2018 to 30 September 2019: rail station platforms which do not provide passing spaces every 6 metres where any two-way access path is less than 1800mm wide.

The delivery of the Station Refresh Program and Wayfinding Program provides consistency in the placement of platform furniture elements to improve circulation spaces, passing areas and access paths for customers on platforms and concourses.

All new and refurbished infrastructure being delivered by TfNSW, is required to meet the requirements under the Transport Standards. There are currently 7 stations under construction as part of the Transport Access Program. As stations are upgraded under programs such as the Transport Access Program, many of the restricted paths will be removed.

3.6 Part 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 of difficulty).

Reporting requirements for the period 1 October 2018 to 30 September 2019:

- a) Outcome of consultation**
- b) Locations of any non-compliance.**

Resting points by way of seating is provided on rail platforms.

Resting points are also included on all newly built infrastructure in accordance with the Transport Standards. In some instances, resting points are not provided at locations as seating would impinge on the accessible path or create safety issues due

to narrow platform widths or on existing footbridges. In these scenarios seats are removed or relocated to allow for the maximum extent for clear access paths. In some cases where customer volumes require seating to be removed, resting rails are provided as an alternative.

At large stations on the Sydney Trains network, the requirement to install additional seating in underground tunnels and on concourses would impose significant restraints on pedestrian flows. Given the high volume of customer flows at large stations, the requirement to install seating in these locations would lead to further congestion and negatively impact on customer safety. Seats in these stations are strategically located to provide adequate resting areas on platforms whilst ensuring customer safety and operational effectiveness is maintained in such a constricted environment.

As part of the current Station Refresh Program and Wayfinding Locational Signage Program, existing seating locations on platforms are being reviewed. Seating is retained, repositioned or additional installed as required to comply with the Transport Standards to provide suitable resting points along platforms.

TfNSW conducts quarterly consultation meetings with peak disability organisations through the Accessible Transport Advisory Committee regarding upgrading existing infrastructure. Community consultation is also undertaken as part of major upgrading of infrastructure under the Transport Access Program. Where additional seating or resting points are requested this is considered in the scope of works. TfNSW also provides accessible seating at interchange facilities such as bus stops, light rail stops, taxi ranks and, where appropriate, kiss and ride facilities.

Customer feedback also captured requests for additional seating. All requests are investigated and evaluated in alignment to requirements in accordance to the Station Components Guide. In all instances of customer initiated requests for seating, sites were either determined to have sufficient seating in alignment to the guide and the Transport Standards or were in locations that would impinge on the access path and as such not progressed.

3.7 Part 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 boarding 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.

Reporting Requirements for the period 1 October 2018 to 30 September 2019:

- a) Number of locations where boarding ramp slopes of 1 in 8 or better cannot currently be achieved**
- 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**
- c) Results of examination of alternative methods of achieving accessible boarding.**

Sydney Trains has measured heights of the platform and the track across approximately 80 percent of the network. Once this data has been collected fully the slope for boarding ramps can then be calculated at each location.

All trains operating on the Sydney and Intercity networks are accessible for customers using mobility devices with direct assistance from station staff or train crew using a platform to train boarding ramp. Factors such as curved platforms and legacy

infrastructure can exacerbate the gap between train and platform resulting in continued reliance on direct assistance to board services.

Portable ramps have been distributed to Sydney Trains and Intercity stations. Sydney Trains is currently investigating new ramp products to improve safety for customers and staff. Staff, both station and train crew, are available to assist customers to utilise the portable boarding ramps.

A specially designed ramp is in use at Armidale station. It has been designed to overcome specific issues at regional locations. The new ramp will be made available at other stations on a case by case base if it is suitable. A trial at Maitland station is being undertaken to replace the existing four-fold ramps used on Endeavour trains with a bi-fold ramp to provide a more stable and light weight solution for customers and staff respectively.

Customers are advised to contact their departure station and inform staff of their needs if they require staff assistance, including whether a boarding ramp is required. Customer service can also be provided to assist when alighting. Customers can obtain information about boarding ramps and boarding assistance zones in the Sydney Trains Accessible Travel brochure and at transportnsw.info which provides information about accessible facilities at stations.

For booked services, customers are advised to inform NSW TrainLink in advance if special assistance is required. These details will be recorded and passed on to on-board staff. Customers can advise NSW TrainLink of their needs by calling 13 22 32 (NSW TrainLink general enquiries number), 133 677 (National Relay Service for hearing and speech impaired customers) or visiting their nearest Sales Agent to make their booking. Information on NSW TrainLink facilities can also be found at transportnsw.info.

As part of the Transport Access Program a trial product has been installed at Victoria Street station. The product provides localised platform raising to address the gap between the train and platform interface to improve boarding and alighting for customers.

3.8 Part 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 for the period 1 October 2018 to 30 September 2019: 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.

While technically passengers can board at any door of an accessible train, the variation between the boarding ramp and the rail conveyance may require a dedicated boarding point. These are located at fixed points along a platform with signage indicating where these fixed accessible boarding points are located. External decals on trains also assist in ensuring customers board areas that have accessible features including allocated spaces and help points.

Staff, both station and train crew, are available to assist customers to utilise the portable boarding ramps. Customers are advised to contact their departure station and inform staff of their needs if they require staff assistance, including whether a boarding ramp is required. Customer service can also be provided to assist when alighting.

At unstaffed stations, customers are advised to wait in the designated area on the platform for assistance from train crew. All frontline staff are trained to provide direct assistance to customers using a portable boarding ramp.

Generally on booked services of the NSW TrainLink regional fleet, there are defined cars with an accessible space – not all cars can provide this accessibility. Customers are advised to inform NSW TrainLink in advance if special assistance is required. These details will be recorded and passed on to on-board staff. Information on NSW TrainLink facilities can also be found at transportnsw.info.

Customers can advise NSW TrainLink of their needs by calling 13 22 32 (NSW TrainLink general enquiries number), 133 677 (National Relay Service for hearing and speech impaired customers) or visiting their nearest Sales Agent to make their booking.

3.9 Part 11.2 Handrails and grabrails – handrails to be provided on access paths (H2.4)

Temporary exemption: rail platforms.

For a period of five years, rail platforms are exempt from clause 11.2 (clause H2.4 (2)).

Reporting requirement for the period 1 October 2018 to 30 September 2019: 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.

A previous request for the installation of a handrail at Stanmore station was completed.

A previous request for the installation of a handrail at Seven Hills station was not completed. It is listed as a priority item to be delivered by the end of this financial year.

A previous request for an additional handrail was made at Central station. This request is still pending due to heritage considerations and broader changes occurring from major infrastructure projects at the station.

Other customer initiated requests for handrails have been investigated and evaluated for feasibility. A request at Wahroonga station was received to install a handrail on the footbridge. This request will be included as part of the accessibility upgrade for the station under the Transport Access Program which is currently in the design and planning stage. All other requests received in the reporting period were evaluated and deemed not required as they were to address other operational issues and not to provide support or guidance to a customer on an access path.

3.10 Part 15.3 Toilets – unisex accessible toilets – ferries and accessible rail cars

Temporary exemption: accessible rail cars.

For a period of five years, if toilets are provided, a unisex accessible toilet without airlock is not required in every accessible rail car.

Reporting requirement for the period 1 October 2018 to 30 September 2019: which services are affected.

This reporting requirement only relates to NSW TrainLink services.

All existing fleet types (excluding the V-sets) have an accessible toilet at a ratio of one per set. Where longer passenger trains are created by coupling short sets together, for example an eight car OSCAR train, there are two accessible toilets per train. The location of accessible toilets is not always immediately near the allocated wheelchair spaces, as many trains have significantly more allocated spaces than toilets. Level access through the length of the train is not possible due to the double deck saloon layout. In a double deck train configuration in the NSW fleet, an accessible toilet requires all the single deck area of one end of a train car.

The Hunter set has the accessible toilet near the wheelchair spaces, even if not always in the same car, while the Endeavour, XPLOER and XPT have the allocated space adjacent to the accessible toilet in the same car.

V-sets will be progressively replaced as part of the New Intercity Fleet (NIF) program when the new trains come into service. The NIF design includes four-car sets, each with one wheelchair accessible toilet, and six-car sets, each with one wheelchair accessible and one ambulant accessible toilet. NIF services will often amalgamate to operate as a longer train by coupling shorter sets together, similar to OSCAR trains.

On the NIF, a maximum of 2 allocated spaces can be accommodated in the single deck end of the car immediately adjacent to each accessible toilet. There are no airlocks provided with any toilets and all toilets are designated unisex.

Information on the availability of accessible toilets is available on transportnsw.info.

3.11 Part 15.4 Toilets – requirements for accessible toilets – ferries and accessible rail cars

Temporary exemption: narrow gauge and standard gauge accessible rail cars.

For a period of five years, compliance with clause 15.4 is not required for narrow gauge and standard gauge accessible rail cars.

Reporting requirement for the period 1 October 2018 to 30 September 2019: outcome of consultations.

This reporting requirement only relates to NSW TrainLink services.

The first of the New Intercity Fleet (NIF) trains will enter service after a period of testing and commissioning. The NIF train design will include fully compliant wheelchair accessible toilets as well as separate toilets designed to support people with ambulant disabilities in some sets. Customer feedback and user testing has formed an integral part in the design phase for the NIF Train and its on-board facilities.

Initial lessons learnt activities for existing fleet were conducted with stakeholder user groups to understand how best to optimise the toilet facilities on-board. Design concepts developed with input from accessibility specialists have been tested by intercity customers and representatives of peak disability organisations using both low and high-fidelity mock-ups of the toilet design. This iterative design process has enabled end users with disabilities to inform the proposed design, helping to ensure a leading standard of safety, accessibility, functionality and comfort for NSW TrainLink customers.

Information on wheelchairs and motorised scooters and the availability of accessible toilets on board existing train fleet is available on transportnsw.info.

3.12 Part 17.5 Signs – electronic notices

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.

**Reporting requirement for period 1 October 2018 to 30 September 2019:
progress in the development and availability of alternative passenger
information display systems.**

TfNSW, Sydney Trains and NSW TrainLink comply with this standard.