



Road Management Legislation Review
Department of State Growth
via email: [REDACTED]

6 November 2023

RE: ROAD MANAGEMENT LEGISLATION REVIEW DISCUSSION PAPER

Metro Tasmania Pty Ltd (Metro) welcomes the opportunity to provide this submission in response to the Road Management Legislation Review Discussion Paper September 2023.

Whilst the purpose of this discussion paper is wide-ranging and is expected to result in major amendments to the *Roads and Jetties Act 1935 (The Act)*, Metro's interest in the discussion paper is focused around the urgent need for clarification of the ownership of bus route infrastructure, and particularly, bus stops across the Tasmanian public transport network.

Context

Metro has been providing public transport services in Hobart, Launceston and Burnie for 26 years. As the largest Tasmanian-owned passenger transport service provider, in 2022/23 Metro delivered seven million passenger journeys and over nine million kilometres on a fleet of 230 buses, driven and supported by over 500 employees.

Metro provides essential services in the Tasmanian communities in which it operates by connecting people with places of employment and education, commercial centres, social and community services, as well as cultural and sporting events.

As a Government-owned company, Metro is committed to ensuring financial and operational sustainability and to providing a customer focused transport service that meets the expectations of its shareholders and the community.

Local government is responsible for over 14,000 kilometres of Tasmania's road network. Metro operates bus services across 13 local government municipalities and works closely with the various councils to ensure passenger transport services can be delivered safely, efficiently and reliably.

To support this interaction, Metro has established Memorandums of Understanding (MoUs) with a number of major councils, covering the majority of Metro's operating area. These MoUs establish frameworks for cooperation by setting out the roles and responsibilities of each party. However, the MoUs are not consistent across the councils, and do not create any enforceable rights.



Public Transport Infrastructure – Bus Shelters and Stops

As outlined in the discussion paper, responsibility between authorities regarding the ownership and maintenance responsibilities of bus shelters and stops is currently ambiguous under Tasmanian legislation. As the discussion paper highlights, there is not a consistently shared view between authorities of who is responsible for ownership, upgrading and maintenance of public transport.

Practically, the responsibilities are spread across various local councils and the Tasmanian Government, through the Department of State Growth (State Growth). Bus stop infrastructure across Tasmania is a shared asset used by multiple bus operators which benefits the wider community.

Metro understands that in principal, State Growth has agreed that it assumes responsibility on land it owns and Local Government Councils assume responsibilities of route infrastructure on land owned by councils.

Further, bus stop infrastructure in Tasmania, specifically its alignment with the requirements of the *Disability and Discrimination Act 1992 (Cth) (DDA)*, is a concern among multiple stakeholders, including Metro.

According to the *Disability Standards for Accessible Public Transport 2002 (Cth) (DSAPT)*, any bus stop constructed after 2002 must be compliant with the DDA. Compliant bus stop infrastructure improves access to public transport for everyone, particularly for families using prams, older Tasmanians and people living with disability.

State Growth has developed a guide on the planning and design of *Disability Discrimination Act 1992 (DDA)* compliant bus stops. The guide is based on the Australian Human Rights Commission guidelines for promoting bus stop compliance. It should be noted that these guidelines are based on the minimum requirements for a DDA bus stop.

Metro has found that many bus stops are physically unable to be upgraded to fully meet the DSAPT due to terrain, position, surrounding structures, kerb surface and other factors, or the cost of doing so would be prohibitive. The DSAPT state that while it is not unlawful to fail to comply with a requirement of the standards if compliance would impose unjustifiable hardship on an organisation, compliance is required to the maximum extent not involving unjustifiable hardship.

Metro has worked closely with local councils and government agencies for infrastructure upgrades that require civic works in the form of pathways, level non-slip surfaces, kerb and guttering and in areas where there are no footpaths for boarding and disembarking points.

Metro estimates that approximately half of the bus stops that it uses have some degree of DDA-compliant infrastructure, but only around 20% of stops would be fully compliant. Metro has previously identified that in order for all stops to be 100% DDA-compliant, which was the 2022 target under the DSAPT, significant funding would be required. Metro's contract with State Growth does not include any obligation or funding to Metro for the upgrade of bus stops to comply with the DDA.



Therefore, outside the very small number of Metro-owned bus stops which are primarily located at Metro's Springfield depot in Hobart, Metro is not responsible for the upgrade of bus stops or shelters to comply with the DDA.

Metro has welcomed the Tasmanian Government's allocation of \$10 million to provide upgraded all-access and all-weather bus stops at priority locations, which will further improve the public transport offering for Tasmanian commuters. However, as the largest provider of bus services in the state, Metro provides support to the road owners and managers with bus stop design and assessments.

Conclusion

Metro recognises the importance of collaboration among all stakeholders involved to clarify the responsibilities surrounding the state's bus stop infrastructure.

As we navigate these complexities, we strongly urge all authorities to provide clear guidance on bus stop ownership and maintenance responsibilities. By doing so, we can collectively ensure an enhanced passenger experience with better access and convenience. This will be key to boosting public transport patronage and reducing traffic congestion.

Thank you for your consideration of this submission.

Yours sincerely

A handwritten signature in blue ink that reads "Katie Cooper". The signature is written in a cursive, flowing style.

Katie Cooper
Chief Executive Officer