

26 July 2024

Department of Climate Change, Energy, the Environment and Water
GPO Box 3090
CANBERRA ACT 2601

Dear Secretary

Transport and Infrastructure Net Zero Consultation Roadmap

The Justice and Equity Centre ('JEC'), formerly the Public Interest Advocacy Centre ('PIAC'), welcomes the opportunity to make this short submission in response to the Transport and Infrastructure Net Zero Consultation Roadmap ('Consultation Roadmap').

The JEC is a leading social justice law and policy centre. We work with people and communities who are marginalised and facing disadvantage – including people with disability. We have a long history of involvement in public policy development and advocacy promoting the rights and equal participation of people with disability, working in consultation with disability advocates and disability representative organisations. Accessible public transport is a current priority of our work, and we have considerable experience in disability discrimination litigation and public policy development.

The JEC is also committed to ensuring a just transition to a zero-carbon energy system for Australia. The impacts of climate change fall most heavily on people and communities experiencing disadvantage, who are often least equipped to adapt to its effects. We need urgent action if we are to mitigate the worst impacts of climate change and achieve Australia's goal of a net-zero economy by 2050. We must move from a reliance on fossil fuels to sustainable, clean energy sources to rapidly reduce greenhouse gas emissions.

Transport and transport infrastructure plays a vital role in meeting those goals. But a just transition must be underpinned by social and economic transformation that puts people and communities first, achieving equity for those who are disadvantaged as we seek a more sustainable future.

The Roadmap must incorporate *Australia's Disability Strategy 2021-2031* to ensure transport is accessible

We are pleased the Consultation Roadmap recognises a main barrier to active and public transport adoption is accessibility, and proposes 'inclusive and equitable' as one of the five guiding principles.

As the Department will be aware, *Australia's Disability Strategy 2021-2031* prioritises the need for accessible transport systems, which includes adopting universal design principles.

Transport that is not accessible will continue to exclude people with disability from participating in work, education, social and cultural life, infringing on their rights. Crucially, it will counteract the success of the transition to net zero.

We urge the Department to ensure the 'inclusive and equitable' guiding principle for the Roadmap incorporates the priorities of *Australia's Disability Strategy 2021-2031*. Pathways for transport and infrastructure to contribute to net zero must include regulation and investment to achieve a transition that is accessible and fair.

People with disability face systemic issues using public transport and infrastructure

Systemic discrimination in public transport and infrastructure presents significant barriers for people with disability accessing and participating in the community.

This is evidenced by the need for the *Disability Standards for Accessible Public Transport 2002* (Cth) ('Transport Standards'), which sets requirements for public transport operators and providers to make their services accessible. However, with most target dates for compliance not achieved, the Transport Standards have not been effective in removing discrimination. This precludes many people with disability from accessing public transport and infrastructure, with increased dependence on private vehicles contributing to transport emissions.

It is vital the Australian Government uses the opportunity to decarbonise public transport and infrastructure to prioritise accessibility, including through regulation and investment to modernise the public transport system.

To illustrate, our work has highlighted how issues with new modes of active transport can disproportionately impact people with disability.

Across Australia there have been reports of accidents involving e-scooters and injuries to pedestrians (particularly on footpaths). While these issues are relevant to all members of the public as pedestrians, through our work we are aware this issue is of particular concern for people with disability – for example, e-scooter riders hitting people who are blind or vision impaired, or e-scooters blocking access for a wheelchair user on a footpath or kerb ramp.

These issues have led to a reported lack of confidence among people with disability accessing public spaces. Investment in technology and government regulation can and has been used to govern the use of such active transport (eg geo technology to limit speed limits, stop users riding on footpaths, prevent obstruction of footpaths).

Government needs to ensure the introduction of new modes of active and public transport prioritise accessibility for all as a guiding principle, and infrastructure for the use of those new modes does not reduce accessibility of shared spaces or existing infrastructure designed to meet the needs of people with disability. Every effort should be made to achieve the emissions reduction and other benefits that come from active and public transport in a way that also prioritises (and does not compromise) accessibility.

It will be crucial to realising this vision of inclusive and equitable transport to involve people with disability in the development and design of policies and initiatives which seek to implement the Roadmap, from the outset.

The Roadmap should recognise the importance of co-design with people with disability in the planning, design and delivery of policies and infrastructure which will affect their ability to participate in the community. This can ensure accessibility is a central feature of transport and transport infrastructure and not just an afterthought.

Please do not hesitate to contact me if you would like to discuss any of the matters raised in this letter.

Yours sincerely



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Principal Solicitor