Design Guide Consultation Team

Active Travel Office

Transport Canberra

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**SUBMISSION TO DRAFT DESIGN GUIDE CONSULTATION**

Thank you for the opportunity to make a submission on the draft Design Guides for streets and intersections currently open for consultation as part of the Active Travel Strategy.

**Background**

Advocacy for Inclusion (AFI) provides independent individual, self and systemic advocacy for people with disabilities. We are a Disabled Peoples Organisation (DPO) which means most of our board, members and staff are people with disabilities. We represent all people with disabilities nationally from the ACT in our policy work.

AFI works within a human rights framework and acknowledges the United Nations Convention on the Rights of Persons with Disabilities and is signed onto the ACT Human Rights Act 2004.

AFI do not hold in-house access consultancy expertise, but we are aware of the broad requirements for accessibility.

**The need for better planning and better streets**

We are engaged in planning issues for city infrastructure including streets because people with disability often experience barriers to accessing public spaces and places due to poor planning and compliance as well as needing the planning system to respond to the lack of accessible and affordable housing.

Accessible spaces can be the difference between community living and independence and highly restricted lives for people with disabilities.[[1]](#footnote-1) Public health and community development research demonstrates that the environments in which people carry out their daily activities are directly and critically related to health and well-being.[[2]](#footnote-2)

The impost is often placed on universal design to establish its superior cost-effectiveness and value relative to existing exclusionary design standards. Yet, to date, little attention has been given to the waste of resources and excessive costs related to the exclusionary status quo.[[3]](#footnote-3) For example, inaccessible built spaces hinder opportunities for employment, social connection, and access to essential services.[[4]](#footnote-4)

Poor planning and access leads to adverse events, including falls for older people and admissions to acute care. Across Australia, approximately 25 percent of falls leading to hospitalisation occur in urban settings, for example on streets or highways, trade, service, and health service areas, as well as schools, and other specified areas.[[5]](#footnote-5)

In 2018-19, the number of hospitalised falls across Australia was 132,933 at a cost of $4.3 billion.[[6]](#footnote-6) Among hospitalisations due to a fall for older people almost all (93%) were classified as an emergency in terms of urgency of admission and the average length of hospital stay was 9.5 days.[[7]](#footnote-7)

Design imperatives for accessibility are desirable and necessary to achieve progress in life domains highlighted in the ACT Wellbeing Indicators especially accessibility and connectivity, identity and belonging, as well as social connection. Accessibility is necessary to meet goals for active and healthy lifestyles, to maintain wellbeing and to meet human rights obligations as well as prevent discrimination.

Around 1 in 5 Canberrans has a disability while Canberra has an ageing population. The 2018 ABS Social and Community Services Survey found that 19.4% of those in the ACT had disability, up from 16.2% in 2015.[[8]](#footnote-8)

Survey work on access issues across Canberra was conducted by the former PWDACT, now joined with AFI, in 2015/16. This found that access across the ACT was uneven with significant and sharp differences between the national capital precinct, new and older areas of the city.

*There are ongoing access blackspots in Canberra which are hard to shift. These include improving access to the retail “courts” in Belconnen and Woden, older areas of Canberra like Manuka, parts of the city and intractable issues with wheelchair taxis. There is an uneven adoption of measures like tactile indicators, Auslan interpreting and access to web platforms.[[9]](#footnote-9)*

Development in Canberra needs to meet and strive to exceed the minimum standards for disability access.

This means we need consistent application of the disability standards at the Australian Standard or above throughout the built environment in new developments. We also need a progressive program of retrofitting older suburbs to address access problem areas identified by a standing group of consumers with lived experience of these barriers.

The standards are a range (from minimum to maximum), including minimum features, higher features, and additional features beyond the standards. The ACT should aim to be ambitious and to ensure that (generally) high standards of access in the national capital precinct are mirrored in the urban heart and commercial centres and outlands of the city and its group centres.

For instance, the standards allow for left- and right-hand transfer toilets at different heights. However, toilets that comply with changing room requirements – that is, including a hoist – exceed the standards. Best practice should aim to provide a range of these facilities across Canberra, not only facilities meeting minimum standards.

New policies which affect urban space (from parking, outdoor café seating, the introduction of touch screens and policies around e-scooters and shared paths) need to be reviewed with a disability lens, by disabled people.

Developers need to be encouraged to include people with disability in planning and developing major projects around the city. Consultation around the Surgical Procedures, Interventional, Radiology and Emergency (SPIRE) development at the Canberra Hospital provides a useful model for similar consultations as do the consultations around the Dairy Road Development. ACT Government buildings and shopfronts need to consistently demonstrate best practice and the ACT Government also needs to demonstrate good practice in its consultations.

Generally speaking, Canberra has poorly kept streets and bike paths which are cracking, full of obstructions and increasingly precarious due to e-scooters being left on them along with tree debris, root intrusion and water damage consequent to a long period with heavy rainfall. Upkeep and improvement of *existing* street infrastructure needs to be a focus of work and investment in the city and group centres and linking path routes.

**Role of the Design Guides**

As we understand it the Design Guides are being flagged as an important feature of a new planning system including to activate the principles of good planning in the new planning bill.

However, the language of the draft guide leaves us unclear about their actual remit and purpose especially how the document sits alongside technical standards for accessibility, in particular the National Construction Code Building Code of Australia Standards and AS 1428.1.

The opening sections of the draft Design Guide indicate that they are to provide guidance and examples to help practitioners aspire to best practice in a given context, rather than strict technical compliance with standards.

We question whether there is a risk of creating confusion around the minimum requirements especially when the design guides are being applied to a public realm space and likely to be a prominent guide within a new, less proscriptive, set of planning arrangements for the city.

We agree that its possible (and desirable) to go above and beyond the standards, but the standards must be adhered to. Too often, they are not.

Our preference would be for the draft guide to state that the National Construction Code Building Code of Australia Standards and AS 1428.1 are essential minimum requirements and then to provide examples of best practice which exceed the standards.

Instead, the design guide appears to be laying out requirements that are already in the standards and referring to these in vague and unclear ways that may have the potential to create confusion about the minimum requirements.

There are also inconsistent levels of technical detail. The draft sets out the 90-degree angle at which a curb ramp should be placed within a crossing but do not specify the gradient and length required to ensure that they are gentle and usable by people in wheelchairs.

The draft also avoids some commonly used and understood terms like seamless paths of travel and tactile ground surface indicators.

If the purpose of the draft is to provide best practice examples, then the Guide misses an opportunity to talk about some elements of best practice design which do go above and beyond the standards but would support inclusion and active travel by people with disability.

For instance, the role of auditory traffic signals, tactile infrastructure and digital supports might be canvassed. There is a growing movement towards [DeafSpace design](https://www.bloomberg.com/news/articles/2019-03-04/how-deafspace-design-envisions-a-better-city) which supports people who are hard of hearing to use public domain spaces using light, colour, maximising visual lines of sight between buildings and sound deflecting surfaces.

AFI notes that the ACT already has a set of Government commissioned design guidelines for people with disability called [Disability Confidence Canberra](http://actinclusion.com.au/about/awards/disability-confidence-canberra/#:~:text=Disability%20Confidence%20Canberra%20was%20developed%20as%20an%20initiative,Council%2C%20ACT%20Government%20and%20Eric%20Martin%20and%20Associates.) which includes a detailed manual and checklist including for public spaces. It would be useful to ensure this work is up to date and then linked with the Design Guides to ensure they were backed by sound and detailed technical guidance.

We would also refer you to the [Inclusive and Accessible Public Domain Guidelines](https://meetings.cityofsydney.nsw.gov.au/documents/s64104/Attachment%20B%20-%20Inclusive%20and%20Accessible%20Public%20Domain%20Guidelines.pdf) issued by the City of Sydney which does a good job of describing an inclusive and accessible public domain and how principles apply to the design and upgrade of public domain spaces in infrastructure. They also integrate back into a Sydney Streets Design Code.

**Some specific comments:**

The draft lays out some good inclusive principles around safe design in section two.

However, we think section two should also acknowledge the interplay between new transport modalities like e-scooters and noiseless electric vehicles and pedestrian safety especially in shared zones.

Increasingly safety *is not just about speed* anymore – it’s about complexity, vehicle mix and vehicle design in complex urban spaces with multiple and often competing uses. Imagine people with vision impairment trying to simultaneously navigate through shared spaces occupied by both micro mobility devices and electric vehicles which make no sound but can cause a fatal pedestrian collision. Imagine also that the spaces are being used by commercial premises, markets and pop up infrastructure that changes from week to week. This is the reality in part of the city, the Foreshore, Manuka and even some group centre spaces.

We are broadly welcome the focus on user centred street designs which recognise that travel networks and intersections with roads are used by a broad range of users using diverse active travel modes i.e., people with disabilities and people using mobility devices.

We would however like to see more emphasis on safety within footway zones where micro mobility devices are in use alongside other devices such as wheelchairs or mobility scooters. We canvass our concerns about these devices in our [submission on the expansion of e-scooters in the ACT](https://www.advocacyforinclusion.org/expansion-of-e-scooters-in-the-act/) and specifically call for improved infrastructure and signage, user and driver education, as well as expanded rule and legal enforcement.

E-scooters largely operate in the absence of clear regulatory frameworks. If they are to become a fixed mode of transport then careful consideration needs to be given to how they fit within the broader transport, road- and street-use mix.

We note in 2.2 the emphasis on ‘self-explaining’ streets and paths based on consistency. While this might be a useful concept for path users it does not eliminate the need for explicit signage and demarcation particularly for blind users or people with low vision.

We support an emphasis on ‘forgiveness’ as an element of safe design ensuring that we eliminate path side hazards such as bollards, uneven surfaces and ramp lips (ideally these should be eliminated).

We note the increasing prevalence of path side hazards in Canberra arising from temporary or pop-up infrastructure such as cables, leads and bollards. For people with disability seeking seamless paths of travel through the urban realm, these impermanent barriers are as consequential as permanent infrastructure barriers to users and might usefully be mentioned and highlighted.

Section 4 of the design guide on walking makes some welcome statements about the need for uninterrupted travel when mobilising between destinations. We note that the Design Guide principles around streets and buildings and trees seem to mainly focus on width of footpaths whereas there are other issues at play which include slopes and cambers.

While not a major point, we suggest the section on walking should be renamed ‘walking, wheeling and riding’ or otherwise modified to be very explicit about different ways of mobilising.

Cities designed solely around people who can walk *are* the problem in the same way as cities designed solely around people who can use cars are a problem.

**Closing observations and recommendations**

AFI feel that the design guides could benefit from a clearer articulation of purpose, direct references to existing legal requirements for accessibility and a stronger set of best and better practice examples for accessibility.

Noting again that we do not have access consultancy expertise in house, we think the draft design guide could benefit from examination by critical friends within the access consultancy industry who have a close understanding of the technical requirements as well as best practice as it applies to streets and the public domain.

This submission is endorsed by the ACT Council of Social Service. We also note and agree the thrust of the ACTCOSS submission.

Please feel free to contact me on 0477 200 755 or via [Craig@advocacyforinclusion.org](mailto:Craig@advocacyforinclusion.org) to discuss this submission further.

Regards

(Sent by email)

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Advocacy for Inclusion

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