

**FIRST OF FOUR REVIEWS of the  
DISABILITY STANDARDS for  
ACCESSIBLE PUBLIC TRANSPORT**

**PREPARED for the NSW MINISTRY OF TRANSPORT  
& HUMAN RIGHTS AND EQUAL OPPORTUNITY  
COMMISSION**

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### **1. EXECUTIVE SUMMARY**

The Physical Disability Council of NSW would like to thank the Human Rights and Equal Opportunity Commission for providing the opportunity to comment on this priority issue.

That the Human Rights and Equal Opportunity Commission please consider the recommendations included in the report submitted by the Physical Disability Council of NSW, including comment on the following five modes of public transport:

1. Buses;
2. Trains;
3. Ferries;
4. Wheelchair Accessible Taxis; and
5. Air Transport Services.

In 1998 it was initially estimated that \$3,745 was required over the 20 year life of the plan to modify Australia's public transport network<sup>1</sup>. Based on data itemized below and financial estimates included the 2002/07 NSW Ministry of Transport Disability Action Plan, these costs do not necessarily equate with the value of implementation of each access improvement, or whether or not disability discrimination has been reduced.

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<sup>1</sup> Productivity Commission (2004). *Review of the Disability Discrimination Act 1992*, Report no. 30, Melbourne.



<b>Mode</b>	<b>Amount</b>	<b>Percentage</b>
Buses	\$2,738	73%
Ferries	\$57	1.5%
Taxis	\$129	3.4%
Trains	\$739	9.7%
Trams	\$82	2.2%
<b>Total</b>	<b>\$3,745</b>	

**Table 1 – National summary of quantified costs per annum (\$m)**

Based on the compliance timetable, this initial review will be followed by another three reviews. Therefore State Government departments responsible for the implementation of the plan will have only implemented only a component of a total plan. For people with physical disabilities it may still be difficult to link accessible conveyances or infrastructure, necessary to plan a whole journey. And as a consequence many people with severe physical disabilities may still rely on the wheelchair accessible taxis for part of or their entire journey. Due to issues outlined in this report, the wheelchair accessible taxis are not the preferred option.

The Physical Disability Council of NSW believes access to public transport has increased over the past five years since the adoption of the *Standards for Accessible Transport* in 2002. Though the following issues still prevent equal access to public transport:

- A separate taxi service for passengers requiring wheelchair access;
- Assistance from train staff when boarding and disembarking a train;
- A suggested strategy for Community Transport Programs to meet the transport needs of passengers requiring wheelchair access; and
- Children with disabilities prevented from traveling with their peers on buses dedicated for school runs; and
- Air line conveyances and infrastructure unable to accommodate the passengers requiring wheelchair access.

As part of this review PDCN conducted a forum with the following interested peak disability organisations to obtain feedback:

- Spinal Cord Injuries, Australia
- The Spastic Centre NSW
- Paraquad NSW
- People With Disabilities
- Northcott Society
- The Osteogenesis Imperfecta Society of Australia (Brittle Bones)
- Motor Neurone Disease
- Public Interest Advocacy Council



## **2. SUMMARY OF RECOMMENDATIONS**

### **Public and Private Buses**

**Recommendation 1:** Continued replacement of public buses with priority given to replacing buses in the Sydney Buses Eastern Region, to ensure a greater selection of accessible bus routes.

**Recommendation 2:** Improved coordination between Local Councils and Sydney Buses regarding the siting and construction of bus shelters, roundabouts and speed bumps, so that low floor buses can be used on all bus routes.

**Recommendation 3:** Replacement of any bus due to malfunction is replaced with an accessible bus whether the bus not operable is scheduled as accessible or not.

**Recommendation 4:** That Sydney Buses only allows ticket agents with wheelchair access to operate as venders for PrePay (off bus) Tickets.

**Recommendation 5:** Private bus operators prepare and adhere to clause 6.5- *Accessibility Information and Transport*, as part of the NSW Ministry of Transport Metropolitan Bus System Contract.

**Recommendation 6:** NSW Ministry of Transport adopts minimum standards so that private bus operators start to utilise accessible buses on scheduled bus timetables, possibly using Buslines as an example of a best- practice private bus operator.

### **CityRail and CountryLink**

**Recommendation 7:** Human Rights Equal Opportunity Commission review the exemption on dedicated school buses.

**Recommendation 8:** Access improvements are implemented immediately at the following two locations on the Inner City line:

- Newtown, so that an accessible station is located somewhere between the City of Sydney and Lewisham; and
- Villawood, so that there is an accessible train station is located somewhere between Sefton and Carramar.

**Recommendation 9:** Access improvements for Mittagong, Moss Vale and Goulburn on the Southern Highlands Line to improve links between the Southern Highlands and the Greater Metropolitan Sydney area, particularly for Intercity lines.

**Recommendation 10:** Provide access improvements to the train station located at Broken Hill.

**Recommendation 11:** Investigate alternative options so that ‘direct assistance’ is not required when boarding and disembarking a train, as this would increase the availability of train staff to perform other duties.

**Recommendation 12:** During times of rail maintenance, that the Ministry use only accessible buses to replace train services.

**Recommendation 13:** Design all trains with effective emergency egress, and ensure that staff are familiar with these procedures.

**Recommendation 14:** Ensure that all information whether in print or on the web is accurate and consistent.

### **Ferries**

**Recommendation 15:** Funds to be made available for access improvements at wharves previously managed by Local Councils, which are now under the responsibility of NSW Maritime.

**Recommendation 16:** Ensure that Local Councils provide compliant wharf infrastructure on Council property.

### **Wheelchair Accessible Taxis (WATS)**

**Recommendation 17:** Adoption of a universally accessible taxi fleet so that all members of the community would have equal access, by replacing taxis after the six year limit with only taxis with universal access. Subsequently 600 taxis would be replaced annually, with the whole taxi fleet replaced within ten years.

**Recommendation 18:** Recommendation 4 of the *Technical Review Recommendations for the Draft Disability Standards for Accessible Transport Regulation Impact Statement (2002)* advises that ‘The first five-yearly review of the Standards should review the issue of increasing the minimum head height requirements for wheelchair accessible taxis’. To increase the selection of wheelchair accessible taxis available to people with physical disabilities, the Physical Disability Council of NSW would recommend that the height of the head-room be increased from 1410 mm to 1500 mm immediately<sup>2</sup>.

**Recommendation 19:** NSW Ministry of Transport to ensure that all WAT vehicles conform to the Disability Transport Standards, by overseeing the certification process involved in modifying WAT vehicles.

**Recommendation 20:** That all taxi networks throughout NSW report quarterly to the NSW Ministry of Transport, information regarding service usage and response times.

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<sup>2</sup> The Allen Consulting Group (2002). *Technical Review Recommendations for the Draft Disability Standards for Accessible Transport – Regulation Impact Statement*.

**Recommendation 21:** Disability Awareness Training for all taxi drivers, regardless of whether driving a WAT or regular taxi.

**Recommendation 22:** An independent complaints mechanism, possibly managed through the Department of Fair Trading, to ensure accountability within the taxi industry.

**Recommendation 23:** That recommendations included in *Transporting the Wheelchair Dependent* are not supported or implemented by the NSW Ministry of Transport<sup>3</sup>.

**Recommendation 24:** That taxi networks in regional and rural NSW replace regular taxis with WATs in the following country towns:

Bathurst	Orange
Broken Hill	Queanbeyan
Clarence Valley	Tweed
Goulburn	Wollongong
Nambucca Heads	
Maitland	
Newcastle	

### **Air Travel**

**Recommendation 25:** Human Rights and Equal Opportunity Commission to adopt a reporting mechanism through the Civil Aviation Safety Authority, so that stakeholders involved in the aviation industry comply with the objects of the *Disability Discrimination Act (Cth) 1992*.

**Recommendation 26:** Human Rights and Equal Opportunity Commission to adopt Access Standard applicable to small and larger passenger aircraft, air ports and staff training.

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<sup>3</sup> Australian Taxi Industry Association (2007). *Transporting the Wheelchair Dependent* – A Review of the Wheelchair Accessible Taxi Industry.

### **3. THE PHYSICAL DISABILITY COUNCIL OF NSW (PDCN)**

PDCN is the peak body representing people with physical disabilities across New South Wales, representing approximately 900,000 residents. PDCN focuses on issues relevant to people with limited mobility, such as access to the built environment, transport and access to aids and equipment.

An inclusive society is achieved when people with limited mobility are involved in every aspect of political, social, economic and cultural life. Access to all modes of public transport is essential to facilitate community inclusion in all aspects of daily living.

PDCN is able to represent the needs and interests of people with limited mobility. Membership of PDCN includes people with a range of mobility issues, from young children and their carers, to aged people, living across NSW in either Greater Sydney Metropolitan area or rural NSW all from a wide range of socio-economic circumstances. PDCN has the background, knowledge and skills to advocate on all levels of Government regarding the needs of people with limited mobility.

PDCN encourages people with limited mobility to become involved in the decision making process, so that Government and non- Government bodies become familiar with relevant issues.

PDCN effectively networks with other advocacy organisations on common goals and issues. Subsequently PDCN strives to bring about significant, permanent and positive changes to the circumstances of people with limited mobility. The goal is to secure equal civil and human rights for our constituency.

Promotional activities assist to educate and inform all members of the community, most frequently through the media. Publications such as 'Words Matter' produced by PDCN facilitate this educative process.

PDCN is based in Glebe and funded by the NSW Department of *Ageing, Disability and Home Care*. PDCN employs four staff members.

### **4. SIGNIFICANCE OF DISABILITY DISCRIMINATION LEGISLATION**

The Senate Legal and Constitutional References Committee has summarized citizenship as consisting of the following four linked elements:

- (demonstrating) the quality of full membership and active participation;
- (occurring) in a just, democratic and mutually supportive political community;
- including the individual and collective rights and responsibilities - legal, social,
- economic, cultural and environmental - that go with such membership; and



- (having) the public and private policies and resources needed to sustain it<sup>4</sup>.

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<sup>4</sup> Productivity Commission Inquiry into the DDA- Disability Council of NSW (2003)



## **5. TERMS OF REFERENCE**

### **Background**

1. The *Disability Discrimination Act 1992* seeks to eliminate discrimination, as far as possible, against people with disability. Section 31 of the Act states, the Minister may formulate standards in relation to specified activities, including the provision of public transport services and facilities.
2. Division 1.2 of the *Disability Standards for Accessible Public Transport 2002* (the Transport Standards), which took effect on 23 October 2002, states their purpose is to enable public transport operators and providers to remove discrimination from public transport services. Part 34 requires the Minister for Transport and Regional Services, in consultation with the Attorney-General, to review the efficiency and effectiveness of the Transport Standards within five years of their taking effect, with subsequent reviews every five years.
3. This review (the Review) will be undertaken by a consultant engaged by the Department of Transport and Regional Services. It will be overseen by a Steering Committee comprising officers of the Department of Transport and Regional Services and the Attorney-General's Department. The consultant will provide a final written report by 14 December 2007 for consideration by the Minister for Transport and Regional Services in consultation with the Attorney-General.

### **Scope**

4. The Review will evaluate the efficiency and effectiveness of the Transport Standards and will:
  - a) Assess whether discrimination has been removed, as far as possible, according to the requirements for compliance set out in Schedule 1 of the Transport Standards;
  - b) Assess the need for any amendments to the Transport Standards;
  - c) Make recommendations for any necessary amendments to the Transport Standards.
5. The Review will be consistent with the Australian Government's Regulation Impact Statement (RIS) framework as outlined in the *Best Practice Regulation Handbook*.
6. In reappraising the efficiency and effectiveness of the Transport Standards, the Review will, among other things:
  - a) Consider the adequacy of the current structure and processes as well as the suitability of other approaches (such as outcomes-based

- regulation, co-regulatory approaches, action plans and compliance reporting) in achieving the purpose of the Transport Standards;
- b) Assess the impact of the current incorporation of references to the Australian Standards, the Australian/New Zealand Standards and the Australian Design Rules in the Transport Standards;
  - c) Provide an assessment for each Part of the Transport Standards;
  - d) Assess the extent to which unjustifiable hardship or equivalent access provisions are being utilised by service providers and/or operators;
  - e) Take into account the issues of promoting national consistency, efficient regulatory administration and compliance.
7. In assessing whether discrimination has been removed as far as possible, the Review will, among other things:
- a) Concentrate on compliance requirements at the initial 31 December 2007 target date for compliance (Schedule 1, Part 1 of the *Transport Standards*);
  - b) Collect and analyse the available data and other information on compliance;
  - c) Assess the scope and value of current compliance information and consider any implications for the assessment of whether discrimination has been removed.
8. In assessing and recommending necessary amendments to the Transport Standards, the Review will, among other things:
- a) Identify amendments for each Part of the *Transport Standards*;
  - b) Identify costs and benefits to stakeholders;
  - c) Take into account the issues of promoting national consistency, efficient regulatory administration and compliance.
9. As the Disability Standards for *Accessible Public Transport Guidelines* 2004 (No.3) (the Guidelines) have been designed to accompany the Transport Standards as a tool for interpreting the content of the Standards, the Review will include appropriate recommendations for amendments to the Guidelines.

## 6. COMPLIANCE TIMETABLE

The Disability Standard for Accessible Public Transport set down a timetable for compliance for all operators. The timetable is shown in the table below.

<b>Aspect of service</b>	<b>5yr</b>	<b>10yr</b>	<b>15yr</b>	<b>20yr</b>	<b>30yr</b>
<b>Information</b>	100%				
<b>Infrastructure*</b>	25%	55%	90%	100%	
<b>Bus Stops</b>	25%	55%	90%	100%	
<b>Bus services</b>	25%	55%	80%	100%	
<b>Coach services</b>	25%	55%	90%	100%	
<b>Rail rolling stock</b>	25%	55%	90%	90%	100%
<b>Taxi services</b>	**				

**Table 2 – Timetable of compliance for all operators**

\* Vending machines, gateways, surfaces, handrails and grabrails must be 100% compliant after 10 years.

\*\* Response times to be the same as for any taxi service

The Commonwealth Standards assist with greater definition, certainty and flexibility in achieving non-discriminatory accessible services and apply to all operators and the transport vehicles they use to provide transport services and to providers, supporting premises and infrastructure. They specify certain requirements for buses, trains, stations, bus stops, bus/rail interchanges, ferries and wharves and access to information, including access paths, manoeuvring areas, resting points, waiting areas, ramps, signs, lifts, toilets, doorways, information services, allocated spaces, payment of fares, surfaces, lighting and handrail and grabrails.

## 7. SUMMARY of ACCESSIBLE INFRASTRUCTURE and SERVICES

Aspect of Service/Infrastructure	Number Accessible	Total Number	% Accessible
Metropolitan bus fleet *			
State Transit	776	1790	43.4%
Private Operators	320	1336	24.9%
Wheelchair accessible stations in the CityRail area	96	304	32%
Wheelchair accessible stations in the CountryLink area	62	67	93%
CityRail metropolitan carriages **	1223	1223	100%
CityRail (non-metropolitan) and CountryLink ** carriages	223	444	50%
Sydney Metropolitan taxis	407	5033	8.1%
Outer Metro, regional and rural taxis	215	1247	17.2%
Transport interchanges ***	17	32	53%
Sydney Ferries Corp and State Transit (Newcastle Ferries) ferries ****	32	32	100%
Commuter Wharves			
Sydney	23	50	46%
Newcastle	2	2	100%

**Table 3 – Accessible infrastructure as at 30 June 2007**

\* The new bus contracting regime requires private bus operators to report on their level of accessibility and complete action plans. As reporting becomes more sophisticated on bus accessibility, NSW will endeavour to report on accessible services in addition to accessible vehicles.

\*\* All CityRail Metropolitan and Countrylink carriages are accessible utilising manually deployed ramps and direct assistance. Many Outer Suburban carriages remain inaccessible to persons in mobility devices because of door width.

\*\*\* As the definition of an interchange varies from purpose-built facilities linking various transport modes to bus stops adjacent to rail stations, the table only considers purpose-built facilities.

\*\*\*\* All State Transit ferries are accessible utilising manually deployed gangways - 'direct assistance'.

## 8. **BUSES**

### **Conveyances:**

- a) Sydney Buses
- b) Private Bus Operators
- c) Community Transport
- d) Dedicated School Buses

**Recommendation 1:** Continued replacement of buses with priority given to replacing buses in the Sydney Buses Eastern Region, to ensure a greater selection of accessible bus routes.

**Recommendation 2:** Improved coordination between Local Councils and Sydney Buses regarding the siting and construction of bus shelters, roundabouts and speed bumps, so that low floor buses can be used on all bus routes.

**Recommendation 3:** Replacement of any bus due to malfunction is replaced with an accessible bus whether the bus not operable is scheduled as accessible or not.

**Recommendation 4:** That Sydney Buses only allows ticket agents with wheelchair access to operate as venders for PrePay (off bus) Tickets.

**Recommendation 5:** Private bus operators prepare and adhere to clause 6.5- *Accessibility Information and Transport*, as part of the NSW Ministry of Transport Metropolitan Bus System Contract.

**Recommendation 6:** NSW Ministry of Transport adopts minimum standards so that private bus operators start to utilise accessible buses on scheduled bus timetables, possibly using Buslines as an example of a best-practice private bus operator.

**Recommendation 7:** Human Rights Equal Opportunity Commission review the exemption on dedicated school buses.

### **a) Sydney Buses**

The availability of government-operated buses has seen the most significant increase of all public transport modes since the adoption of the Accessible Public Transport Standards 2002. The number of accessible buses in the Sydney Bus fleet has increased from 23% in 2003 to 43% in 2007.

One can only presume that there has been an increase in utilisation since these improvements, not only for people with a disability but also older people. As the only transport mode where 'Direct Assistance' is not required, this increase in availability is highly commendable. Though these increases in bus availability do not appear to be consistent over the following four regions identified below where Sydney Buses operate:

- 1) Sydney Buses Western Region (including Ryde, Hunters Hill and Parramatta Local Government Areas);
- 2) Sydney Buses Eastern Region (including Woollahra, Waverly, Randwick and Botany Bay Local Government Areas);
- 3) Sydney Buses Southern Region (including Sydney, Leichhardt, Marrickville, Ashfield, Burwood, Strathfield, Canada Bay, Canterbury, Bankstown Local Government Areas);
- 4) Sydney Buses Northern Region (including Manly, Warringah, Pittwater, Willoughby, Lane Cove, North Sydney and Mosman Local Government Areas).

Accessible buses were most available in the Western Region throughout the week days and weekend, and least available in the Eastern Region.

The table below illustrates differences between the four regions with government-operated buses. In the Eastern Region nearly three quarters of bus routes provide bus services with only 25% individual accessible bus trips per bus route. Whereas in the Western Region nearly three quarters of bus routes provide bus routes with between 50%-100% individual accessible bus trips per bus route.

	Percentage of accessible bus services Monday to Friday					Percentage of accessible bus services Saturday and Sunday						
	0%	1-25%	26-50%	51-75%	76-100%	0%	1-25%	26-50%	51-75%	76-99%	100%	No service
<b>Northern Region</b>	41%	16%	34%	16%	0	22%	6%	9%	9%	16%	24%	19%
<b>Western Region</b>	<b>31%</b>	<b>17%</b>	14%	<b>24%</b>	<b>18%</b>	<b>4%</b>	<b>10%</b>	4%	<b>0</b>	<b>7%</b>	<b>66%</b>	10%
<b>Eastern Region</b>	<b>53%</b>	<b>19%</b>	25%	<b>0</b>	<b>0</b>	<b>44%</b>	<b>13%</b>	17%	<b>12%</b>	<b>0</b>	<b>0</b>	12%
<b>Southern Region</b>	50%	11%	29%	7%	4%	39%	0	14%	25%	3%	3%	10%

**Table 4 – Availability of government operated buses across the four regions**

Feedback from people with disabilities indicates that passengers experience the following problems when trying to use government-operated buses:

- Bus infrastructure is poorly located or constructed preventing an accessible path of travel to the bus stop/ shelter or preventing the smooth operation of the low-floor bus;
- That scheduled accessible buses are not always replaced with an accessible bus when there has been a mechanical problem preventing it from being used. This issue is most significant for bus routes where an accessible bus has only been scheduled infrequently;
- Activities may be difficult to plan when an accessible bus has only been scheduled infrequently; and
- That for PrePay (off bus) Tickets, ticket agents are not always available at accessible venues.

### **b) Privately Operated Buses**

Currently only 24.85% of the bus fleet managed by private bus operators is accessible and information regarding the availability of private bus operators in the Greater Sydney Metropolitan is inaccurate, with many of those operators not advertising scheduled accessible bus routes on time-tables.

It appears that from a list of ten operators only Busways and Shorelink provide accessible buses listed on scheduled time-tables, resulting in misleading quantity quoted by the NSW Ministry of Transport.

The Ministry website indicates that Westbus provides accessible buses on scheduled bus routes, though time-table information fails to include any relevant information. Other private bus operators such as Buslines, who promote accessible buses on scheduled time-tables are not included in the Ministry website list. Due to this inaccurate information, many people with disabilities are reluctant to use any bus services provided by private bus operators identified on the website.

The Physical Disability Council of NSW understands people with disabilities may be required to phone a private bus operator with 24 hours notice to check the bus availability. Even then the accessible bus is not always available. Without minimum guidelines, it appears to be up to the discretion of the private bus operator whether or not to provide scheduled accessible buses.

### **c) Dedicated School Buses**

As potential users of public transport, all children should be encouraged to use all modes of accessible transport rather than specialist transport. Installation of a ramp similar to that used in wheelchair accessible flash-cabs along with the capacity to take a least one student using a

wheelchair, must be considered as a minimum standard for dedicated school buses.

#### **d) Community Transport Programs**

These include programs funded by the NSW Government to provide transport at a local level. These programs are particularly important in country NSW where other accessible or inaccessible transport modes may not be available.

Throughout in the Greater Sydney Metropolitan area where access to Community Transport is limited to only HACC (Home and Community Care) clients, demand exceeds supply. Wait-lists are common and as a result, the provision of services is generally limited to those of a medical and/or shopping nature. Community Transport Programs are usually unavailable for people requiring regular transport such as going to work, or for recreational purposes out of business hours or on the weekend.

Reports such as *Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry* commissioned by the Australian Taxi Industry Association should not see the transport needs of people requiring wheelchair access, as charitable or otherwise the responsibility of programs such as the Community Transport Program as these are already stretched to the limit<sup>5</sup>.

People with physical disabilities should have access to the same transport options as the rest of the community and not be relegated to a parallel special service.

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<sup>5</sup> Australian Taxi Industry Association (2007). *Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry*.

## 9. TRAINS

### Conveyances:

- a) CityRail
- b) CountryLink

**Recommendation 8:** Access improvements are implemented immediately at the following two locations on the Inner City line:

- Newtown, so that an accessible station is located somewhere between the City of Sydney and Lewisham; and
- Villawood, so that there is an accessible train station is located somewhere between Sefton and Carramar.

**Recommendation 9:** Access improvements for Mittagong, Moss Vale and Goulburn on the Southern Highlands Line to improve links between the Southern Highlands and the Greater Metropolitan Sydney area, particularly for Intercity lines.

**Recommendation 10:** Provide access improvements to the train station located at Broken Hill.

**Recommendation 11:** Investigate alternative options so that 'direct assistance' is not required when boarding and disembarking a train, as this would increase the availability of train staff to perform other duties.

**Recommendation 12:** During times of rail maintenance, that the Ministry use only accessible buses to replace train services.

**Recommendation 13:** Design all trains with effective emergency egress, and ensure that staff are familiar with these procedures.

**Recommendation 14:** Ensure that all information whether in print or on the web is accurate and consistent.

### a) CityRail

CityRail oversees over three hundred (300) train stations along the following thirteen lines in the Greater Sydney Metropolitan area:

- North Shore and Western
- Northern
- Inner West
- Olympic Park
- Bankstown
- South
- Airport and East Hills
- Eastern Suburbs
- South Coast

- Southern Highlands
- Central Coast + Newcastle
- Hunter
- Blue Mountains

<b>Line</b>	<b>Accessible</b>	<b>Inaccessible</b>
North Shore and Western	41%	59%
Northern	50%	50%
<b>Inner West</b>	<b>22%</b>	<b>78%</b>
Olympic Park	100%	0%
Bankstown	31%	69%
South	50%	50%
Airport and East Hills	55%	45%
Eastern Suburbs	52%	48%
<b>Intercity line</b>		
<b>Blue Mountains</b>	<b>14%</b>	<b>86%</b>
Central Coast and Newcastle	23%	77%
South Coast	35%	65%
<b>Southern Highlands</b>	<b>6%</b>	<b>94%</b>
Hunter	23%	77%

**Table 5 – Summary of accessible train stations within the CityRail network**

The Inner West line provides a significant number of stations that do not comply with the Transport Standards, and consequently it is recommended that access provisions be installed at the following two locations:

- Newtown, so that an accessible station is provided somewhere between the City of Sydney and Lewisham; and
- Villawood, so that there is an accessible train station between Sefton and Carramar.

Additional funds are also required for access improvements for Mittagong, Moss Vale and Goulburn on the Southern Highlands Line to improve links between the Southern Highlands and the Greater Metropolitan Sydney area.

## b) CountryLink

The NSW Ministry of Transport's Report on Accessible Transport (2006) states 62 out of 67 CountryLink train stations, (representing 93% of train stations) provide access. PDCN believes that this estimation is inaccurate, since it includes train stations where passengers may need the assistance from a carer or friend to access the premise or infrastructure.

Line	Accessible	Inaccessible	Inaccessible stations
North Coast	94%	6%	Eungai
North West	68%	32%	Kootingal, Werris Creek, Scone, Aberdeen
Southern	94%	6%	The Rock
<b>Western</b>	<b>50%</b>	<b>50%</b>	<b>Geurie, Eubalong, Ivanhoe, Darnwick, Merindee, Broken Hill</b>

**Table 6 – Summary of accessible train stations within the CountryLink network**

Poorest access is provided on the Western line, and consequently it is recommended that an accessible train station be installed at Broken Hill, as it has a population of nearly 20,000, a relatively high disability predictor factor, and a hospital located in town.

Feedback from people with disabilities indicates that passengers experience the following problems when trying to use trains particularly when accessing train carriages where 'direct assistance' is the only option:

- Lack of access to train stations located on the Inner West train line;
- When requiring assistance to board and disembark trains when 'direct assistance' is the only option. This dependence on rail staff is of concern, as passengers needing wheelchair access can not disembark the train unless the portable ramp is provided by train staff at the arrival station. Consequently passengers are reliant on several staff communicating the travel arrangements for the passenger requiring the ramp to disembark the train. This problem has the potential to become even more significant if the guard is located towards the rear of the train as planned in the new trains;

- Passengers needing wheelchair access are usually unable to sit in the train carriage, separating them from friends and family;
- Lack of emergency egress on trains;
- Difficulty negotiating Tactile Ground Surface Indicators; and
- Inconsistency between information provided on the 'Station Facility' website and the 'Train Network Map' web page.

## **10. FERRIES**

### **Conveyances:**

- a) NSW Maritime
- b) Sydney Ferries
- c) Local Councils

**Recommendation 15:** Funds to be made available for access improvements at wharves previously managed by Local Councils, which are now under the responsibility of NSW Maritime.

**Recommendation 16:** Ensure that Local Councils provide compliant wharf infrastructure on Council property.

The following stakeholders are all involved the delivery of ferry services, but each has a specific but interrelated role and responsibility:

- **NSW Maritime** – Construction and maintenance of commuter wharf structure. Currently acquiring wharves previously managed by Local Councils.
- **Sydney Ferries** – Operation of ferries in Sydney Harbour.
- **Local Councils** – Previous responsibility for the maintenance of wharves and pontoons, but now with NSW Maritime. Responsibilities still include the construction and maintenance of infrastructure located on the Council land, such as parking facilities, gates and fences, ticket vending machines, outdoor seating and accessible paths of travel.
- **Private ferry operators** – Private ferry cruises exempt from the Disability Standards for Accessible Public Transport.

NSW Maritime is responsible for 49 Commuter Wharves in the Sydney Harbour and 46% of these provide access, and 2 Commuter Wharves in Newcastle- Stockton and these wharves are totally compliant. The table below lists Commuter Wharves still awaiting access improvements:

<b>Locality</b>	<b>Wharf Name</b>	<b>Other Names</b>	<b>Current Owner</b>
Kirribilli	Beulah Street		NSW Maritime
Kirribilli	Jeffreys Street		NSW Maritime
Watsons Bay	Watsons Bay	Military Road	NSW Maritime
McMahons Point	McMahons Point	Henry Lawson Avenue	NSW Maritime
Milsons Point	Milsons Point	Alfred St South, Luna Park	Sydney Harbour Foreshore Authority
Darling Harbour	Harbourside Wharf		Sydney Harbour Foreshore Authority
Pymont	Pymont Bay	Maritime Museum/Casino	Sydney Harbour Foreshore Authority
Mosman	South Mosman	Musgrave Street	Sydney Ferries
Cremorne	Old Cremorne	Green Street	Sydney Ferries
North Sydney	North Sydney	High Street	Sydney Ferries
Kirribilli	Kirribilli	Holbrook Street	Sydney Ferries
Neutral Bay	Kurraba Point	Kurraba Road	Sydney Ferries
Drummoyne	Drummoyne	Wolseley Street	Canada Bay Council
Birkenhead Point	Birkenhead	Henley Marine Drive	Canada Bay Council
Concord	Bayview Park Jetty		Canada Bay Council
Balmain	Balmain	Thames Street	Leichhardt Council
Birchgrove	Birchgrove	Louisa Road/Long Nose/Yuralbin Point	Leichhardt Council
Longueville	Longueville	Stuart Street	Lane Cove Council
Northwood	Northwood		Lane Cove Council
Greenwich	Bay Street		Lane Cove Council
Greenwich	Greenwich	Mitchell Street	Lane Cove Council
Huntleys Point	Huntleys Point	Huntleys Point Rd, Gladesville	Hunters Hill Council
Hunters Hill	Alexandra Street		Hunters Hill Council
Rose Bay	Rose Bay	Lyne Park	Woollahra Council
Double Bay	Double Bay	Bay Street	Woollahra Council
Darling Point	Darling Point	Mckell Park	Woollahra Council

Lavender Bay	Lavender Bay	North Sydney Council
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**Table 7 – Commuter Wharves still awaiting access improvements**

Sydney Ferries operates ferries stretching approximately 37kms from Parramatta in the West, to Manly in the North East and Watsons Bay in the East.

Sydney Ferries operates 31 vessels all with wheelchair access, transporting approximately 1.3 million kilometres per year. Staff from Sydney Ferries may still need to provide assistance to passengers with limited mobility, depending on the tide and environmental conditions.

Sydney Ferries are divided into the following seven vessel classes:

- 4 Freshwater class
- 2 Lady class
- 9 First Fleet class
- 3 Jet Cats
- 7 River Cats
- 2 Harbour Cats
- 4 Super Cats

## **11. WHEELCHAIR ACCESSIBLE TAXIS**

### **Conveyances:**

#### a) Wheelchair Accessible Taxis (WATs)

**Recommendation 18:** Recommendation 4 of the Technical Review Recommendations for the *Draft Disability Standards for Accessible Transport Regulation Impact Statement (2002)* advises that 'The first five- yearly review of the Standards should review the issue of increasing the minimum head height requirements for wheelchair accessible taxis'. To increase the selection of wheelchair accessible taxis available to people with physical disabilities, the Physical Disability Council of NSW would recommend that the height of the head-room be increased from 1410 mm to 1500 mm immediately.<sup>6</sup>

**Recommendation 19:** NSW Ministry of Transport to ensure that all WAT vehicles conform to the Disability Transport Standards, by overseeing the certification process involved in modifying WAT vehicles.

**Recommendation 20:** That all taxi networks throughout NSW report quarterly to the NSW Ministry of Transport, information regarding service usage and response times.

**Recommendation 21:** Disability Awareness Training for all taxi drivers, regardless of whether driving a WAT or regular taxi.

**Recommendation 22:** Develop an independent complaints mechanism, possibly managed through the Department of Fair Trading, to ensure accountability within the taxi industry.

**Recommendation 23:** That recommendations included in *Transporting the Wheelchair Dependent* are not supported or implemented by the NSW Ministry of Transport<sup>7</sup>.

**Recommendation 24:** That taxi networks in regional and rural NSW replace regular taxis with WATs in the following country towns:

Bathurst	Goulburn	Nambucca Heads	Orange
Broken Hill	Queanbeyan	Maitland	Newcastle
Clarence Valley	Tweed	Wollongong	

<sup>6</sup> The Allen Consulting Group (2002). *Technical Review Recommendations for the Draft Disability Standards for Accessible Transport – Regulation Impact Statement*.

<sup>7</sup> Australian Taxi Industry Association (2007). *Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry*.

In December 2006 there were 5,050 regular taxis in the Sydney metropolitan area, and 1,297 in the outer metropolitan, regional and rural areas. Within the Sydney Greater Metropolitan area passengers using regular taxis generally travel approximately 7 km per journey, and in the Outer metropolitan area journeys lasting 4-5 km. Presently, fifteen different taxi networks operate in the Sydney Metropolitan area, with an average response time of 11 minutes for passengers using regular taxis.

In the Sydney Metropolitan area there is 8.1% of wheelchair accessible taxis within the regular fleet and 13.0% in the outer metro, regional and rural area. In the Greater Sydney Metropolitan area this amount has substantially grown in the past 12 months, most possibly due to the availability of additional Lime Taxis. Due to the limited availability of WATs, extended response times are still noted by passengers living in the following locations in the Greater Sydney Metropolitan area:

- Liverpool/ Campbelltown area; and
- the Northern Beaches area.

The distribution of WATs varies significantly in many Local Government Areas (LGA) throughout country NSW. The proportion of WATs per regular fleet varies from 4%-50%, with an average of 15% for country towns with a population of more than 10,000.

The Taxi Council of NSW acknowledges that taxi services in country NSW depend on elderly passengers, the disabled, groups and tourists.

In the outer metropolitan, regional and rural areas, passengers of WATs usually travel in excess of 4-5 kilometres due to the lack of other accessible modes of public transport.

Currently there are nine different models of vehicle having been modified and certified to provide wheelchair access. Due to the size of different wheelchairs, many people using WATs can not access all models of WATS vehicles, further limiting the selection of WATs that they can use.

People using regular taxis have greater options when booking a taxi. People requiring WATs can't just hail one down at a taxi stand or book it over the internet, but are limited to only being able to book this service over the phone. All bookings are carried out through one centralised taxi network, further limiting any ability to select the provider of the taxi service.

In 2004 a review of the WATs service was conducted aimed at resolving difficulties with service delivery, and as yet this report has not been finalised or published.

- Alternative and additional funding to provide further incentives to WAT owners/drivers (including the level of booking fee and a possible 'lift' fee;
- New market areas for WAT vehicles;
- Prescription of a percentage of WATs for each network (eg 10%);
- Localised WAT targets; and
- Applicability of a 'universal' cab for both wheelchair and regular passengers.

People with disabilities believe that the current service provided by WATs is not comparable to the regular taxi service due to the following issues. The introduction of a universal taxi would minimise the problems listed below:

- Excessive waiting times, sometimes up to 2 hours, particularly after business hours, on the weekend and when taxis that provide wheelchair access are pre-booked for Department of Education schedules;
- Limited availability of WATs particularly in the Liverpool/ Campbelltown and Northern Beaches areas;
- Inadequate availability of suitably modified vehicles. Currently when booking a WAT, one needs to identify which WAT vehicles are not suitable because many passengers are not able to fit into all WAT vehicles;
- Excessive cost of taxi travel compared to that of public transport. Due to the lack of accessible public transport, passengers using WATs are forced to travel in excess of the average taxi journey of seven kilometres. In NSW the average household spends 15% on transportation, where as a passenger using WATs who is employed uses 2-3 times the 15% on transportation. This amount will only increase given the recent decision by IPART to increase taxi fares by 6%<sup>8</sup>; and
- A lack of independent, impartial complaints mechanism.

In the NSW Ministry of Transport Action Plan it acknowledges the many problems associated with the WAT service, and the need to carry out a thorough financial analysis of the existing WAT service, though it fails to recognize the benefits of introducing a universally accessible vehicle where all members of the community could have equal access. A universally accessible taxi service has been available in London since 1999.

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<sup>8</sup> Australian Bureau of Statistics – Weekly Household Earnings 2003/04

## 12. AIR TRAVEL

### Conveyances:

- a) NSW Rural and Regional Air Transport Operators;
- b) Sydney Kingsford Smith Airport;
- c) Civil Aviation Safety Authority (CASA); and
- d) NSW Ministry of Transport.

Current rural and regional air transport operators include:

<b>Airline</b>	<b>Rural or Regional Airports Served</b>
Aeropelican Air Services	Newcastle, Inverell
Air Link	Bathurst, Bourke, Cobar, Coonamble, Dubbo, Lightning Ridge, Mudgee, Walgett
Brindabella Airlines	Albury, Coffs Harbour, Newcastle, Port Macquarie
Jetstar Airways	Ballina, Newcastle
Qantas Airways	Albury, Armidale, Coffs Harbour, Dubbo, Lord Howe Island, Moree, Narrabri, Newcastle, Port Macquarie, Tamworth, Wagga Wagga, Wollongong
Regional Express, or Rex	Albury, Ballina, Broken Hill, Cooma, Dubbo, Grafton, Griffith, Lismore, Merimbula, Moruya, Narrandera, Orange, Parkes, Taree, Wagga Wagga, West Wyalong
Virgin Blue Airlines	Ballina, Coffs Harbour, Newcastle

**Table 8 – Current rural and regional air transportation services**

Commonwealth Government regulations oversee issues such as aviation security, safety and airworthiness of aircraft, competence of the flight crew, maintenance systems and operations management, and the NSW State Government has the power to regulate business arrangements on their intrastate air services. The *Civil Aviation Safety Authority* (CASA) is fundamentally responsible for the safety of passengers on small and large aircraft on behalf of the Commonwealth Government.

The split in State and Commonwealth responsibilities means that the NSW Ministry of Transport does not have the authority over the Commonwealth Government, in order to implement the *Disability Discrimination Act (Cth)* 1992 or the Standards for Accessible Public Transport for conveyances, premises or infrastructure for air travel. Subsequently access

improvements have not been included in the NSW Government Accessible Transport Action Plan.

A temporary exemption was granted to Kendell Airlines, with the following terms and conditions;

- Ensure the availability of aircraft aisle wheelchairs at all relevant ports;
- Provide relevant staff training programs;
- Provide moveable armrests on Saab aircraft; and
- Advise the Civil Aviation Safety Authority on these improvements.

Although this temporary exemption was granted in 2000 for five years, PDCN was unable to find a report identifying the outcome of this temporary exemption, and hence is unable to make comment on whether these satisfy the objects of the Disability Discrimination Act.

Feedback from people with disabilities indicates that passengers experience the following problems when using airlines include the following:

- As travel arrangements frequently need to be made by phone they are often excluded from purchasing cheaper fares only available to customers purchasing tickets on line;
- Airline staff unaware of passenger needs causing frustration and delays in air schedule;
- Airline messages not provided in sufficient formats;
- Inability to take specialist equipment on board;
- Requirement to use airport chair when loading and disembarking the airline;
- Increased risk of damage to mobility aids whilst being transported;
- Compensation or financial reimbursement not offered by airline for damage to mobility aid;
- Inability to assist passengers requiring assistance with wheelchair transfer; and
- An inability to travel without a carer.

**Recommendation 25:** Human Rights and Equal Opportunity Commission to adopt a reporting mechanism through the Civil Aviation Safety Authority, so that stakeholders involved in the aviation industry comply with the objects of the *Disability Discrimination Act (Cth) 1992*.

**Recommendation 26:** Human Rights and Equal Opportunity Commission to adopt Access Standard applicable to small and larger passenger aircraft, air ports and staff training.