



Comment on the Draft Report of the Review of the Disability Standards for Accessible Public Transport

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Prepared by the

Western Sydney Regional Organisation of Councils Ltd

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1. Introduction

WSROC welcomes the opportunity to comment on the draft report prepared by the Elton Group on the Five Year Review of the Disability Transport Standards under the Disability Discrimination Act. WSROC – the Western Sydney Regional Organisation of Councils Ltd – is one of Australia’s oldest and most respected local government lobbying organisations and a key advocate for Western Sydney. The WSROC region comprises eleven local government areas located in Western Sydney - Auburn, Bankstown, Baulkham Hills, Blacktown, Blue Mountains, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta and Penrith.

The limited access by people in Western Sydney to adequate, accessible and affordable public transport options is understood to impact on the quality of life of people with a disability who live, work and undertake other activities within the region. The poor public transport infrastructure in the Western Sydney region means that residents have a high level of car dependency. In 2006 just 8.9% of all journeys to work in the Greater Western Sydney region were made by train or bus. For more than thirty years WSROC have lobbied for improved public transport in the Western Sydney region, an area of chronic under-investment. As an example, less than 15 kilometres of rail track has been added to the rail network in the region since the 1930’s, and only in the late 1990’s were two bus transitways added to the transport infrastructure in the region.

WSROC wish to emphasise the need for an improved inter-governmental and cross-sectoral approach to transport planning which allows for the integration of the Accessible Transport Standards within urban design, environmental, healthy living and economic planning processes. There is a need to allow for sufficient flexibility within the standards to enable a nuanced, community-specific, response to the transport needs of people of all ages with a disability. This is a particular concern in areas of substantial socio-economic disadvantage, such as in many parts of Western Sydney, in which any reliance on market-based solutions would be unlikely to generate the required improvement in accessible transport services.

2. Response to the Questions Raised in Chapter 14 of the Draft Report

WSROC supports Recommendation 6, which would provide HEROC with the ‘powers to refer cases of breaches of the Transport Standards directly to the Federal Court’ where this can assist in clarifying the issues experienced by local government in complying with the standards.

In considering the Draft Review, our contact with some of our member Councils has indicated that a major limitation is that these requirements are not yet fully integrated across different areas of responsibility within all local government authorities. Whilst the Management Plan in each WSROC member council may support the broad principles of accessible public transport, some Western Sydney councils are yet to prepare a detailed plan to systematically undertake works and actions in order to comply with the

timeframes which have been established under the Transport Standards. This indicates a need for HEROC to provide further training and education to local government staff and elected representatives, from across all areas of responsibility within councils, on their obligations under the Disability Discrimination Act and its associated standards.

Even within those local government authorities that have prepared detailed Access Plans they have found the poor, or non-existent, intergovernmental collaboration and cooperation in relation to the implementation of these standards has impeded their capacity for a systematic response. In relation to transport infrastructure local government in the region does not have any direct control, and is often provided with minimal opportunity for input, into the planning of the routes taken by scheduled bus services and into the planning, provision and upgrading of rail infrastructure. This is in spite of the fact that local government may be much more aware of the transport needs and travel destinations of their communities than the state government agencies.

In addition, there is an overlap between the three tiers of government which occurs in relation to accessible public transport. The building of new infrastructure and upgrading existing infrastructure by other levels of government has flow-on costs for local government in ensuring that accessible pathways and bus stops comply with the Transport Standards under the Disability Discrimination Act.

In response to the difficulties which arise for local government through these intersections of governmental responsibility, there is a need for a clearer definition of which level of government is responsible for what aspects of provision under the standards. This is crucial to ensure that there is a greater recognition of the cost implications for local government, arising out of the decisions and actions of the other two tiers of government.

3. Estimated Costs of Compliance

Compliance with the transport standards are a significant cost impost for local government. As an example the estimated costs of installing a single standard accessible bus stop have been estimated by one of our member councils at:

• Bus seat x 1	\$1214
• Footpath x 45 sqm @ 100mm depth	\$3606
• K&G x 15m, including pram ramp x 1	\$2500
• Road restoration in AC 15m x 1m	\$1050
Total per bus stop	\$8370

Please note the following:

- This estimate of kerb and guttering costs has been based on a program of construction of no less than 50m within the same area/locality.
- Cost per bus stop will increase if road/shoulder restoration is greater than 15 square metres.
- Bus seat cost is for a standard seat only.
- Footpath quantities will vary per site.

It is anticipated that there would be additional costs in installing bus shelters and associated networks of accessible pathways in older established areas of the region due to the variability of footway levels. In locations where service relocations are required in order to comply with the disability standards this would involve major additional costs. There would also be additional costs within the rural and semi-rural areas of the WSROC region due to the absence of existing pathway, kerb and guttering infrastructure.

Maintenance costs to local government also need to be considered in complying with the standards to ensure the infrastructure which is constructed continues to comply with the standards over time. In NSW the capacity of local government to absorb these expenses is impeded by rate pegging imposed by the State government and anticipated changes to the planning regime proposed by the NSW Government which will further limit the capacity of local government to raise funds to improve and maintain local community infrastructure, particularly within existing urban areas.

Due to the extent of the costs of compliance, combined with the limited resources of local government, the member councils of WSROC have emphasised that financial support from other levels of government will be required by local government to assist them in meeting the Transport Standards. There are also cost-shifting implications arising out of an inability of local government to levy contributions on any Crown development which includes services which require special consideration in relation to accessibility requirements such as educational institutions and aged care facilities.

4. Implications of a Lack of Integration in Planning and Provision in Western Sydney

The fragmented development of public transport infrastructure in Western Sydney adds to the costs, reduces the capacity for integrating transport connectivity, and can result in transport routes which are unwieldy and thus ultimately commercially unviable. The private bus companies operating within Western Sydney apply directly to the NSW Ministry of Transport to create new bus routes or modify existing bus routes. This means that bus companies can request route changes without full regard for the interconnectivity implications, nor the cost implications for local government.

There are examples within the WSROC region of local government having to bear the cost of moving existing bus shelters to new locations to accommodate bus route changes for which local government was never consulted. Local government also notes that there are limited benefits for people with a disability in improving the accessibility of bus stops if these are on routes which are not then adequately serviced by accessible buses, further emphasising the importance of integrated planning.

Local government has had to bear the costs arising through changes made to station infrastructure by NSW Railcorp, on which local government has not been adequately consulted. An example has been the recent upgrade of Werrington Railway Station within the Penrith Local Government Area. Whilst NSW Railcorp bore the cost of installing platform lifts, their work on improving accessibility to the station ceased at the

boundary of Railcorp land. The cost to Penrith Council of constructing an accessible pathway from the south side of the station to the commuter carpark has been estimated at \$100,000. Railcorp have advised council they will not contribute any funds to this construction.

In another example of the cost implications, Penrith Council recently fully funded the installation of tactile indicators on Railcorp land at the Penrith Bus and Taxi interchange to complete the link of tactile indicators between Penrith Railway Station and Westfield Shopping Centre. Penrith Council undertook this work as Railcorp neither applied indicators in this area of the Station, nor provided the local council with the funding to do so.

In an example of poorly integrated planning processes within Western Sydney, the NSW Ministry of Transport has recently engaged a consultant to undertake a scoping study of the Penrith and St Mary's transport interchanges, without incorporating council involvement as a partner in this process. This means that, whilst Penrith Council anticipates this study will address accessibility issues, they cannot guarantee the implementation of any of the recommendations arising out of this study as they are neither a party to the study, nor do they control the necessary finances to ensure compliance with the transport standards.

A community transport provider in Western Sydney highlighted transport access as requiring whole of journey planning. For example, the service had experienced difficulties when private services (eg podiatry, radiography) which are frequently accessed by people with a disability and frail older people had relocated premises, without adequate consideration given to transport accessibility, meaning that the transport provider now had to stop illegally in a no-stopping zone in order to drop their clients.

The conflict between the goals of the smooth flow of traffic in transport planning and consideration of accessible paths of travel to services help to highlight the problems which can occur at the intersections between different areas of policy and practice. Other examples, are the problems which occur around accessible toilets in areas such as railway stations which are only accessible by key, or the requirement that items required by a person with a disability, such as oxygen cylinders, be secured in transit, for safety and security reasons.

5. Proportional Upgrades to Infrastructure Embedding Inequitable Access to Public Transport for the Residents of Western Sydney

The regional stakeholders and researchers consulted in preparing this submission raised a number of key issues in relation to the equitable implementation of the transport standards across Sydney, given the lack of existing public transport infrastructure within the region. As an example, there are fewer railway stations and therefore a greater average distance between stations within Western Sydney than in eastern and northern Sydney. This means that, unless equity of access is taken into consideration within the implementation of the standards, many Western Sydney travellers with a disability will have to travel greater distances to access accessible facilities.

These stakeholders also made the point that, with the trial of the Smartlink project in the Nepean area of Western Sydney using a flexible demand response models of access to bus transport, it is crucial that standards in relation to new urban subdivisions include consideration of accessibility standards in relation to roads, kerb and guttering. There are problems with the manoeuvrability room for buses on the narrow roads in many of the urban estates in the Western Sydney region. The rolled edge design used for kerb and guttering in many estates also present barriers to wheelchair users in accessing the vehicle. Again in the absence of integrated processes changes to the planning regime at a State level in NSW will make it even more difficult in the future for local government in Western Sydney to exert any effective influence on developers in improving these design aspects within new estate developments, as well as in urban regeneration projects pointing to the importance of intergovernmental approaches.

Recommendations

1. In addition to the new recommendations for additional responsibilities for the APTNAC and APTJC, WSROC has identified that an additional layer is required within this National Consultative Framework. This would be a requirement for each State and Territory jurisdiction to establish an Accessible Public Transport Committee with the power to ensure an integrated approach is taken in the planning and implementation of accessible public transport infrastructure in compliance with the Transport Standards under the Disability Discrimination Act.
2. Given the shift towards more demand-response models of transport provision, as in the Smartlink trial in the Nepean area, it is recommended that all community bus services should be required to comply with the Transport Standards on a delayed compliance timetable which allows for the replacement of existing buses owned and operated by community groups by accessible vehicles.
3. WSROC recommends that the responsibilities of different levels of government in relation to the accessible transport standards be clarified and that HEROC ensure that local government is adequately consulted in planning and implementation of accessible public transport options.
4. WSROC recommends that local government be adequately funded for the development and maintenance of accessible transport infrastructure under its area of responsibility.