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TRANSCRIPT OF PROCEEDINGS

THE ALLEN CONSULTING GROUP

**REVIEW OF THE DISABILITY STANDARDS
FOR ACCESSIBLE PUBLIC TRANSPORT**

**HEARING CONDUCTED AT: MECURE HOTEL
85 – 87 NORTH QUAY
BRISBANE**

DATE: 30 JULY 2007

MS SKILBECK: Thank you everyone for coming. It's a wonderful turnout. We've had a couple of more sparse groupings in our hearings. I am just going to give a few brief introductory remarks before we start hearing from speakers today. I'm from The Allen Consulting Group, Melissa Skilbeck. My colleague, Kathleen Forrester, is here, as well. In addition, Gloria, to my right, is taking the transcript, and Donna Carter, who is in the pink top in the room, is a carer from Carers - - -

MS CARTER: Link.

MS SKILBECK: Link - I keep calling it Ink - Carers Link, who can assist during the day, if you require. The Allen Consulting Group has been appointed by the Australian Government Department of Transport and Regional Services to conduct a review into disability transport standards, their operation in the first five years. They were implemented, initially, in 2002 and, of course, the implementation is staggered.

There is a requirement that there be a review within the first five years, so only partial compliance is required up until 31 December 2007, but that's a defined level, in most cases. So we are interested to hear about the extent to which those standards and their implementation have been effective, where there are gaps, and any other issues that you consider relevant to the review.

A little bit of administration. We have website in place. The transcripts from today and all the past and the next few remaining hearings will appear there, within a week of the hearing. The website is ddatransportreview.com.au.

Our issues paper, which was distributed earlier, is also on that website and, when the draft report is completed, it will be there. This is one hearing of about 14 or 15 in all capital cities and in seven regional centres around the country. It's one of a number of ways in which we are collecting information. Written submissions are also welcome, and we have a deadline of 24 August for those. The role of the hearings is to provide all interested people with an opportunity to speak, to provide us with some views. It gives us a chance to ask some questions.

We intend the hearing to be relatively informal. The formality is only that that is required by the transcript. We have microphones around the room. They are mostly in the front here. We have a number of people who are scheduled to speak, and a number of people have said they might be inspired to do so towards the end of the day. If that is the case, we'll do it with a little bit of organisation, and ask that, whenever you do have an opportunity to speak, that you identify your name, who you are - where you are from, and do so with a microphone in your hand, if at all possible. For those of you who are here to observe, you are most welcome, of course, but, please, give everyone else the opportunity to speak and be heard, and try not to speak over others. I think that's about it.

The other little piece of administration is the toilet facilities are in a great, long, loop around toward the back of this room. Keep following the carpet, and you will eventually get there. And with that, are there any other particular questions about this hearing, or Allen Consulting's role, anything else before we start? No? Okay.

Now, we've started off - originally we were scheduled to hear from David Humphrey first off. Unfortunately, he's had to cancel this morning. He has an ill family member. But Paul Larcombe has generously agreed to go first. So, Paul, if you wouldn't mind heading off?

5

MR LARCOMBE: Good morning. It would be good if the microphone worked. Does it work?

10

MS SKILBECK: It's not an amplifying microphone. It's just for the transcript so - - -

MR LARCOMBE: Oh, is it?

15

MS SKILBECK: - - - it will do the trick. Thank you.

MR LARCOMBE: Very good.

MS SKILBECK: Yes.

20

MR LARCOMBE: I think I've got a booming enough voice to handle this room, anyway. Good morning, all.

AUDIENCE: Good morning.

25

MR LARCOMBE: That let's me know there's about 20-odd people in the room.

MS SKILBECK: Roughly, yes.

30

MR LARCOMBE: Roughly. Very good. I'd like to start by giving you a detailed description of that wonderful descriptor we had a minute ago of how to get to the toilet. "Around over there." Really good for the blind guy. I get the impression it was off to the left here somewhere, and then down the corridor. Is that right?

35

MS SKILBECK: Yes. That's right.

MR LARCOMBE: Good. That wasn't to pick on you - yet.

MS SKILBECK: No, no, no. I appreciate the point.

40

MR LARCOMBE: Yet. Let me build up to it. I think we have jurisdictions in the room, don't we? We have people here from QRail, from local authorities: is that right?

45

AUDIENCE MEMBER: Yes.

MR LARCOMBE: We have people here from the general disability sector?

DISABILITY SECTOR: We do. Yes.

MR LARCOMBE: Yes. We've got some people here from my regional disability councils, I think.

DISABILITY COUNCIL: Yes.

5

MR LARCOMBE: It's all happening. My name is Paul Larcombe and I am chair of the Disability Council of Queensland. And in that role, I'm a community advisor directly to the State Minister for Disability Services, Warren Pitt. And I guess that's the role that I'm talking to you this morning from. But to give you some more
10 background, in a past life, I was also the national coordinator of the DDA Standards Project. In fact, I was in that hot seat, working on a project for the Federal Attorney-General in 2002. Anybody know what happened in the end of 2002, legislation-wise?

15 A wonderful thing called the Accessible Public Transport Standard was enacted in Parliament in October 2002. I was working on it at least two years before that, and brought it up to that point. So guess what? I go to meetings around Australia. The first thing that people say, "It's his fault," which is really exciting. I've only got half an hour so I'd better move along. I didn't tell them that it takes me half an hour to
20 say hello. But I want to take you on a small journey of where it came from, where it is now, and where I see it going.

The transport standard really began its life over 25 years ago, would you believe in a hotel restaurant in Sydney, with a lovely gentleman called Angus Downing, who's a
25 quadriplegic, a journo. He was sitting with the head of the State jurisdiction in Sydney, for the whole of New South Wales, and I think it was into the third bottle of red that Angus finally looked at him and said, "We need access on transport." And I won't tell you the guy's name, but he said, "That's a given." He said, "How do we do it?" And then they got into the fourth bottle of wine and started to discuss how it
30 was going to happen.

It took a long time. Some of you in the room actually remember part of that journey. Did you know we had a draft of the accessible public transport standard on the table, ready to go, in 1991? Did you know that? Exciting, isn't it? When did it go to law?
35 2002. Who says that getting things done at the federal level is fast? It takes quite a while to get things through. The main reason is stakeholders. Can you guess how many stakeholders we had at the table at the national level negotiating it? Some of you in the room here were actually at some of the table. Over 30, from around Australia. That gets rather exciting.

40

Why do we need an accessible transport standard? Now, I can get lots of responses from anybody in the room here today. But let me give you my essence of why we need one: because it won't happen naturally. Does that make sense? And why won't it happen naturally? Economic reality, as well as public opinion and control
45 by people who don't have the disability that they need to produce a transport system for. Does this make sense?

All of these cause friction, and they cause challenges. So this is why we need to put in legislation an impression of the world we wish to see in transport. The DDA did something. The Disability Discrimination Act itself, when it was brought in in 1992, did something to better the lives for people with disability in this country. But it's a passive piece of legislation, have you noticed?

So people were not forced to make life better for people with disabilities if they didn't have to. So then we had what we called a complaints-driven system. Isn't that wonderful? And many of you in the room have probably been in that system. So to get anything done you need to lodge a complaint, and therefore it will be heard by the Discrimination Case, and therefore you may get something done. It's one of the passionate reasons I took up the national coordinator's role: I saw things happening. I saw things like - let's take it out of the transport mode for a while and look at education.

We had an education system in Discrimination Complaints, that somebody complaining going into high school would be then taken out of the high school system if they were rejected in going in to high school - and this has happened several times, and I won't name cases - and they went to High Court in the challenge. The ruling was finally laid down when the person left year 12. It took that long. So unless that person, themselves, went to TAFE college - which they did - guess how much education they got? None. So we brought in the DDA education standard alongside this particular standard we're talking about today.

Now people can't do that. Most education cases are now heard within 12 months, because we have something that's a little bit more robust. They now need to fight a standard. Now, we all know, because we've been working on the transport standard, that that gives you a bit more strength in a case. But not only that, the transport standard did something else. It said to the jurisdictions around Australia, "Here's a timeline. You must upgrade your systems over this timeline." And as we all know, the first deadline for that is the end of this year, 25 per cent of all infrastructure and rolling stock.

There's a slight challenge with that. And for those of you that don't hang around the jurisdictions and the political levels, it's the way we count numbers. Does that make sense? We can make numbers almost say anything. So if we give you 25 per cent of the infrastructure by the end of this year, does that guarantee anybody with a wheelchair in this room access to all transport? No. Does anybody get the fact that if you want to go on a journey with me, we've got to check out whether you have an accessible platform or bus station near you that we can get you to where I'm going. So we're going to have a party, right?

So can you get from your house to the centre of Brisbane, have the party and get back home again? Some of you can. What about - let's move out - can you do it at Rockhampton? It's a little bit more difficult. Could you do it at Mount Isa? Why? There's bus systems, there's transport, isn't there? But interestingly, even in Brisbane I can tell you that there are friends of mine in Brisbane that can't go across the city because of where they live. So should they have to move to align themselves

with the transport systems that are actually accessible now? Does that make sense?
No, it doesn't make sense.

5 So we found this. We did a public engagement at the end of last year, called the Bus
Stop Project, for Queensland Transport. We went and spoke to people throughout
Queensland. Some of you in the room were on that with me. And we had over 800
submissions on that process, that spoke about the transport they would like to see,
and where the nearest transport they have that is inaccessible - because not many of
10 them had anything accessible. The big thing we found out was that anybody's
transport engagement is not a one-stop thing. And all of you in this room would
probably agree with me: you don't just get on at one bus stop or one platform and go
round the system and get off at that platform again, do you?

15 Any of you would like to leave your house, go to the nearest engagement with public
transport, have it accessible, get on to a vehicle that's accessible, go into town or to
the place you are going to to enjoy a pursuit with your friends, get off at that
particular embarkation point, and have it accessible, go and do what you must do,
come back to that point, go across to another place and get home again. How many
20 stations is that? At least four. But what are we going to do? We're going to give
you one. Does that make sense? You tell us where the nearest one is to your house,
we will fix it. Anyone see any illogic in that logic?

25 But it makes some sense, because, at least, when we can identify the one that will
have the most impact on you. I love the way the bureaucrats think sometimes. That
has a big impact on you, yes? You've now got one accessible bus stop, say, outside
your house. There's nothing else accessible in the entire system, but we've got one
outside your house. Guess how long it could be before you get the rest of them?
Twenty-five years? Fifteen years? What do we have - 95 per cent accessible by
30 2017; is that right? Who is a tech-head in the room? That's about right, isn't it? So
you've got 95 per cent chance of having the other three done up by then.

35 I'm not saying it's a negative. I'm just saying we need to consider it. The other
biggest problem we have in that consideration is, how do we read the legislation?
You take a look at that legislation and it doesn't give you exact blueprints for any
engineer, does it? It gives you performance measurements. I'm not a technician.
I'm not an engineer, but I can tell you, you hand that performance measurement
guideline to all your engineers, you're going to end up with different results. Who
knows that? It's all going to be slightly different. The other thing we did was, we
40 said, "We cannot simply list in there" - because I can tell you that the federal
attorney-general was extremely passionate about not giving over his law-making
ability to a publishing house.

45 So he never gave it over to Standards Australia, because Standards Australia is a
publishing house. Their documents are not legal documents. They will not stand up
in a court of law. The Transport Standards stands up in a court of law. So what we
will do is, we will list in there one particular Australian standard, because if we just
list - look at the latest Australian standard and take the guide from it, it would make
the legislation null and void. Did you know that? It will, because it means that that

document, that they're now referencing, hasn't been debated on by the whole public in Australia and all jurisdictions, and accepted as the one we should use.

5 So therefore you've put a document in there that is, shall we say, a maverick document. It could be a problem, because nobody has looked at it. So what we did - or what the federal attorney-general did, and all the stakeholders, is they grabbed one: the Australian standard of 1992. And then they referenced the clauses and parts of it that equate to an assessable system. Now, can I ask you, anyone who is not in a major jurisdiction, do you have a copy of the Australian standard 1992? And most of
10 you will say, "No." And why do you say that? Because it costs lots of money to own it; is that right? Who knows that it will cost you quite a bit of dosh to go and just pick up a copy?

AUDIENCE MEMBER: I found that out.

15 MR LARCOMBE: You found that out? Yes, good. But it means the only people that actually have a copy are major people, like government, transport providers, local government authorities. Is that right?

20 MR WEBB: Possibly.

MR LARCOMBE: Other people in the room have a copy, too, but they're the main ones. Do they tell you what parts of that standard work in the environment that you want to argue with them on? Sometimes. I'm not trying to be provocative. I'm just
25 trying to say that if you want an even playing field for this, we don't have one. To have an even playing field, everyone should have access to the same material.

30 Now, I did have it said once by a person who worked at Queensland Transport – I won't name them – but as I was doing my round the country chat in Northern Queensland they came into the room and said, "Why are we doing this? Why not just print out a copy of the Standards and print out a copy of the Australian Standard that relates to it and hand it over to the public and tell them to have a look at it?" Great. Who in this room has an engineering background? A few people should be
35 putting their hands up, right? Are any of them from the general public? Very rarely, okay. How many people with a disability in this room have an engineering background? Not many, right?

40 So could you even read the document if we provided it to you? You could read it. Could you comprehend how those specifications come together in something on the ground? Not necessarily. So let's get real. The way to get real – and we probably should have done what the Americans did. The Americans took a look at it and they said, "Wait a second, we can't just refer to all these documents". So they did a wonderful plagiarising job. They just went and grabbed the whole standard they
45 were talking about and dropped it in the legislation. I can tell you now there are lots of engineers in Australia that would have said, "Fantastic, it's about time you done that". Okay. It would have taken some of the ambiguity away, but they didn't.

But what they did do was put enough performance measures in there for people who knew what they were looking for could design things. Because did you know that in the Transport Standard it doesn't actually say that your bus stop needs to have a platform which is built in a cement slab of 150 mil. What it said was something like
5 "as your conveyance or your bus pulls up at that bus stop even with the lean it needs to have a slope of no greater than" as you board the conveyance. Now, engineers will tell you that, therefore, when you measure the amount that a bus will lean, an accessible bus, and where the ramp will deploy your cement slab needs to be of this dimension. Does that make sense?

10 But do you get that from the straight statement? No. Okay. You need to actually work out a few formulas. All I am trying to get to is, it is not a level playing field for comprehension. So let's say that we get the 25 per cent by the end of the year, do you realise to get that, there are arguments happening at the moment on who pays.
15 That's a good one, isn't it? We would love to have access today, well, that would be good, but who pays? In the Commonwealth sense, they don't want to pay, they just make law. In the State Government sense - in fact, the only State Government I know that is putting their hand in their pocket is Queensland, and they are willing to fund a lot of it. You go to some other jurisdiction state government and they say,
20 "It's not our responsibility." The infrastructure on the road belongs to the local authority.

So the local government has to pay. So guess what happens while they argue?
Nothing.

25 AUDIENCE MEMBER: Surprise.

MR LARCOMBE: Surprise? So how much closer are we to the 25 per cent? Not much closer, except for the works that are happening. Who knows that any works
30 that happen after 2002 had to be compliant? Yes? So everything they did in the centre of Brisbane, fantastically, all the bus ways, are accessible. And they are to the standards. That will really help when they start number crunching for the state. The other thing that Queensland did really well, was they started working on their rolling stock. I'm talking buses here, not rail, because the rail guys have been working on it
35 as long, if not longer. In the buses, transport decided that they saw the writing on the wall, so since about '98, they have been offering huge subsidies on low floor buses.

So we have now 50 per cent of the fleet, in Queensland, is low floor. Some of them in regional Queensland have no accessible bus stop to pull up at, but at least the bus
40 is accessible. Anyone tried to board an accessible bus from gravel? Isn't that exciting when you have got a wheelchair. Anybody got an idea of how much that slope is? One in four, at least. Who here can go up a one in four slope without assistance? I hope none of the wheelies are putting their hands up. What we should do is get some of these jurisdiction heads in a wheelchair and tell them to go up a one
45 in four slope. That would be exciting. Anyway, so we are getting there as far as rolling stock. Infrastructure is going to slow us down because we are still debating over the best type of infrastructure to build.

We produced a report at the end of that six months, last year, in that we have contained four bus stop designs that will work in regional Queensland. The biggest problem you have in regional Queensland, often, in regional Australia anywhere, is you don't have a kerb and gutter sometimes, and most of the time you don't even
5 have footpaths. And most of the local authorities will argue with you, "I'm happy to put in for the bus stop, but what about the 100, 200, 500 metres of footpath that I have to put in. We can't afford it." We got around that by saying, well, in regional areas that are very quiet, nobody uses footpaths anyway, they use the road because there is no footpaths, and it is usually quiet enough for them to use the road.

10 So what you have to do is make sure that you can get from where you are rolling, onto the platform to board, so we will put a ramp at the end of the bus stop. And they went, "Oh, that's a bit logical." I said, "This is not rocket science." Okay. Sometimes the best solutions in the world are simple ones. So putting a ramp at the
15 end will work because in quiet streets, they do use the road for conveyance. Now, before I get totally wound up here and take all day, instead of my half an hour slot which I have already gone over I think.

MS SKILBECK: No. You are right.

20

MR LARCOMBE: I'm still within time?

MS SKILBECK: You have got at least 10 minutes, Paul.

25 MR LARCOMBE: Scary stuff. Don't write that. What I would like to conclude it with, is bring you into a picture of where it is going. We all know that it is going to be a struggle to go over the line at the end of the year, don't we? Let's get real. It's going to be a struggle. Once we get over that line, the nightmare has only just begun for jurisdictions, because now they have got to do the next 55 per cent in 10 years.
30 They had five years to do 25 per cent and couldn't do it. What hope have they got to do it 55 per cent in 10 years? Does that make sense? Hopefully they will have geared up a bit. At least they are all aware of it, now, because they are all running scared. Most of them hadn't even put it into their thinking processes until the end of last year.

35

But we need to answer those fundamental questions, who pays? And if they are going to argue between the three levels of government about who pays, it will slow the process. I personally believe, and this is my personal opinion, taken out of the realm of politics and my roles in everything, it's a personal observation of mine. All
40 levels of government need to pay. If they leave it up to one, it will be seen as a burden on their lot in life, and they will struggle to get it done anyway. So I think it would be fairer if all levels of government pitched in for it. That is just my opinion. Just – for the Commonwealth to say that we make the laws, we don't have to fund it, is ridiculous. So I think the Commonwealth Transport needs to put in some.

45

The state jurisdictions need to fund some. And I think Queensland are leading the way. In fact, their memorandum between state government and local authorities is actually a hiccup at the moment, because it is saying that 50 per cent should be

funded by them. Transport would like to fund more than that, but their bean counters and the local government authority bean counters are at odds on that. But if they could get around that, we could have 25 per cent done by the end of the year, because transport has the funds and they would like to go and do it. They have just been
5 waiting to find out which bus stop to build. And who thinks if they took a bus stop out of the streets of Brisbane and built it in the middle of Rockhampton, it would work. Anyone got the opinion that would work really well? No.

10 It wouldn't work so good because if you have a look at the ones in Brisbane, they are built for an urban street that has footpaths, that has kerb and guttering, that has limited space. So you build one for that environment, whereas, if you go to a quiet country town, you have room, often. What you don't have is kerb and guttering, and you don't often have footpaths, but you have room. And I'm not going to get into
15 too many of the controversial areas, but they will come up, just to say that you can get around a lot of them by good design. I have got a friend, and I will probably write a book with him one day. It's all about tactile ground service indicators or TGSIs for line people. Yes, TGSIs, excuse for poor design.

20 What do you put them in for? It is to warn you that something is not right. Now, when you put them at the top and bottom of stairs, fantastic, you are warning about something that is really in the environment. When you put them around Telstra telephone boxes, it's because it is a poor designed box, you know? Anyone seen those? They are cut-offs. There is a pole in the ground there, and a Perspex that goes up like this. Really good at rearranging the face of the blind guy, because the
25 cane goes underneath it, the dogs go underneath it; they should be looking but sometimes they don't. It's great. TGSIs, excuse for poor design. I'm out of take. I can stop now.

30 So number one, I think they need to sort out who pays. Number two, we need to sort out designs. Everybody in jurisdictions – the biggest scream we heard as we went around the state was, "Give me a design. I'll build it tomorrow." Most of the bigger places had the funds, they just didn't have a design that they could trust, because they didn't want to build something they had to jackhammer up six months later because
35 somebody was going to take them to court on it. Our biggest thing that we said to them was, "Fantastic. Then here's a design. We'll give it to you at the end of the process. There's the design here that will tell that this will match what you need to reach compliance in the standard and equitability across the sector."

40 But if you go with any other design, apart from what the sector has approved, and the sector's experts has given you, then how can you expect the sector to just accept it. Surely, they will be able to work on it. There is many bus stops where you guys can get on and off. It's not comfortable, but they do work, but they are not good, are they? There is better designs out there.

45 The next thing I want to talk about is getting the numbers right. Let's not just calculate how many bus stops we have and say, "We've hit the 25 per cent." The big reason we went around the state last year was to say, "The first 25 per cent must count." Not just from a jurisdiction's perspective, but from the sector's perspective.

If we can make the first 25 per cent count, we will remove the burden on risk, because the biggest risk for jurisdictions is, if they put 25 per cent in and people are unhappy still, they will lay complaints. If they put 25 per cent in that makes most of the population happier, then they will get less complaints. Does that make sense?

5 That was our argument.

So I said, “Let us give you the priority listing of the first 25 per cent so you can target in on what you need to deliver.” The biggest problem after that is delivering, of course, and that’s for a different argument. So there are the three biggies that I
10 wanted to lay on you today. And that is more or less bringing me to a close, except to say that I have ignored airlines and taxis.

Ferries are going to be taken up pretty well, because we are already starting to negotiate with quite a few jurisdictions on pontoons, and I know that all of the – you
15 have probably noticed that the ferries here in Brisbane, most of the City Cats are wonderful. They are pretty reasonable in their accessibility, compared to a lot of other ferries in the state, but, anyway. The big other one that is going to be the problem is airlines, and we all know that airlines are causing quite a few angst out there at the moment. And I’m not going to spend too much time talking about them,
20 only to let you know a funny story, and I will close with this.

That wonderful man, Angus Downie, we gave him a Human Rights award for his work on transport. He has not only assisted over the last 25 years just our country in getting up to scratch with transport for disability, but 15 other countries. So we flew
25 him from Hobart to Sydney. He was uncomfortable on the way up because they only have 717s now flying out of Hobart, as you all know, which is great for us able-bodied types, but you put a quadriplegic who is six foot three, and rigid. He doesn’t fit, right? So it was a bit of a struggle on the way up. It was a little bit uncomfortable, but he made it.

30 On the way back, they broke his leg because they had two bag handlers, who they now call customer support officers, who grabbed him, sat him on the side of the chair at the front of the plane, and debated over the fact that they knew darn well that he wasn’t going to fit, and, finally, after about 15 minutes of arguing – mind you, who
35 in the room would like to sit on the side of a seat in an aircraft for 15 minutes, just left there. So they then just picked him up and bodily slammed him into the seat. Of course, he has no pain senses from the neck down, so he didn’t feel anything. He knew it was a little uncomfortable, but he didn’t know what was wrong with it.

40 He got home and they delivered him back home, and he didn’t feel right, so a week later he called his doctor in. The doctor came, checked it out, and he had broken both the tibia and the fibula on the right leg. Now, because you can’t feel it, he didn’t know. It almost went sceptic on him, and it took about three months to fix him up after that.

45 And that was our major carrier, but I won’t say who it was. Have we come a long way in transport? Maybe. Have we made the right advances in getting it right for disability in Australia? I’m not sure yet. Are you? But have we made steps in the

right direction? I believe so. The thing that I think is making the biggest change today is that people have stopped assuming they know how to do it. All of the jurisdictions I go and talk to now say, “We don’t know what to do. We know how to build it. Can you give us help on what the sector really needs so we can build it right?” That’s what I have been waiting for for 15 years. Who thinks I have got patience? The patience of Job, but I need it.

Most of the stuff I work on takes decades to do. Most of you would get frustrated with that, especially in the political arena. But I am going to wind up there because I have spent enough time talking to you. I have given you a story and where I feel it is coming from, so I want to pass it back to these people.

MS SKILBECK: Thank you, Paul. Can you hold onto the microphone for just a little bit longer? One question I wanted to ask - - -

MR LARCOMBE: Sure.

MS SKILBECK: - - - was about soft infrastructure, if you like, information around the Brisbane public transport system, timetabling information, information on the stops that are accessible and those that are not. What is the state of play there, in your view?

MR LARCOMBE: I can only speak from the vision-impaired perspective.

MS SKILBECK: Yes, please.

MR LARCOMBE: I can tell you I don’t use the busway.

MS SKILBECK: Okay.

MR LARCOMBE: Main reason: it is the sensory environment that is pretty well useless to me. There is no audible bus stops yet. There is no system in there that can talk to me and tell me what is going on. I have to rely on the general public because there is no staff in those, like there is on bus stations – I mean, on train stations. The other thing that is difficult for me in the busway, which is wonderful here in Brisbane for moving people fast, is buses don’t pull up in designated spaces. You have to flag them.

MS SKILBECK: Oh, okay. So you have got to see them.

MR LARCOMBE: Really good for the blind bloke. He stands there going – all these buses pull in and you go, “No, no. You are not the one I want. You are not the one I want.” All we have to – have to be really – signposts. We hold up signs that say 1.30.

MS SKILBECK: Oh, okay.

MR LARCOMBE: And eventually the 1.30 will pull up next to you. More regionally, in my suburb, I have multiple bus routes running through my suburb. So we will have two or three buses flowing through at the same time. I usually tell them from the garbage truck by the flies, but I have flagged down many council trucks.
5 And they usually pull over; they are very polite. But when you – you have to move away from a system where you flag them down.

MS SKILBECK: Yes.

10 MR LARCOMBE: In Brisbane City it's great, because there is not too much of that service, but when you get to regional Queensland, it is all that. Hail and Ride, they call it. So you stand out – you don't even have to stand at a bus stop. You stand outside your house and you just wave at the nearest bus, right, and it pulls over and picks you up and takes you into town. They are not so good for the blind guy.

15 MS SKILBECK: Okay.

MR LARCOMBE: But for sensory work, I think you will find, overall, it's still got a way to go.

20 MS SKILBECK: Okay.

MR LARCOMBE: A lot of the jurisdictions really don't know how to get their head around sensory stuff for deaf people. I know that they are putting into place a lot
25 more improved lighting at bus stops and train stations, better timetables, so instead of putting the whole timetable from the district up, which they were doing in regional Queensland, and putting it on an A4 sheet, and about five font, you know, it's really tiny stuff, with a huge amount of information. So we got them to change that and move into an 18 font on an A3, and only put on that bus stop which buses go through
30 it; made all the difference in the world to a lot of people.

The other sensory and timetabling one, Brisbane City Council do it well, they have got a nice bus stop website. We have a nice phone number we can call, and this voice will lead you through, and you can actually ask it questions and it will guide
35 you to the right buses for your area.

MS SKILBECK: Is it a free service?

MR LARCOMBE: Free service. It's a 1-3 number. And anybody can jump online
40 and go to their website and put in where they want to go to, and it will show them the buses and the routes to go to. So all that's in place. It's pretty well - it's pretty reasonable. Navigating to that site is often difficult, but that's a different story. It's a different part of councils that do that. Not many of their websites are totally accessible for speech-reading programs yet, but we're getting there. QRail is very
45 reasonable in that area as well. There, again, you've got a free number which you can call, and that will guide you through, as a vision impaired person. I know that the taxi area is improving in communication. They've got, now, email services and SMS services for the deaf, which are working reasonably well.

Access to taxi ranks is still a bit of a nightmare, because there's no standardised taxi rank to be built. They're still arguing over it. So you can get to a taxi rank and not have the ramp to get the wheelchair out and onto the footpath with. They have to go out and around the car park and find another way in, you know, all that sort of stuff.
5 It's all exciting. Ferries are a bit of a struggle in most places, because you can't be guaranteed you're going to get access onto them. But you can in Brisbane, because they've done a lot of work. Does that answer your question?

10 MS SKILBECK: Yes, it does, thank you.

MR LARCOMBE: Okay, good.

MS SKILBECK: Thank you very much, Paul.

15 MR LARCOMBE: Any other questions before I sit down and let more eminent people take over?

MS SKILBECK: No, I think we're right. You covered it beautifully. Thank you, Paul. All right. Thank you. Next up we have Nigel Webb, and we'll get the
20 microphone to you, Nigel. Okay, Nigel, do you want to start off by saying - describing your - - -

MR WEBB: Yes. Well, everybody with a disability comes with a history to these things.

25 MS SKILBECK: Wonderful.

MR WEBB: Let me introduce myself. My name is Nigel Webb and I guess I
30 enlisted in this process as an individual, and I'm happy to speak rather about this issue, because - but I do have a history not too dissimilar to Paul, not in eminent circles as he, but I was a past member of the inaugural State Disability Council from '99 to 2004.

MS SKILBECK: Right.
35

MR WEBB: I do know, in that role for almost five years, that two issues that occupied the Council's time more than 70 per cent was education and transport, and with the previous chair, Brian Parker, I attended regular meetings with the Department of Transport, addressing much of the correspondence the then Council
40 would receive. And we received a variety of correspondence on all conveyances of transport across the state. So we had lots of issues on a monthly basis to deal with, and invited a number of bureaucrats to come and address us and try to work out systemic ways to overcome some of the concerns from the correspondence we would receive, or the verbal submissions.

45 So I guess I have that history, and remember the draft transport standards and being involved in some of that. Yes. I'm a bit younger than Paul, so my history is not as long for that reason. So - and I am someone who does use all the modes of transport:

airlines, taxis, trains, buses, ferries. I use them all, so when I had the opportunity to come to these hearings and speak, I thought it's probably an opportunity. I guess I have some observations. I printed off the questions from the report, so I have some frame and might refer to it for the time that I have to speak, to prompt me. If you
5 have questions, interrupt me and ask. So that's pretty much the background.

I guess I'm a person - obviously, for those who can't see me - with a mobility impairment, and a couple of observations I want to make from the outset - and they may be wrong assumptions, but I want to state them anyway - is that I understand the
10 transport standards, in terms of ergonomic space, etcetera, require - were originally designed around the person who uses - for someone who may be using a mobility aid, such as a manual wheel chair. Many - and yet the standards at that time, when I read them, also required you to be able to independently move between the platform and the actual conveyance.

15 So many people with mobility impairment, to be independent, are using other mobility aids that are more than, if you like, manual equipment - they have power wheelchairs, etcetera - which often would require you to exceed the standards in terms of space and layout for various conveyances, and that's where a lot of people,
20 particularly with mobility impairment, are having some difficulty, because they have - we go through this system, at least in Queensland - or a number of people with mobility impairment in Queensland go through the Medical Aid Subsidy Scheme, and that has a number of implications in that you're given a prescription piece of equipment, usually authorised by a therapist, and if anybody has been through that
25 process, they're lucky to come out of it in one piece.

But - you know, so there's an entourage of things you have to do to comply with all of that stuff, and then you're given this piece of equipment and, hopefully - you know, I remember, as a member of the Council, saying to the then Minister of
30 Disability Services when I was looking for this particular chair in 2003, "I want one piece of equipment to meet 80 per cent of my needs, 70 per cent of the time," you know, because governments love percentages. So - and they rationalised everything in these ways. And so, ultimately, I ended up ordering a piece of equipment that was actually outside of the standard government offer arrangement, but it meant that I
35 could access taxis, have special hooks attached to my chair so I could be secured in the taxis, all of these sorts of - and I guess that's my perspective today is the practical application of trying to access these modes - these various conveyances.

40 When I travel by aircraft, I have - more often than not have to take support staff with me because of moving this equipment. This equipment is more valuable than I am. If it doesn't function at the other end, there's no point me being there. So I often tell my support staff, "I'm going to shove them in the cargo with the chair," which - it causes them some distress. But I'm quite happy about it because I know my chair is
45 safe. They do travel with me in the aircraft most of the time.

But, yes, so I have all sorts of experiences in various community roles in accessing all of those modes and, yes, I mean, the issue that I said when I made complaints to

the Commission - the Anti-Discrimination Commission in Queensland and HREOC in the past, is that I want, you know, public transport - well, "public" by definition means accessible and affordable to everyone. When you think about - you know, so there's all sort of things that are public - public toilet, public road, public pool, public transport. So I'm particularly passionate about - I chose not to drive when I was
5 considering getting my licence and using personalised modes of transport. At 17, a lot of my friends were being involved in very - an array of motor vehicle accidents, and I didn't want to put myself at risk.

10 My disability is cerebral palsy spastic quadriplegia, and, for those of you who know anything about it, it includes a startle reflex that you have as a baby and usually grow out of. Most people with cerebral palsy don't. So I'm not going to get in control of a motor vehicle at 100 kilometres an hour and somehow let go of the steering wheel if I hear a noise that disturbs me and causes the reflex. So I choose not to. So I've
15 been a passionate advocate in matters of public transport, and I've been living in the community, enduring many of the struggles that you'll hear around the country for the last 20 years.

So when I think about it, you know, like my - the standards have helped because I'm
20 generally still considered a novelty when I'm using a conveyance. The general public, "Oh, how did you manage to do that?" when you get on board, and, you know, "Isn't it lovely that you can use the hydraulic functional ramp on the bus?" and all these sorts of things. My issue with some of the bureaucracies in terms of buses would be that there's lots of low floor buses in the south-east corner and so on,
25 particularly with the introduction of a busway, but they don't also indicate its functionality, and many of the services are currently hydraulic and, for one reason or another, they are either functional or not.

So they might have lots of - 20 per cent or 25 per cent of their fleet as low floor, or
30 more, but for some of the routes, they go every 15 minutes, you don't mind waiting another 15 minutes hoping that the next service may in fact be functional. You can ring and book the service and they will give an undertaking to try to make it an accessible service, but they can't guarantee that it's functional. So that's my issue that I guess I want to - one of the issues in terms of that particular conveyance that I
35 want to point out in this hearing, is that they also need to do some significant improvements with the mode of conveyance to actually make sure that it's functional. It's like having TGSi that leads nowhere.

40 MS SKILBECK: You mean functional in terms of the lift not working or - - -

MR WEBB: Yes. I mean, they must have maintenance schedules, programs, or whatever, or a mode of communication. I mean, they still run the bus whether the ramp actually works or not because they need to go and pick up people and they've got - you know, however many routes they do in a day with that particular vehicle.
45 But they're not connected with GPS, as I understand it, so, you know, other than sticking a wheelchair symbol on the door which alerts the public to the possibility that it may be accessible, but it can easily drive past for several reasons - one is, it's full; two is, it may stop and the ramp doesn't deploy. And I know the council has

taken recent stock - recent moves to - with its most recent stock to using the recessed fold-out ramp as they do in many regional centres. I mean, at least that guarantees functionality.

5 You know if one of those pulls up, all you have to do is educate the driver as to how to fold it out, because many of them haven't been shown or told, as they tell me, "Oh, nobody told me it does that." I've had that experience on many occasions, and I find it fascinating that they don't know there's a hook behind their seat that helps them remove that from the floor. And in one case I was invited to do it myself,
10 which I thought was - "If you know how this works, you do it." I thought, "Okay," and I did. So I got on the bus but - so I thought that was rather interesting, and that happens in a major capital city.

15 MS SKILBECK: Do you have limitations, Nigel, because of the dimensions of your chair with any of the equipment?

MR WEBB: Well, yes. I mean, on one of my - before I left the council in 2003, one of the things I was asked to do or invited to do was to go to Ernest - on the Gold Coast where they build many of these local buses and have a conversation with the
20 engineers at the time who were looking at various hydraulic issues and - in that role as a council member and, you know, I mean, an entourage of engineers came out of the workshop and we toured the workshop and were staggered, "Oh, your chair exceeds the standard." "Amazing. It's what's being prescribed by an entourage of therapists. It's wonderful." Yes. If you've ever been a consumer and had to go
25 through that - you know, I said, "There's nothing to stop you from actually exceeding the standard. These are minimum standards usually," or they were. They were in the draft. So, you know - and they go, "Oh," you know, because then they seat you in the locality of the space and then they realise you can't reach the buttons behind you to ring the bells and so on and - or, you know, "Where's a good place to
30 put this?" and, "You've given us all sorts of" - so I spent most of my day stuck in a bus.

And, you know - and I have issues, I guess, with some of the other infrastructure, like, the Department of Transport regulates these things. They regulate issue with
35 the Taxi Council as regard to the fare. They also supported the other end of the spectrum in terms of subsidies to assist people. I mean, the reason why people with disabilities are not - one of the big reasons why I think people with disabilities are not using the conveyances that are available, even now, is because they don't know about them.

40

My recent experience, I went to a vacation with an accommodation service - major service provider here, Cerebral Palsy League - I'll name it - to their holiday place in April this year, and I contracted the Transinfo service to try and get from the train station to the facility using the transport, or TransLink services that they offer, and I
45 gave them three days' notice that I was going to do this, and I was told by the local bus company that they couldn't or wouldn't organise a low floor service to be on that particular route on that particular occasion, even though I gave them plenty of notice. It was, "Oh, that particular route doesn't have a low floor bus on it." "Well, why

not? There's a major service provider offering accessible accommodation nearby," and then – so I decided I would go and do a bit of scouting. And I got there.

5 I used a taxi and – you know, which is 10 times more expensive than the bus that I should have been able to use like everybody else, but – and so I did a bit of local – and it turns out that on a major road, 500 metres away from the actual accommodation, they ran – every service was low floor. And I could go to other – you know, other venues to have a holiday and be entertained; casino, hotels and nightclubs and so on, as you would expect young people to do. I'm middle-aged by
10 the way.

MS SKILBECK: Within Brisbane do you find similar things? How accessible is the information on accessible transport?

15 MR WEBB: Well, from a person with a mobility impairment's point of view, many of the signs that are on bus stops and things are too high. You can't – I mean, I've got to, you know, get the giraffe neck out to try and be at eye level to read the information. Even some of the audio material on the busway, the platform, can be too high or difficult to reach from a three and a half foot high position - - -
20

MS SKILBECK: Yes.

MR WEBB: - - - you know, or four foot high wheelchair position, so I can use the board, but then you've got to be able to get to the board to use it. It's usually
25 overwhelmed with the rest of the population trying to access the same board. So – but with a wheelchair you can get a bit pushy and manage to move the general public with some haste, if you're travelling at speed. And I do the same on the buses, too. It's quite interesting. I – you know, I get – when you pull up at a bus stop and you want to disembark, a number of – the ramp deploys and there's 400 people queued
30 up to get on in some places and they all scramble on and jam the only access point you've got to get out, and you have to kindly say to them, "Would you mind removing yourself so I can actually get out first? The bus will let you back on, I promise."

35 And some of the other areas - so that's funny because – and then, you see, you know, people trying to swing from the various grab rails in the bus to get out of the road of the mobility aid. So that's been rather entertaining in some – on some occasions, to watch that happen, you know. The drivers do actually sometimes tell the passengers to wait, there's somebody trying to get off. They should be able to be aware of that
40 when the ramp deploys, but it doesn't – it's funny. There's a bit of a scramble for that. And I have seen a couple of occasions where there's been two people with mobility aids already on the bus service, and it continues to go through, and the next – because they can only carry two people in wheelchairs. They only are licensed to carry up to two people in chairs, so - - -
45

MS SKILBECK: Okay.

MR WEBB: Well, in Brisbane, at least. But some of the – you know, the Sunshine Coast services and the Gold Coast services and they have the recessed ramp that folds out, and at least, as I said, you know that that particular service is functional, and you can use it, you know. It's a – because of people's lifestyle, you can't – they
5 say to you, you ring and book this bus service, but you know, medical appointments tend to go much longer than you can anticipate, and knowing the actual schedule and when you're going to be needing those services is sometimes difficult. So more often than not, when I use the bus service, I play pot luck, and I have had to wait up to five hours before a suitably accessible low floor bus has come past, and some – on
10 some occasions, depending on the day and time and these sorts of things, it can be rather – if you've got somebody waiting to provide you with support at home at the other end, and you're not turning up for five hours, they're kind of wondering where you are, and usually they've gone home and left you a note, which is a bit difficult when it comes to personal support.

15 So some of the information needs to be – you know, for the most part, it's improved. The standards have created an awareness, and I think that we're moving, you know, hopefully – it will be interesting to see, as Paul says, about the 55 per cent over the next decade. If they're struggling to achieve the 25 per cent target in five years, I
20 agree with Paul's observation that they will – the struggle will increase. And, ultimately, the user is going to pay, one way or another, for this. But we've got an aging population. The demand for this sort of accessible service for people with mobility impairment, at least, is only going to increase. The incidents of motor vehicle accidents and people acquiring disability doesn't decline. So, you know, I
25 hope that your report and investigation into this reflects those issues, as well – the broader issues.

I think, you know – and they need to actually encourage - and the other thing about information, I would say in this forum, is that there needs to be a much stronger
30 relationship between the conveyance or the operator and the multitude of service providers out there, because most people with disabilities, particularly mobility impairments, are reluctant to use the buses because they don't feel secure. The standards do not address anchor points in the bus, whereas they do in the taxi. I find it funny that in a taxi I have to be anchored in at least six different ways in the taxi to
35 travel at 110 kilometres down a highway, but on a busway that might also move between 80 and 100 kilometres an hour at various times, I'm not secure, and I'm – at 111 kilos for the wheelchair and conservatively 100 kilos for me, I'm a very heavy projectile should that bus have an impact or a roll, as a few people other than me are going to get squashed.

40 So I find that's an interesting regulatory requirement that transport jurisdictions are going to have to address. People with mobility impairments – if they don't feel safe, they're not going to use it, and safety means accurate information and – I mean, I'm sure people will wait for a hook to be - come out from the wall of the bus to be
45 anchored to the chair to make sure that piece of equipment is in some way secure. They do in the London taxis. They sit you in the back and put a hook there. I mean, it is a much – it is a confined space. There's got be a way, in terms of design, they

can address that issue. But a lot of my friends with mobility impairment tell me they do not feel – they’ve tried the bus. It’s quite a novelty.

5 More often than not, I don’t get asked to pay which – because they’re usually so fascinated that the ramp actually works on the bus and that somebody is actually using it that – I’m not – I always have the money and I offer, and they don’t take it from me. So I find I’m happy to have a free ride, but - from a consumer’s point of view, but – so – yes. But if they don’t feel safe, and they don’t have information – and the frequency of service. Like, there is major service providers where large
10 populations of people with disabilities live and choose to live because they’ll gravitate around the service delivery.

So I don’t know why some of these service providers and the various conveyancing arrangements don’t get smarter and think about, well, if there’s already a large
15 population want to move from point A to point B and want to do – you know, why don’t we have hourly services or two hourly services that can actually collect these people in an affordable way. Most of these – 40 - 50 per cent of that population are living on welfare and – so they don’t have a high disposable income. If I can get a \$2 bus as opposed to a \$40 cab ride I did this morning, I’m going to take the \$40 –
20 the \$2 bus ride every time because I don’t have that disposable income, at 500 bucks a fortnight, to be – and, of course, I want to move around.

We’ve got other systemic infrastructure to consider and everybody has now got Welfare to Work obligations. If you want - the government wants to implement
25 those sort of things, people are going to be moving around in their communities. They are going to want access to public transport infrastructure to be able to meet their obligations to workforce participation. You know, many of these things work in isolation. I find it fascinating. HREOC has had a major inquiry into employment and disability. I mean, I don’t know why they don’t, or can’t, you know, cross-
30 reference some of the information from that to inform environments like this. You know, I think we tend to operate in the disability sector in huge silos, and solve one problem but don’t look at the - take a holistic approach to these things.

People are going to be moving around, you know, and whether they get access to
35 resources to support them or not - how can I be independent if I’m not mobile in my community, and it’s very, very important. I travel - I do auditing and disability services both for the state government and for the federal government that requires me to travel all over the country, so I use every mode and have had every conceivable experience you’ll hear about. Some of them are funny. Some of them
40 are not so funny. Some of them are very scary. It’s pretty scary when you end up with somebody else’s equipment at the other end and you go, “Well, what happened to mine?”

And I’ve travelled overseas and you see what happens in other countries, and some
45 of the standards in terms of access in other countries is better than what happens here. And that’s good when you get there, then you come home and you go, “Well, why can’t they do that here?” You know, so you look at - and the Canadian experience, the American - some of the experiences are, you know, better, and even

in the Philippines I got better access standards and five star accommodation than I've ever experienced in Australia, you know, and who would have thought. But then money buys what you need, I suppose.

5 So I don't know that I can add much more, except I've already - I will reinforce the issue about the types of equipment. I mean, people have lots of different equipment. Yes, I've got a whole house full of equipment that I can no longer use. So over the course of your lifetime, and depending on what life stage you're in, you're going to require those different aids, and there's all sorts of prescriptive processes for that.
10 So, you know, I think, they do need to - the standards do need to help to address more generous access to that and be a bit more conscious. Either you've got to make the standards more generous or you've got to educate the human service system to try to comply with whatever standard is unilaterally agreed upon, otherwise you're going to have two different realms all the time.

15 MS SKILBECK: Can I ask something, because your last point is one that's come up in a couple of the hearings, particularly around the dimensions of various motorised chairs versus the disability - or the Australian Standard for a manually powered chair? When you were going through the various options for the equipment that you
20 ended up purchasing, was there any notification that some chairs would comply with a standard that a taxi around the country would have been converted to? Is there any kind of information that distinguishes one chair from another in those terms?

MR WEBB: No. There could be, and there should be. But, I mean, it's only that
25 my - knowledge is power and I had the knowledge and I said to the manufacture, "Look, I want four anchor points put on the chair."

MS SKILBECK: All right. Okay.

30 MR WEBB: And see, again, the user pays for that, and I say, "Well, I know I'm going to be using taxis on a regular basis." I do spend \$10,000 a year moving around in taxis because I do a number of things for various community organisations, so I insisted that they're there. Subsequently, for some particular models of chair, they are now standard. So, it's a bit like saying - well, you know, when you buy your car
35 you get air conditioning, and you might choose a red one or a green one. There's a whole process. So - and I mean - you know, I had to take the therapist to the Independent Living Centre and organise to have a look at least five pieces of equipment that were available on the SOA and then justify why I wanted something outside of the SOA to the system. So, only that I was an informed consumer, and I
40 educated the bureaucracy and, I mean, I found a therapist that was willing to sign off on the things that I wanted. And it's only because of the things - the history that I've had similar to Paul that I've been able to do that. But, with the majority of the population - - -

45 MS SKILBECK: The information is not - - -

MR WEBB: They go to see their - they go to see their therapist and what - I mean, therapists are like doctors. They - you know, they think they're God and that -

whatever, you know, families will swallow that stuff for the most part. You know, a therapist says, "This is what's needed," that's what happens. And this has recently happened to a colleague of mine, and he's had a situation where, because his chair doesn't collapse and he is now starting to travel similarly doing these audits and
5 other advocacy efforts, and he had to actually be - instead of taking a direct flight recently from Brisbane to Melbourne, he had to stop in Sydney - put him on an international flight from Sydney to Melbourne because of the space issues in regards to carrying a non-collapsible chair and the restrictions there.

10 So, you know, I don't - and even when - I'm about to go to the Philippines in a couple of weeks' time for two months vacation to visit my family and friends there, I - you know, I take a direct flight because I just simply don't want to be bounced around more than once. I can get a cheaper flight if I'm willing to stop in, you know, Sydney and Cairns and everywhere else, but I choose that I only want to be
15 transferred once assisted. I'm lucky in the sense that I can do it myself. I don't know how, you know, people with complex support needs use their conveyance with any success, because, you know, the commissioners for assistance sometimes exist. Sometimes they are not even in the airport. I know in Canberra and Melbourne - sorry, Canberra and Adelaide, you don't get a commissioner for assistance, even with
20 your major carrier, so you get the airline staff behind the counter. And a couple of times, I have been - well, they have attempted to transfer me with two ladies that weigh no more than 50 kilos between them, and that's just not going to happen.

25 So I am lucky that I can transfer, and that I can take my own weight, and I often transfer across to the seat in the aircraft, and can get off - can disembark the aircraft. But you know, sometimes they don't listen too often, and that's why I insist, when I travel, that I travel with a support worker who is familiar with my equipment and familiar with my process, and actually stops them. And they listen to the support
30 entourage much more readily than they will listen to me, which I find really funny because I am the customer. But - and I get very offended because I am the one who is having the experience, positive or negative.

35 And I leave them lots of feedback, and I have had lots of discussions with Qantas when I was a member of the National Disability Advisory Council, and there was at least five of us travelling to Canberra on a regular basis, and we would occupy at least two hours of the meeting, prior to the meeting's commencement, on how each of us had different dilemmas in travel. And numerous times I ended up with
40 somebody else's equipment at the other end. And, sort of, you just wonder about that. But there are steps you can take to minimise that, like travelling in the daytime. It seems to be easier than if you travel at night time.

MS SKILBECK: Okay. Thank you very much, Nigel. Thank you. Right.

45 MS SCALORA: I wonder if I could - - -

MS SKILBECK: One - - -

MS SCALORA: I was wondering if could just add - - -

5 MS SKILBECK: Can we – one moment. Let me just get a microphone to you for your comments. If you can just identify yourself for the transcript, and then make a comment.

10 MS SCALORA: Sure. Yes, of course. My name is Bernadette. I am just here as an individual, just here as an observer, really, but, since the opportunity exists to make a few additional comments, I thought that I would do that. Some of – in fact, all of my experiences using different modes of public transport have been very similar to the stories that Nigel has just told. I – for those people who can't see me, etcetera, I also have cerebral palsy with quadriplegia. My main mobility aid, which I am not using today, for a variety of reasons, is actually a mobility scooter, which, for those people who don't know, tend to have dimensions that are somewhat larger, 15 even than a power chair, such as the one that Nigel is utilising.

20 That tends to cause me no end of difficulties when it comes to utilising just about any form of public transport. But there are reasons related to what I can and can't do physically, etcetera, that mean that that mobility device is much more suitable to myself than, say, the use of a power chair. For example, my main – an issue that has arisen for me, again, for about the third time very recently, is the use of wheelchair accessible buses with the mobility scooter in the Brisbane transport area, because I live here. So I am currently engaged in battling Brisbane Transport, yet again, to actually allow me the use of wheelchair accessible buses with the scooter which, at 25 the moment, they are not inclined to do.

30 And I would actually be interested to know if there are any representatives from TransLink here today, just in relation to that. But I just – about that, I wanted to say that, when we are talking about things like – and Nigel, and I think Paul, too, sort of alluded to this – when we are talking about things like, you know, dimensions of space that are set aside in conveyances for things like wheel chairs - and I realise there are limitations on that space. I realise all the design issues that are kind of around that, and so on. I also realise that we need to have - whether it be within standards or whatever, we need to have some kind of set guidelines around design 35 and stuff like that.

40 But I think that what some people in kind of bureaucratic circles kind of miss here is that when we are talking about allowing for mobility aids and all that kind of thing, because there are such a diversity of those things that people need to use, we also need flexibility. And I think that sometimes things like standards and guidelines, and then the word flexibility, don't actually go together at all. And I think there needs to be some sort of consideration, that in some cases, flexibility needs to happen. It just needs to happen. It was like, you know, Paul was talking earlier about design issues for, you know, bus platforms and things like that. Sometimes it is, you know, it's 45 sometimes like the simple things that are the best, and they don't require rocket science and things like that.

What those things also require is a bit of flexibility because someone has actually thought about something that, you know, that for some reason, even though it's simple, is a little bit outside the square, but it is – there is actually some flexibility there. And I think we also need to consider, like, degrees of accessibility - you
5 know, there are degrees and there are degrees – so that – to give you an example, the reason that I am having difficulty accessing buses, is because my scooter doesn't fit within those space limitations on a bus. It actually does, in fact, but for me to be able to do that, I need to be able to manoeuvre within that space, and neither drivers – to date, neither drivers nor passengers have been prepared to allow me that extra couple
10 of minutes that it takes, to actually manoeuvre myself into that space.

Now, that's fine, but the end result of that is, is that unless I am allowed that time and space to manoeuvre, I don't sit within that space, which means that the back end, usually, of my scooter protrudes out into the aisle way of the bus. Then, I get – then,
15 I'm told by, you know, Brisbane Transport bureaucrats, etcetera, that that's not allowable, or doable, because of the degree of potentially safety risks that it gives to other passengers, when they are trying to get around, you know, the protrudence to get to their – to get past me and into their seats. So at the – the end result of it is that I am not being allowed to access that form of public transport because the
20 bureaucrats are more concerned about being sued, or something, just in case somebody trips over, I don't know, the back end of the scooter or whatever it might be.

Now, my argument to that is, even though I understand, you know, there are certain
25 degrees of risk and there are safety concerns, and all that kind of thing, is that people are more than able, in 99.5 per cent of cases, there is still sufficient space for a person to get around me in the aisle way. It's not like it completely blocks off the aisle way or anything like that. There is still sufficient space for someone to get around. And as far as I am aware, there is never a complaint from a passenger when
30 I am actually on a bus. So I guess my argument then is I don't really see the issue. People are still getting around me on the bus. There's not a complete blockage of access or anything like that, which obviously would then be a problem.

MS SKILBECK: Okay.
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MS SCALORA: But you know, transport bureaucrats are still making that an issue for me. So I guess – I mean, I tell that story to kind of illustrate my point about, you know, what degree of risk are we – you know, when we talk about risk and safety concerns in a case like that, what degree of risk are we actually talking about here?
40 It doesn't seem to me like we're talking about a very significant one, and I also believe that what that illustrates is that bureaucrats and providers are often more concerned about things like the potential of, for example, being sued or something, than they are about my, and people's like me, right to access and use public transport. So you know, there are some real issues that are at odds with each other
45 there, and I think that the people that are making decisions need to make decisions about, you know, where are the interests here? Do the interests actually lie with the public consumers, or do their interests lie with their own internal, you know, concerns? And so I really, you know, want to make a point about that - - -

MS SKILBECK: Yes.

MS SCALORA: - - - and actually make that point for the public record.

5 MS SKILBECK: Thank you for doing that. I'll make sure that is recorded. If we
see the trade-offs – now, with - the timing has changed a little bit. I think if we could
maybe – if everyone is comfortable – take one more comment – a short one if you
don't mind, Tom – and then we'll revert to the schedule which is to have Virgin Blue
speak next, give them half an hour and then have our break at that point. Thank you.

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MR SAVAGE: Hi. My name is Tom Savage. I work for the Brisbane City
Council. I'm a policy manager within the Urban Transport area. I just wanted to –
actually I can't stay for the whole day, so before I ducked out the door I just wanted
to respond to the – and also thank Paul and Bernadette and Nigel for sharing their
15 observations of public transport, particularly in Brisbane. I'll just make a couple of
comments to set up, I suppose, the structure of our council. This council has been
mentioned before. Brisbane Transport has been mentioned.

MS SKILBECK: Yes.

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MR SAVAGE: Brisbane - - -

MS SKILBECK: And TransLink.

25 MR SAVAGE: And TransLink, of course. So just for the record and for those who
might be from regional areas, Council has got a long history of running bits of the
public transport system in Brisbane since 1925, been running the urban buses and the
ferry system, and since TransLink was created in around about 2004, at the urging of
Council and also QR and other agencies, and the State has really put together now an
30 integrated framework, particularly in south-east Queensland, to have integrated
public transport which we've never really had - - -

MS SKILBECK: No.

35 MR SAVAGE: - - - before that. Other states have enjoyed that. So councils and
Brisbane Transport and our ferry and bus services all work within that. And we all
set about, as agencies and operators, to get one common set of policies with – for
ticketing or for access; the whole lot of arrangements. And so – look, I'm sorry that
Bernadette is probably running into that – I suppose, that common set of policies
40 with respect to what can go on an urban bus.

MS SKILBECK: Yes.

45 MR SAVAGE: And I'm glad that she is taking it up with the right parties. I'm not
trying to say that it's not a Council responsibility, but we're working within a
common set – so TransLink is really the right place there, and TransLink obviously
are providing information, as you mentioned before when somebody comments
about some – the degree of accessibility or the information aspects, and so we work

through a TransLink system at all times. But saying that, Council is very keen on – and I'll take up Paul's comment that it's about the whole journey. It's not just about the bus stop near your residence. Council is very keen on knowing the full journeys for people who need either additional assistance or they've got mobility needs of one
5 type or another, and we would very much like to target our programs, in terms of DDR accessibility, to the stops that make a difference to them in a real sense, because we have limited funding; we've got 6800 bus stops to do.

We will hit the target of 25 per cent in December. We're probably in advance of that
10 in terms of buses, but we'd certainly like to be able to give people an accessible bus that makes sense to them in their – the journey they would like to undertake. But we need, obviously, that feedback directly from individuals to make that happen. And so, certainly through John McPherson, another Council officer here, we'd certainly like to be able to engage, as best we can – and we have do good engagement with the
15 community in that sense – and to really – you know, share stories and understand people's needs, and where we can, we will certainly try and deal with those. So I just want to make that point.

MS SKILBECK: Thank you.
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MR SAVAGE: And there are some other projects which Paul did mention about audible bus stops, for example. There is some projects - the State is actually doing a real time passenger information project which will actually pick up - - -

25 MS SKILBECK: Yes.

MR SAVAGE: - - - speaking bus stops and those sorts of issues, and speaking services, so - - -

30 MS SKILBECK: Yes.

MR SAVAGE: But some great work is being done. I don't know – I wasn't here to make a formal submission of any kind but I just wanted to pick up some of those points that were mentioned by those three speakers. So that's all I wanted to say.
35 And thanks for your time.

MS SKILBECK: Thank you. Thank you very much, Tom, just for doing that. I think now I'll ask Nick Le Mare from Virgin Blue to perhaps come up front, or wherever the closest microphone is so that he can be heard on transcript. Just so
40 you're aware, the microphone is purely for the transcript. It's not amplified, but we just need to catch everyone's words.

MR LE MARE: I'll just introduce myself. Nick Le Mare is my name. I'm an internal lawyer - - -
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MS SKILBECK.: You'll have to actually talk into the microphone; just speak into it for the transcript.

MR LE MARE: Nick Le Mare is my name and I'm an internal lawyer at Virgin Blue. I have with me, Mike Thomas, who is a government relations advisor. What I'll ask Mike to do first is, really for the purposes of this hearing, just put our, I guess, position on the records.

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MS SKILBECK: Yes.

MR LE MARE: Post that, more than happy to speak to particular issues that people have or - - -

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MS SKILBECK: That would be great. Thank you.

MR THOMAS: Well, Virgin Blue welcomes the opportunity to work the review panel and hope that we can provide our practical experience in the findings of the Disability Discrimination Act and the standards. Virgin Blue is committed to providing safe and accessible air travel for all members of the public, and the airline prides itself on its safety record and maintenance of its safety standards. Similarly we pride ourselves on the extent to which we provide services to passengers with special needs, and acknowledge the vital role discrimination laws, such as the Disability Discrimination Act will play to ensure that those with disabilities have equal access to the provisions of our services. One of the core challenges for Virgin Blue is how do we manage our safety obligations, both in terms of aviation safety and occupational health and safety in the context of discrimination laws and standards?

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Ultimately these laws sometimes collide, and when they do, employers such as Virgin Blue can be faced with an entirely unsatisfactory proposition of either compromising our position on safety or exposing ourselves to liabilities for breaches of discrimination laws. Clearly, Virgin Blue cannot and will not compromise the safety of passengers and employees. Therefore, we continue to do all that is reasonable to ensure that our services are available to passengers with special needs, including those requiring mobility assistance. However, in Virgin Blue's opinion, it is untenable to face liability for breaches of discrimination laws in circumstances where the decision or the action causing our liability was necessary to maintain safety.

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Virgin Blue believes that the exemptions currently provided for under the Disability Discrimination Act are inadequate to deal with the circumstances where safety and discrimination obligations conflict. In recognition of this very issue, the Federal Government introduced and passed the Civil Aviation Amendment Act in 2005 - - -

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MS SKILBECK: Yes.

MR THOMAS: - - - with the specific purposes of addressing the conflicts between the Civil Aviation Act and the Commonwealth – anti-discrimination laws including the Disability Discrimination Act and the Sex Discrimination Act. In fact, the explanatory memorandum to the Civil Aviation Amendment Act stated that proposed amendments would put beyond doubt the validity of some actions carried out in

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accordance with safety regulations where these actions may appear inconsistent with either the Disability Discrimination Act or the Sex Discrimination Act. In the high – in higher interest of aviation safety, it is important the Governor-General has the power to make regulations from time to time that could be construed by some as
5 inconsistent with anti-discrimination legislation.

However, Virgin Blue believes that despite the stated intent of the amendments, the amendment inserted in the Disability Discrimination Act which states at subsection 98(6B) of the Civil Aviation Act allows regulations made under the Act to contain provisions that are inconsistent with this Act if the inconsistency is necessary for the safety of air navigation. Virgin Blue has effectively limited the effectiveness of the provision to only those issues pertaining to the safety of air navigation, instead of the broader safety regulations relating to aviation safety and occupational health and safety.
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Virgin Blue is of the opinion that the amendments do not significantly address – sufficiently address these conflicts, for example, although the Governor-General may have the power to make regulations that would otherwise be inconsistent with antidiscrimination legislation, it does not follow that individuals are therefore prevented from taking action under the Disability Discrimination Act against an airline that seeks to comply with air safety regulations. Virgin Blue strongly contends that the necessity for these amendments illustrated the inherently conflicting relationship between aviation safety and antidiscrimination laws, and indicated the government’s primary intention for ensuring safety remained pre-
20
25 eminent.

Given that Virgin Blue continues to be the subject of numerous disability discrimination complaints arising out of the imposition of safety measures, we are seeking further amendments to the Disability Discrimination Act and hence the standards. We welcome this opportunity to work with the panel and present our views of the conflict between discrimination legislation and air safety and occupational health and safety legislation.
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35 MS SKILBECK: Okay. Thank you, Mike, for that. Can I - and I’m not quite sure if it’s a question for Mike or for Nick - in a practical sense, perhaps in order of frequency, where are the conflicts that you find between safety, CASA, and other OH&S rules and the current DBA?

40 MR LE MARE: Sure. The - in terms of the day to day operation of an airline, Virgin Blue - somebody will rock up to check in at that counter and absolutely, really irrespective of their condition, we will make sure we get them on board the planes - that means transferring them from their own wheelchair to one of ours, from one of our wheelchairs to the aisle, so to the aircraft seat, and then vice versa all through to
45 the end. The real difficulty in a practical sense that Virgin Blue has is really what happens during the flight.

Now, a practical example: Virgin, like every other airline in this country, has got to comply with a range of safety laws. CASA safety requirements, for example, require that people from - that there are safety requirements in terms of people have got to wear seatbelts, people have got to be able - you've got to have the oxygen masks that
5 drop from the ceiling. There are requirements in terms of life jackets, those sort of things. So what does that mean in a practical sense? Somebody who has a mobility impairment and cannot, in a physical sense, put on their seatbelt, cannot in a physical sense put on the life - the oxygen mask or can't put the life jacket on, Virgin Blue faces, potentially, criminal liability by letting those people - our view is that it faces
10 criminal liability by letting those people fly.

Now, how do we manage that issue? What we say is, in order for somebody to travel independently, you've got to be able to do certain things, and they are: put on your seatbelt, put on - affix the oxygen mask, put on the life jacket - things along those
15 lines. Now, how do we deal with it? If somebody can't do it themselves, then, in order to let that person fly, we've got to put them in a position where they - where either, if they can't do it, somebody can travel with them to do it for them. So that's a really practical issue. In terms of our ability to get somebody else to do it - I guess the other thing that sits on top of that is, I guess, the workplace health and safety
20 perspective, is that while the - we hope it doesn't occur, but occasionally a plane does become depressurised, and in that circumstance, with the movement, are we going to require our cabin crew to walk down the aisle of an aircraft of what is potentially a dangerous environment, and the answer to that is, no, we're not.

So what that leads us to is a requirement that people be able to do those things and, if they can't do them, travel with somebody who can assist them do it. Now, our view is there is a disconnect between what happens when ultimately that safety and
25 discrimination law collides. Our view is the intent of parliament was that, ultimately, the safety law must prevail, and our view is that the discrimination legislation is out of touch with that.
30

MS SKILBECK: Am I right to interpret that there's a further - the question is around the interpretation of both those standards as well? It's not a clear conflict, it's
35 - - -

MR LE MARE: Well, I - and I guess if I pick up on some comments that were made before, we absolutely share the view that there needs to be specificity about what happens when ultimately a discrimination and safety obligation conflicts. We don't believe the law deals with it adequately now, and I think for the benefit of
40 everybody involved, be you an operator or a member of the public, we need to know what's going to occur when that happens, and I just don't think the current regime provides for that.

MS SKILBECK: Thank you very much, Nick. Now, a couple of people I know were keen to ask a question. At the risk of looking a bit like Oprah, would you mind
45 running around - Kathleen, where's the microphone? Kay at the back of the room, was Kay to ask Nick a question?

MS McLEAN: Sorry, Nick. May I just ask: you specifically said three items there - to do up the belt, to get the air, and to put on the life vest. I would have thought that most people who try and travel independently on a plane would be able to do that or they would be travelling with a carer. Does this happen a lot?

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MR LE MARE: Absolutely agree with you. By and large, the vast majority of people will satisfy those requirements, and if they can't satisfy those requirements, they would ordinarily - - -

10 MS McLEAN: Have a carer.

MR LE MARE: - - - travel with somebody who will help them.

MS McLEAN: And so what are the other issues, apart from those three?

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MR LE MARE: Well, the difficulty is, that's not everybody. We still get, albeit a minority of the total, but from our perspective, a significant number of people who will say, "I'm not going to travel - I can't do any of those things. I am not going to travel with a carer," to which - from - stems out of that ultimately is a HREOC complaint.

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MS McLEAN: Okay. I understand. All right. If you're talking about those three specific items, I can understand your point of view. For example, Nigel - and I know I've had the same trouble because I normally use an electric chair out of the house, but I came down with a friend who needed a folding chair - I can't travel domestically at all with my electric chair. I am required to travel only in a manual chair which I cannot manoeuvre more than a few feet by myself. Is this - and I know Virgin, for one, is somebody who will not allow me on with an electric chair. They say it's to do with space in the hold. Would you like to answer that question, please?

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MS SKILBECK: I think that's actually an issue that's come up in a couple of hearings in the past that relates to the dimensions and weight of chairs, as I understand it.

MR THOMAS: Well, not only that. It also relates to the actual cargo hold entrance. I mean, it's an - I mean, the aviation, you know, engineering specs of, you know, for example, a Boeing 737, the cargo door only allows, I think, 82 centimetres one way and 112 centimetres the other. So, you know, it's a confined space that restricts what can go in.

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MR McLEAN: I believe, actually, if I may interrupt you, my manual chair doesn't actually go in those dimensions either.

MR THOMAS: No. And we can - you can manoeuvre on certain angles to get devices in, but if you're talking about, you know, electric devices, the weight of those devices can be in excess of 130, you know, kilograms, plus with the batteries and, you know, everything else, trying to actually manoeuvre that in with the pit crew into the hold of the aircraft exposes us on to occupational health and safety.

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They are small cargo holds. They're not, you know, containerised cargo holds. Trying to actually get people inside to be able to receive it and also people on the outside trying to get it in, we expose ourselves under occupational health and safety.

5 MR McLEAN: So is it the occupational health and safety or the fact that the hold won't hold it?

MR THOMAS: I think it is a combination of limited space inside the hold as well.

10 MS SCALORA: Might I just ask a question then for clarification? It's been about between 18 months and two years since I last travelled domestically on Virgin Blue. The last time I did that I was able to take my mobility scooter. My mobility scooter was carried on the plane. Now, I would imagine, and I'm guessing this only, that the weight of my mobility scooter and possibly the dimensions of it may be somewhat
15 larger than, say, the wheelchair of this lady here, and, yet, when I, you know, booked my seat and spoke to booking staff and so on, there was no issue with me being able to travel with my mobility scooter. Would something have changed then within the last two years?

20 MR LE MARE: Well, I guess the first point is the dimension. The size of the door is the sizes of the door, the size of the hold is the size of the hold, and ultimately it fits in or it doesn't. Day to day bags - none of our people will be required to lift a single piece of luggage beyond 32 kilos. In a practical sense, somebody that brings on a mobility aid that is weighing upwards of 100 kilos, it is a real challenge for us
25 to, with two or three or four - however many people we can - to get that on to the aircraft. Now, ultimately, we will do whatever we can to do that, but there still has to be a cut-off point about what we can and cannot safely lift. And I guess - I guess that's a particular example, but if you then have a look at the legal context, and there's a case on this point - I don't want to go into detail.

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There was a case on this point last year, which involved an ambulance driver in New South Wales, and the court says it doesn't really matter what the OH&S - the state safety OH&S requirements are, because you can't - I guess you can't plead that in
35 defence of a discrimination claim. Now, from an operator's perspective, that's just completely unsatisfactory because we have got an obligation to look at everybody's safety, and we've got an obligation to, as best as possible - and it's not an absolute - provide accessible transport, and we're absolutely committed to all of that, but you still get to a point where, ultimately, they conflict. And as I say - the point I keep
40 coming back to, we need to deal with what happens when they conflict.

MS McLEAN: May I just go on to one more thing, along the same lines, in that if my chair was to fit within that space, and there was some technology which would be simple to come up where no-one had to lift anything, they could drive it directly into
45 the hold, would Virgin Blue carry my chair?

MR LE MARE: We will look at everything that is reasonable to do it. But we're not about to create - - -

MS McLEAN: So would you look at, perhaps, a change of policy?

MR LE MARE: We are not about creating obstacles, and generally what we do with people, we have – you know, the very heavy chairs, is we – generally, we will speak
5 to people, and there is, more often than not, a way to break them down that we can lift them.

MS McLEAN: Yes.

10 MR LE MARE: But - it's that sort of, I guess, the practical approach we deal with. But as I say, ultimately, there are restrictions.

MS McLEAN: Thank you.

15 MS SKILBECK: Can I get a clarification from Bernadette about your scooter. Is your scooter able to be collapsible or separated?

MS SCALORA: It was collapsible – it is collapsible to a degree, yes. But actually, it is difficult. But what I actually saw, funnily enough, because I saw them bringing
20 it out of the – into the whatever area at the other end, and obviously they had taken the batteries out, which you do anyway, that was fine and I had instructed people on how to do that and stuff. Now, the whole framework of the scooter, which isn't all that heavy once you take the batteries out, but is still, you know, substantial, there was just two blokes who literally hefted the whole thing out and just – they were just
25 carrying it on their shoulders.

MS McLEAN: You are glad to hear that, aren't you?

MS SCALORA: I'm not quite sure whether people are actually supposed to do that
30 or not, but I just about fainted when I saw it. I said, "Oh, my God, you guys, you know, you're going to have a hernia or something." And they were like, "Oh, no, no. We'll be all right." You know, it was like they were – they seemed to be – it was just like, you know, they weren't concerned about it, they seemed to think they were just lifting a flour sack or something, you know, so it didn't seem to be too much of
35 an issue.

MR THOMAS: Well, we won't tell our occ health and safety manager, if you don't.

MS SCALORA: No. I wouldn't want you to spread that around, but actually is
40 what happened.

MS McLEAN: Maybe just some flexibility because certain other chairs can be dismantled as well, but I have never had the opportunity to say that.

45 MR THOMAS: Well - - -

MS LANGLEY: Sorry, I will just take the microphone if I might - - -

MS SKILBECK: One moment.

MS LANGLEY: - - - to get everything recorded. Sorry, my name is Ann Langley and I am from the Regional Disability Council. I was interested in what both Kay
5 and Bernadette had to say because up to a couple of years ago, I travelled regularly,
again, using a three wheeled scooter. With the change of policies after the Ansett
collapse, who used to look after it wonderfully for me, I found it was impossible to
take it anywhere with me because it was getting damaged. So much so, that going on
with what Nigel was saying, it was too damaged for me to use, therefore I was
10 grounded at the other end in an airport, which is not a very good situation to be in.
So I had to stop travelling that way, which has restricted my mobility extremely,
travelling locally, because I can't easily use a manual chair; I have MS.

Now, what I want to know is when did this become policy? Because up until two
15 years ago, I was able to use this scooter, and take a game with the damage and take
spares with me, and all sorts of stuff so I could repair most stuff that might go wrong.
Then suddenly, this is cut off. It says, "Sorry, no more."

MS SKILBECK: Has there been any change?

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MR LE MARE: Well, from my perspective there hasn't been a change. We are still
guided by, effectively, the dimensions of the door going in and out.

AUDIENCE MEMBER: But planes haven't changed.

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MR LE MARE: That's right. And then, by and large, we have been requiring our
people – I mean, as best as we can, we will ask for the equipment to be broken down.
But by and large, I guess, we manage it on a case by case basis, that if, at the broken
down stage, we still can't get it to an acceptable weight, then we have to say no. And
30 now, currently, as I say, our view is that really needs some more work done on it, so
there is an acceptance across the industry about the cut-offs are. And I mean, as I
say, currently, we are just doing it, but I think we are doing it, and perhaps your
example is the right one, potentially at risk of people, and that is not what we want to
do.

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MS SKILBECK: Okay.

MR THOMAS: We just sort of – another point, I do know that in one case, there
was some damage done to a cargo hold door, and the framing, trying to actually
40 manoeuvre a device in. And I suspect that there has possibly been some focus
placed, then, on the safety of the aircraft, because that aircraft is then grounded until
– you know, engineers inspect the whole works. So I think in that sense, it is
possibly another reason for, you know, more attention being paid about what was
being put in and taken out of the cargo hold, and how much, you know, effort was
45 being put in trying to get the mobility aids in and out.

MS SKILBECK: Okay.

MS LAVELLE: Thanks. My name is Wendy Lavelle, from the Cerebral Palsy League of Queensland. I just wanted to talk to a couple of points you raised, because we have had lots of discussions recently with airlines, Virgin included, and actually participated with Virgin Blue in a training video for staff on these very issues of safe transferring etcetera. What is clear today, and what was clear in my conversations with Virgin, is that there is an inconsistency of information about restrictions on chair sizes from Virgin staff, from Qantas staff, whoever you talk to. People aren't sure what size your chair can be. If it collapses, does it have to collapse in the upright position? Can it lie flat? What do you have to dismantle? Can you take your alan keys on the plane with you through security? There is a whole range of issues, beyond size, that make it an incredibly stressful experience for people flying.

I think there is also a choice issue. Virgin does have a fleet of 737s, if I am understanding what I discussed before with them, so that you can't fly ex-Brisbane to Melbourne, say, if your chair is too large, they said they can't do it. So you are forced to fly Qantas, you probably have to go through Sydney. So if you don't advocate well, you will be charged two separate fares, excuse me, and not a through fare.

MS SKILBECK: No. I see.

MS LAVELLE: So you are disadvantaged in a number of ways. And clearly, there is commercial constraints for airlines in operating certain size aircraft on certain routes, but it is – what I have discovered for advocating for our clients, is that A. it's very confusing, but B. there is a number of practical things that every airline can do to enhance accessibility beyond those potentially libellous issues, like having consistent information; like having transit through the airport a more standardised process; and like being a bit clearer about what is the process when you get to the other end, and your chair is missing, damaged, the timeline in filling those, so I think there is practical things, is what I would suggest, that all airlines can do to make it more accessible.

MS SKILBECK: Okay.

MR LE MARE: Oh, well, I mean, I couldn't agree with you more. And in a practical level, I have been working with my counterpart at Qantas, to do exactly that. It is a work in progress. But at the end of the day, Qantas have the same, I guess, constraints with airline – aircraft as we do. So there is no reason why, you know, conceptually, we can't come up with a common solution, but – you know, as I say, I couldn't agree with you more.

MS LAVELLE: Yes. It's across the board, presumably.

MR LE MARE: And your alan key is not - - -

MS LAVELLE: And alan keys, no?

MR THOMAS: And your alan keys, no. That's actually prescribed by the Federal Government as prohibited items and you can't take them through a screening point. So they have to, then, go, you know, the mobility aid – into the hole, they have to go within it into the whole.

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MS LAVELLE: I guess my point is, though, if anyone of us here called up Virgin today at different times, or Qantas, or Jetstar, we would get a different answer to that question on each occasion.

10 MR THOMAS: Yes. You would probably find that there would be different answers at the screening points at airports, because the screening points aren't controlled by the airlines.

MS LAVELLE: I know.

15

MR THOMAS: They are controlled by the actual airport operator, and so, these is applications by the airport operator – what, how strictly they adhere to the prohibited items list, because Australia - - -

20 MR WEBB: And if we're asked, as consumers, then, to break the chair down, obviously you've got to be able to assemble it to a functional level at the other end. What is the point – I don't – I'm happy to disassemble my chair, but if I don't have the – I mean, I didn't design the chair, I just purchased the chair, I paid for it. I expected it to travel in the same way I leave it. And if I damage it, then I have to
25 wear it. If I can't reassemble it because some person at the other end has gone through with Stanley knife, and disengaged the battery with a Stanley knife, there is a big issue – big training issues there, because – and I have done it in Rockhampton airport.

30 You know, I insisted, "Does the Commissioner for Assistance actually know what he's doing at the other end?" "Yes. They are all well trained." One person on his own, and I'm sitting on the floor talking to a wheelchair technician at the other end saying, "How do I..." – and my support staff are in the motel that I booked at the other end waiting for me to arrive. Then I actually have to call them to come and
35 physically assist me to get to the motel, and my chair was dysfunctional. You know, I'm – so I - you know, I won't risk 111 kilos of equipment at a \$10,000 price tag at one end of a transit arrangement if I can't guarantee its functionality at the other end. There's no way in the world I would do that as a consumer. I don't care – I mean, you know, I need to be able to have that undertaking before I start, otherwise I'll stay
40 home.

I just don't move, and that's been the experience of many people, particularly with mobility impairment. I'm not going to assume that risk. If I don't have this chair, I'm not independent in the community, no matter where I am. So this is – it's a very
45 expensive pair of shoes.

MS SKILBECK: Okay. Thank you, Nigel.

MS SCALORA: Can I just have just one more - - -

MS SKILBECK: One last comment.

5 MS SCALORA: - - - just one more quick point.

MS MILLS: We had a question here too.

MS SKILBECK: Oh, okay. The question first.

10

MS MILLS: Hi. How you going? My name is Sally Mills. I'm from Queensland Transport. I just had to make a quick comment about – talking a lot of – about weights of mobility aides on public transport. I don't know how many – if you have all seen the Queensland Transport brochure that has been developed, but it outlines the legislative requirements for that, and if anyone would like one, they can come and see me and I'll get you a copy, because I think there is a bit of a perception that requirements for mobility aides is a policy choice, and I don't know if that's always the case. I think sometimes it's a legislative – it's legislated. I'm not at all making any excuses for anyone else's policy decisions. If anyone would like that, it's really good practical information about what you can and can't expect in terms of legislation.

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I also just wanted to ask a question of Virgin Blue about your carers' policy. I've been doing a bit of research into the issue of carers and public transport, and it's very interesting. I'm interested in who makes a decision if someone is capable of self-care, where you draw the line between someone who is a child, and whether or not they can put on their own air safety mask, or someone whose – perhaps has a mobility impairment, and – but – and if sometimes, people with mobility impairments, they're just looked on a little bit closer than people with – say, who were elderly, or – I'm interested to know where the – how you make the choice that - - -

35

MR LE MARE: Well, I mean, the independent travel criteria applies to everyone that gets onboard - - -

MS MILLS: Yes.

40

MR LE MARE: - - - a Virgin Blue flight. Whether or not it's because of a mobility impairment, whether it's because of someone being elderly, whatever the case may be, if they can't meet the independent travel criteria, they must travel with a carer. In terms of unaccompanied minors, same criteria applies to them as well. So it's a – from our perspective, it's a position that is applied consistently to all guests.

45

MS MILLS: So is that something you have to fill out before you get on the plane, of - - -

MR LE MARE: No. Well – I mean, ordinarily people who make a reservation make it through the internet, and I guess in a practical sense, a difficulty is if

somebody makes a reservation through the internet and we don't actually know until they rock up that they require the assistance. So I guess – what we say though is, for people who require the special assistance, be it movement to and from wheelchairs, be it any of the sort of things we're talking about, we actually like to speak to people
5 so we can understand what their needs are and we can tailor our service to provide for it. It's probably - in a practical sense, it's during that discourse that we actually engage people to find out, you know, what they can and can't do. But as I say, everybody gets assessed, whether you like it or – if you're aware of it or not, before you get on a Virgin Blue aircraft, as to whether or not you're going to meet those
10 criteria.

MS MILLS: Okay.

MS SKILBECK: One brief last comment from Bernadette and then we'll break for
15 35 minutes.

MS SCALORA: Thank you. No, I was just going to say, I think largely for Kay's benefit too – you know, had some issues with her chair there, but when I did – the particular flight that I'm talking about - which was a Virgin Blue domestic flight to
20 Melbourne and back, which as I say was about 18 months to two years ago - was the last experience that I had. It was a three seven – 737 aircraft. My scooter probably, in total – you know, that's with batteries and everything included – probably weighs about 115 kilos. And to be honest – although I can't remember exactly, you know, with that timeframe – it probably was broken down to some degree. But I guess I'm
25 just – I just wanted to make the point that at that time, luckily for me I didn't have any issues with, you know, taking the scooter either way, in either direction.

I had it – I gave some instructions to the relevant people as to how to dismantle it when it came to batteries and, you know, whatever else, and putting it back together
30 at the other end. And all that - you know, just, you know, in terms of you guys for a bit of positivism, I guess, all that happened sort of quite successfully and with no hassles and no damage and, you know, everybody was really great about it and maybe the two guys with the scooters on their shoulders – maybe they shouldn't quite have done that – but I mean, you know, having said that, at the time I thought it
35 was excellent because they just, you know – it was - you know, they didn't – there was no issue about it. There was no problem and I got the equipment undamaged and workable and it was great. So – yes.

MS SKILBECK: Thank you, Bernadette.

40

MR LE MARE: Thank you.

MS SKILBECK: Thank you everyone that has participated this morning. Thank you very much. We'll take a break until 1.15, in which case we'll then have, I think,
45 at least two final speakers, and perhaps a number who might wish to make some final comments. But we'll reconvene at 1.15 with a new schedule. Thank you.

ADJOURNED

[12.45 pm]

RESUMED

[1.20 pm]

5

MS SKILBECK: Right. Welcome back, everyone. We will continue the hearing now. We have one scheduled speaker, Kirrily Wyford from Spinal Cord Injuries Australia, to speak. And then we have a little bit of unplanned time, given one
10 speaker's unavailability. So there is an opportunity for people in the audience, if you would like to make some final comments at the end of the day, we have a little bit of time to enable you to do that, so that will be great. So I would initially ask Kirrily to come up, or near a microphone? Would you like to just grab a microphone in front of you?

15

MS WYFORD: Thank you. Hi, my name is Kirrily Wyford, I am from Spinal Cord Injuries Australia. And I haven't been with the organisation very long, but what I have been coming across, in my time, is predominantly coming through the access committees, which are on the councils that I sit on, and the issues that come up
20 through the members of those committees. The region I cover is Tweed to Grafton, and I sit on all the access committees within that region, with the local councils. And the two primary factors – well, there is three – but the two primary ones are accessible transport, but also infrastructure, and they kind of run parallel to each other, as you are probably all aware. If you don't have the transport being
25 accessible, or the infrastructure accessible, you need both in combination for things to work smoothly, so they are kind of right up there.

But also social accessible and attitudinal accessibility is something that comes up as well during those committee meetings, so within the region that I work for, primarily
30 availability and reliability of the transport is the biggest issue. And in that region, we primarily rely on buses or taxis, there is not really a train situation down there. And just to give you an example of, perhaps, the effectiveness of the standards and the implementation of the 25 per cent – meeting those standards by the end of the year, I would just like to relay a little story of a client of mine that I have been working with
35 and advocating for. Over the past four years she has been utilising an accessible bus, with a particular bus company, to do her studies and shopping and what not.

And one day, she called me quite upset because she had gone about her usual routine, but was informed that the new low floor bus didn't have restraining straps to anchor
40 her wheelchair in, and, therefore, it was probably unsafe for her to travel. So she had a go anyway, and it was extremely unsafe for her to travel without any anchoring system, so - this bus company added three extra low floor buses to their fleet, so they went from one to four, but the one accessible bus turned into four inaccessible buses because, effectively, she couldn't use them without the restraining straps. And I
45 actually went on a trip with her, to do her usual run between towns, without these restraining straps, and it was extremely stressful for both of us.

I was trying to literally hold her chair still while it was sliding all around the floor, and both myself and a friend of hers, had to try and keep her in place, which was nearly impossible and, in no way was it safe for her to travel on her own. If we hadn't have been there holding her, she would have been injured most definitely. So
5 in terms of the effectiveness, I understand that systems are being put in place, and that operators and providers need to comply over a certain period of time. But I think what also could be considered, as well as the larger scale items like kerb ramps and pathways etcetera, is the finer details, like restraining straps, audio stuff, things like that could be probably implemented as well.

10 Just to have that kind of interwoven kind of compatibility of measures that need to happen, in order for someone to have a smooth transportation. So effectiveness, I'm a bit – yes, I consider it to be a little bit ineffective at this stage.

15 MS SKILBECK: Can I clarify that particular experience?

MS WYFORD: Sure.

MS SKILBECK: The bus operator had a fleet of three low floor buses that did have
20 an anchoring system beforehand?

MS WYFORD: No. It had one.

MS SKILBECK: They had one, and it had an anchoring system?
25

MS WYFORD: Yes.

MS SKILBECK: And then they got three that didn't?

30 MS WYFORD: Well, they got four new ones - - -

MS SKILBECK: Okay.

MS WYFORD: - - - and they took the restraining straps out because they didn't –
35 they weren't sure if they complied to a standard.

MS SKILBECK: Oh, okay.

MS WYFORD: And they had, you know, a fear of OH&S issues, litigation, things
40 like that, so they removed them, in effect, making the accessible bus, inaccessible for this particular client.

MS SKILBECK: Yes.

45 MS WYFORD: And my other concern with the standards, are that they are outcome based, and within the councils, there is always a lot of discussion around design and technical things. And also, if the particular minimum standards also cover the majority of people with a disability, and their needs for transportation as

has been raised in other speakers. But yes, my concern is that with the outcomes, there is not specific enough kind of technical availability of information for people to go, “Okay, this is a bus stop here, we can use that design, and it complies to all the standards and we are right,” so I just think technical and design stuff could also be
5 really, really helpful for people out there trying to implement these outcomes.

Yes, so that’s what all my basic three points – just looking at the effectiveness of what the standards are bringing about, and trying to incorporate the finer detail with the bigger detail, to make it work. And yes, looking at perhaps getting some
10 standardised designs and technical information to the people out there that are trying to do this.

MS SKILBECK: Okay. Thank you, KIRRILY. Are there any particular observations you have about the taxi service? That was the other means of transport that was
15 accessible?

MS WYFORD: The information that my client base has, sort of, relayed to me, is that the taxis are readily unavailable when they are transporting school students.

20 MS SKILBECK: Oh, okay.

MS WYFORD: So there is only particular times during the day that those vehicles are available to them, which, of course, restricts what they can do in a day. Yes. So it is availability of those, yes.

25 MS SKILBECK: Okay. Okay. Thank you, KIRRILY. I think what we might do – are there – in the audience, who would like to make a few comments, on the record, for the transcript, either in response to something today, or independently. A couple of people – okay, we’ve got three. So we’ll have to do the Oprah thing, so bear with us.
30 Now, just, I know it’s a little ad nauseam, but if you could state your name, and - - -

MS LANGLEY: Ann Langley. And I have changed hats. I’m right now representing a community transport organisation which I chair. And I totally in sympathy with what KIRRILY is saying about these restraint systems. My organisation
35 has been doing community transport for 11 years, and we have sent people overseas to transport conferences, we have spoken at them ourselves, and it has been a huge problem for us to find a common standard because every state has a different standard for wheelchair restraint within transport vehicles.

40 MS SKILBECK: Okay.

MS LANGLEY: So I can’t buy a vehicle from Western Australia, because they won’t comply in Queensland and New South Wales, and that’s what has happened to your bus bloke. He has bought those buses from another state, and they are not
45 compliant in New South Wales. This is outside what we are talking about, but it relates to the overall problems with standards which are not compliant. And we have been asking for years – 11 years to be exact – if we couldn’t get a common standard for wheelchair restraints to work all over the country.

Because we have been in Japan and have seen exactly the problems with anchoring heavy, electric wheelchairs in buses – low floor buses, and they are working their butts overseas to devise hooks and D-clamps and systems which the person who has got just a little bit of motion in the hands can hook up to stop this cross-slide which is so dangerous. It can't stop the back/forward motion. If the bus has to stop suddenly, yes, it does become a projectile. There are ways around that. They've done it in England because they used low floor buses there, but people don't like travelling backwards which that requires, because they put what they call "an ironing board" up in front of that section so that it – if the person is backed up to it, it's very easy then to be able to restrain that wheelchair, but the passenger must travel backwards.

For safety's sake, they're not going to break their neck, and they're not going to kill anybody else if there is an accident. But those are the sorts of things we've been working on in community transport for all these years to – so there are things about.

MS SKILBECK: Yes.

MS LANGLEY: And technology and design is improving, but I totally sympathises with people who do not like to travel in public transport, because I've have the same experience travelling in a community transport bus with my scooter when I was able to fly with it to New South Wales - and this goes back to 2002 – and I was put in the back of this bus - - -

MS SKILBECK: Yes.

MS LANGLEY: - - - and the driver was not very careful and he swerved around corners and my scooter just went all over the place.

MS SKILBECK: Yes.

MS LANGLEY: And it was extremely dangerous because there was no – there were no restraints happening in this bus. He hadn't bothered about restraints. So those are my experiences - - -

MS SKILBECK: Yes.

MS LANGLEY: - - - but for the lack of transport standards overall, we then start to have to grind down to the little things, like community transport standards, and this appalling problem we've got also with the compliance – with Maxi Taxis. We've got problems already with the hoists. Some of those are not compliant with the new chairs. The new chairs are wider than the hoist. So we have problems, and this is happening all over. We're trying to do something about getting a national standard accepted, but it's going to be an even longer hall than this one. Thanks. That's all I have to say.

MS SKILBECK: Thank you very much. That's great. Behind you.

MS ATHOUSIS: Sorry? Oh, thank you. Hi everyone. My name is Elene Athousis. I'm the rehab engineer at Medical Aids Subsidy Scheme. So for those of you who don't know, that's the Queensland funding body that subsidises a variety of medical equipment. I guess I'm here today for a number of things. Mainly it's been
5 discussed by a number of people this morning about tie-down restraints and things like that. MASS requires that all – most of the equipment be - compliance with Australian standards, and you see, issues come across, you know, as you were saying earlier with the – you know, I think there is one centre actually that does – I think there's a wheelchair restraint system standard. I'm not sure what – off the top of my
10 head, I think - - -

MS LANGLEY:

MS SKILBECK: Could you – microphone - - -
15

MS LANGLEY: - - - and what can be hooked into it, and what can be hooked into the floor restraints. That's fairly standard, but it's the – all the overhead and - - -

MS SKILBECK: Oh, yes. Okay.
20

MS LANGLEY: - - - again the infrastructure little bits - - -

MS SKILBECK: Thank you.

MS LANGLEY: - - - for safety, which are not standard.
25

MS SKILBECK: Yes.

MS ATHOUSIS: And I guess – and how that implicates MASS – the reason I'm
30 here is, you know, that might have implications on our purchasing of equipment - - -

MS SKILBECK: Right.

MS ATHOUSIS: - - - so I guess we really need to know what minimum standards
35 are for turning circles and things like that within, like, public transport, because that's going to dictate, you know, what products we would, I guess - - -

MS SKILBECK: Recommend.

MS ATHOUSIS: - - - yes – purchase one over the other, or might have, not a huge
40 significant factor, because our funding is mainly within the home, but we do acknowledge that, you know, people can't just be confined to their - - -

MS SKILBECK: No.
45

MS ATHOUSIS: - - - their home and do access the community in various ways.

MS SKILBECK: Do you have an – as a either, you know, practical developed sense or something formally, do you have sort of preferred suppliers or preferred equipment based on, you know, Queensland conditions?

5 MS ATHOUSIS: Well, as - yes. Well, as Nigel mentioned earlier this morning, we have a standing offer arrangement so that – at the moment it happens every three years, and its - - -

MS SKILBECK: Oh, I see. An actual - - -

10

MS ATHOUSIS: - - - done, like, annually so they - - -

MS SKILBECK: An actual preferred supplier - - -

15 MS ATHOUSIS: Yes. So a standing offer arrangement – so what they’ll do, they’ll - you know, we’ll put out for tender the types of equipment they were after - - -

MS SKILBECK: Yes.

20 MS ATHOUSIS: - - - are trying to, you know, manage all the different types of cases.

MS SKILBECK: Yes.

25 MS ATHOUSIS: So I think at the moment we’ve got, maybe 10 – maybe – prescribers - - -

MS SKILBECK: Okay. Well - - -

30 MS ATHOUSIS: - - - on there or something like that. I’m not sure off the top of my head. But, yes, we go through a number of factors and, you know, rate each on its merits, and then at the end of the day, you know, a group of – you know, we’ve got therapists, clients, we have engineers like myself, physios will, you know, combine effort, come up with a preferred list and - - -

35

MS SKILBECK: Does compatibility with various forms of transport form part of that criteria for - - -

40 MS ATHOUSIS: No. I don’t – like, I’ve never been involved in the final – I’ve only been with MASS for 18 months, but I’ll have to look into that.

MS SKILBECK: It would be great if you can and inform us afterwards. That would be good.

45 MS ATHOUSIS: But, yes, like I said, that’s very dependant on each of the funding bodies.

MS SKILBECK: Yes.

MS ATHOUSIS: Like, I know, just from working with other prescribers that have come up from interstate that funding bodies vary drastically in how they work. For example, ours run on a subsidy base, so we'll - - -

5 MS SKILBECK: Yes.

MS ATHOUSIS: - - - we'll only give X amount of dollars for a piece of equipment, whereas others down south, they might fund the entire, like, Powerdrive wheelchair.

10 MS SKILBECK: Yes.

MS ATHOUSIS: So there might be a \$20,000 fund that they're giving to an individual.

15 MS SKILBECK: Yes.

MS ATHOUSIS: But that creates, you know, months and months of waiting lists.

MS SKILBECK: Right.

20

MS ATHOUSIS: So each state funds - - -

MS SKILBECK: Different - - -

25 MS ATHOUSIS: - - - equipment differently, which – yes – can become a bit of a problem.

MS SKILBECK: Okay.

30 MS ATHOUSIS: But, yes, that's – yes, it's very difficult, and I'm not sure why that is. I haven't been there long enough and dug deep enough.

MS SKILBECK: Needs to be discussed.

35 MS ATHOUSIS: Yes. It's just the way that it works.

MS SKILBECK: Okay.

40 MS ATHOUSIS: So just different issues in terms of the compatibility and things like that.

MS SKILBECK: Okay. Thanks, Elene. Somebody wanted to see a few words, just down there.

45 MS K. FORRESTER: I think it won't quite reach that far. Close.

MS F. FORRESTER: Hello. I'm Fay Forrester from the Caloundra City Council and I've got an issue with a definition. What I do is actually put the infrastructure on

the ground, so the bus stops, the shelters, that sort of thing. I'm a civil designer. First, let me say that Caloundra City has an adopted policy to meet the standards and to exceed them wherever possible.

5 AUDIENCE MEMBER: Good on you.

MS F. FORRESTER: Thank you. The issue I have is with substantial works. Now, that - - -

10 MS SKILBECK: This is in the standard itself?

MS F. FORRESTER: This is in the standard. It's part 32.31, and it's to do with upgrading of premises.

15 MS SKILBECK: Yes.

MS F. FORRESTER: And it:

20 *...is expected that premises will be brought up to the requirements of the disability standards to the maximum extent possible whenever they are substantially upgraded.*

MS SKILBECK: Oh, yes.

25 MS F. FORRESTER: Now, I would just like to know is the definition in here – does that stand or Commissioner Innes' advice in his – on his website, he posted some advice that, for example:

30 *If the bus stop pole is being replaced as part of a program of upgrading requiring digging up of the foundation, I would consider this to be substantial work thereby triggering a requirement for the bus stop to be upgraded to the full requirements of the standards.*

Now - - -

35

MS SKILBECK: I have to – this needs to be clear, that's a HREOC Commissioner?

MS F. FORRESTER: Yes.

40 MS SKILBECK: Yes.

MS F. FORRESTER: Yes. Commissioner Innes. My problem is that if that's the case, every time TransLink changes their timetable and they want to go out and put up a new sign, it would mean that the whole bus stop would have to be upgraded, and that happens on a – as regular maintenance on a regular basis, and would be well -
45 prior to the requirements of the standards. So that's - - -

MS SKILBECK: What's your – what's Caloundra City Council's practice? As a matter of practice, what's – what triggers the refurbishment for DDR standards for you?

5 MS F. FORRESTER: We are working towards complying with the 25 per cent by the end of this year, and thereafter, the requirements that follow.

MS SKILBECK: So it's been – the works have been programmed to align up with facilities that you would have been upgrading.

10

MS F. FORRESTER: We are on track there.

MS SKILBECK: Okay.

15 MS F. FORRESTER: And any substantial – what we consider substantial works that are being done, in and round the bus stop, we lift that facility.

MS SKILBECK: And for you, substantial work involves?

20 MS F. FORRESTER: That would involve laying a path, digging up an old slide that is broken, and relaying it.

MS SKILBECK: All right.

25 MS F. FORRESTER: Installing a bus shelter.

MS SKILBECK: Anything structurally, basically?

30 MS F. FORRESTER: Substantial – more in line with the dictionary definition. My other issue is the discrepancy, division 1.5, page 14:

School bus services are exempt from provisions of the DDA, however, not school bus stop infrastructure.

35 Now, the result of that is that – I'm not sure if you are aware, school bus routes change sometimes within a term, depending on how many students are wanting to go to that school at that particular time, so they do change frequently. And if you put expensive infrastructure there, there is a great likelihood that it will no longer be necessary within a short period of time. So the requirements that I lift a school bus
40 stop to the full standards, have meant that I have spent something like \$35,000 putting in one school bus stop, where I could have spent that money much better upgrading public transport infrastructure, which is for everyone, bearing in mind that the school student, who has a disability, will be transported to school by special
45 means.

Not generally on the school bus, which doesn't have to be compliant anyway, so they can sit comfortably and wait, out of the elements, at my beautiful school bus stop, but they can't access the bus when it comes along because it doesn't have to be

accessible. I would like clarification, or further clarification, on the lighting requirements at bus shelters.

5 MS SKILBECK: Yes. That has come up before, too.

MS F. FORRESTER: Oh, good. And the other point I wanted to make, it was mentioned earlier by Paul Larcombe, is it that there is a priority listing for 25 per cent compliance. I am unaware of this, and I would really like a copy of that.

10 MS SKILBECK: It's not so much a listing of assets, as classification of infrastructure, as I understand it.

MS F. FORRESTER: Yes. I am – public transport is my portfolio, and I am not aware of any list, and I really would like a copy of that. I'm sure the other councils
15 would too.

MS MILLS: Come and see me about that. I'm not sure if it has been publicly released yet, so - - -

20 MS SKILBECK: Sorry, could you say that in front of the microphone, so we've got a full record of it.

MS MILLS: I was just going to say, if you would like more information about that, you can come and talk to me about that. I'm sure if it has been public released yet, I
25 will have to double check on that.

MS SKILBECK: Sorry, it's a document – a Queensland Transport document?

30 MS MILLS: Yes. It's a Queensland Transport document.

MS SKILBECK: Planning document, is it?

MS MILLS: Yes. Yes.

35 MS SKILBECK: Okay. Sorry, can you - - -

MS QUIRK: It's – the 25 per cent are the priorities from the regional bus stops, rather than the ones that are associated in the TransLink.

40 MS SKILBECK: Sorry, could you state your name and - - -

MS QUIRK: Judith Quirk from Disability Services Queensland. Paul had a – there was a consortium that did consultation in the regional bus stops.

45 MS SKILBECK: Yes.

MS QUIRK: And the 25 per cent, and the priorities, were as a result of that.

MS SKILBECK: Was specific to bus stops and parking.

MS QUIRK: Specific to bus stops, and specific to regional areas.

5 MS SKILBECK: Okay. Thank you.

MS F. FORRESTER: Those are the only issues that I had to bring up, thank you.

10 MS SKILBECK: Thank you, very much. Is there anyone else who would like to make some comments? Please, down the end of the room. Do you need this one, Kathleen?

MR LOLLBACK: Thank you. Mike Lollback, from Maroochy Shire Council. My questions are directly related to the Act itself - - -

15 MS SKILBECK: Yes.

MR LOLLBACK: - - - and the application, in particular, of the 25 per cent for later this year. And it revolves, particularly, around the compliance, the penalties that
20 may be attached to non-compliance, and whether there is going to be any audit ability upon organisations to have complied with it, because my reading of the Act, gives no indication whatsoever of what the application for non-compliance would be, particularly – I think this particularly becomes relevant when one considers the
25 discussion from the Virgin Blue staff that were here earlier. The applications of Workplace Health and Safety are particularly onerous in terms of penalty for non-compliance etcetera. So one can't help but understand why a legal entity, such as them, would be more concerned with the application of work place safety than they would be with this particular Act.

30 So my question, and comment, I suppose, for want of a better term, is, is there an auditable tool that will look at the 25 per cent compliance, be it random or otherwise, are there penalties that attach themselves with non-compliance, and if so, how are they to be applied?

35 MS SKILBECK: That is an excellent question which I would have to take on notice, I have to say, unless there is someone else in the room who is aware of the departmental arrangements that are likely to occur. I don't – I think we will take that one on notice, Mike, and make sure we address it in our paper. Thank you, very
40 much. Well, with that, I think we are done for the day. Thank you, very much, everyone who has contributed, which is almost everyone in the room. It has been a very fruitful day for us, and thank you very much for your contributions, and look forward to further contributions in written form as well. Thank you.

45 **ADJOURNED**

[1.50 pm]