

**AUSCRIPT AUSTRALASIA PTY LTD**  
ABN 72 110 028 825

Level 1, 17-21 University Ave., CANBERRA ACT 2601  
GPO Box 476 Canberra 2601  
Tel: (02)6249 7322 Fax: (02)6257 6099

**TRANSCRIPT OF PROCEEDINGS**

---

**TRANSCRIPT IN CONFIDENCE**

---

**THE ALLEN CONSULTING GROUP**

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

**HEARING CONDUCTED AT: SAVILLE PARK SUITES  
84 NORTHBOURNE AVENUE  
CANBERRA**

**DATE: 26 JULY 2007**

DR BELL: Good morning, ladies and gentlemen. My name is John Bell. I'm from the Allen Consulting Group, and with me this morning I've got Jessie Goldsmith, also from the Allen Consulting Group, and we're here to do this public hearing on disability standards for accessible public transport.

So just let me take you through preliminaries and then we're going to get started straight away. We're conducting this review on behalf of the Australian government, and in particular the Minister for Transport and Regional Services. It's the first five year review of the standards since they were implemented in 2002. The standards have a period of about 25 years for full compliance, so of course at this stage only partial compliance is required.

It's important to note that this review is not to look at whether there should be standards but rather to look at the extent to which the standards have been effective in improving accessibility of public transport for people with disabilities. Now, we've created a special website for this review and we've released an issues paper and we've advertised nationally for submissions. Those submissions are actually due on 24 August. The date has actually been extended.

Today's meeting, however, is to have a fairly informal exchange and to hear your views on a range of issues. Some people will use these presentations in substituting for a submission because they haven't got the time or the resources to prepare a submission. Other people are planning to write a submission anyway but they want to talk to us about some of the issues that are of interest to them.

We are recording this session, and the reason for that is that the transcript will be put up on the Internet and that will be accessible to people who are not able to be here today. And some of you may know that for people who have a sight impairment, there's some interesting technology that actually reads what's on the screen and converts it into sound. The web site has been specially designed to be compatible with that particular feature. We've provided copies of the review issues paper at the back of the room, if you didn't already have one. There's some coffee and tea. And I think that's probably all I need to say at this stage. I think we should get started straight away because we have Craig Wallace here this morning, and Craig is going to have to leave us around quarter to 10.

So, Craig, thanks for coming. Would you like to introduce yourself?

MR WALLACE: Thanks, John. And thanks for the opportunity to present today to you about the review of the DDA transport standards.

When I made contact with the panel to present originally it was as chair of the then Disability Advisory Council. The chairman of the council has actually expired in the last couple of weeks and we're sort of between councils, so we're in a hiatus. A new one hasn't been appointed. But as somebody who's actually been around transport issues and the standards for a while, I thought it would be useful to come and present to you a distillation of some of the discussions from the former council, as well as what I should stress are some of my own personal views on these issues.

My key message for the review is that we need to step up the urgency and see access to transport as a must-do not a nice-to-do. Australia is a big country and operational transport is not a luxury for Australians. If the community expects people with disabilities to work, to be free citizens and to move around the country as other people do, then we need to press the fast-forward button on this issue.

My view on the transport standards we have is that they are well intended and a good framework in some areas but increasingly appear unequal to the challenge. The transport standards themselves, the exemptions and the time frames do not reflect the sense of urgency that is needed to address decades of poor planning and neglect in this area, plus other pressures, like inter-generational ageing.

Far from moving forward, many areas are actually getting worse, especially air travel. For this presentation I want to talk about why it's urgent and a must-do and where the standards are unequal to the task, including time frames, and the need to address the growing crisis with air travel. I should preface all of that by saying that there are of course good things about the standards. The technical requirements seem to me to be set out fairly well. They are causing some shifts and transport authorities to take notice. At least we actually have standards in this area. The failure to finalise an access to premises standard over many years is in my view a very poor reflection on the commitment in that area, but at least we have transport.

I do think it's important to revisit the business case for accessible transport now and again. One of the things about accessible transport is that it's fairly hard to find people who will actually say they're against it or talk about why they're against it, and that makes the opponents very hard to pin down.

Sometimes I wish we'd actually - they'd come out and we'd just have that conversation. But if you look hard enough inside some of the submissions that we see around these issues, there is an argument, and the argument is usually why do this for what they imagine is a very small group of people who they think have specialist alternatives and don't need to go anywhere anyway.

I've even heard a view that the people requiring these things are a declining group in the community. And I think those issues need to be confronted and addressed. The point that needs to be made is that the group is actually large and it's growing, they do need to be mobile and there aren't these specialist services. They are just not there. Moreover, there are tremendous costs to the community and disproportionate and extreme costs loaded on to individuals of not doing anything.

To give you the statistical picture in brief: there has been a steady rise in the underlying disability rate since the ABS disability survey began in 1981. Eighty-one - 15 per cent; 20 per cent in 2003, and that's about 3.9 million people. The census I suspect would have given us some interesting answers, but they asked the wrong questions. They asked about whether you needed help in daily living. So I don't know that we are actually going to get good disability figures out of the census. But if the trends that the ABS previously suggested continue, then about 25 per cent of Australians will be aged around 65 years or over compared to 12 per cent in 1997 by 2051.

Population ageing in my view represents the significant business case for doing accessible transport. And nowhere is this now more clear than in the intergeneration reports, the IGRs, that have been released by Treasury since 2001. The projections in the 2007 IGR2, which is just out, are quite interesting. They tell us that over the next 40 years the population will increase in size but with a higher proportion of older people. Economic growth per person will actually slow as the proportion of the population at traditional working age falls, and there will be substantial fiscal pressures in areas such as health, aged pensions and aged care.

Now, I won't bore the panel and all of you by reciting the whole of IGR2, but the take out message from it is that the policy will increasingly be geared towards keeping those people, many of whom will have disabilities, paying taxes and not consuming income support, i.e., keeping as net contributors. Ageing is by far the major contributor to disability and will remain so. There will be increasing pressure for the infrastructure to support participation by those people. This will include accessible airlines, buses, taxis and so on.

IGR2 says that ageing really starts to kick in next decade when the baby boomers retire. It's not hard to predict that when this converges with the desire of city planners to devise ways to keep private cars out of major cities, to combat greenhouse and to open up spaces to pedestrians, that there will be great pressure on the public transport infrastructure to step up for disability. It won't be because of the standards that they meet it though. The major measures there kick in the following decade, in 2022 onwards. So imagine if cities, no cars, full of these ageing baby boomers falling out of buses and breaking their hips and having all sorts of problems.

The other public policy reason for accessible transport is the cost to the community of not including people with a disability. We don't cost up that stuff very well I think, but there is some work that's been done.

Mark Bagshaw says the opportunity cost is around 29 billion, that's if people were working they'd be producing, they'd be paying taxes, they'd be consuming as well, they'd be adding to the bottom line. And if you add all those up, and he's done it in quite a clever way, you get a sort of an oeuvre .....[9:22:10] figure of 29 billion. And there are some other figures that are done by the training authorities on the costs of people with disabilities not participating as well.

The Australian government has adopted a very clear policy of supporting and encouraging transitions of people from welfare to work. The transport standards cannot be seen outside this context. If you think about it, many jobs require at least three levels of travel. Increasingly you're expected to move where the work is, and that's a big factor for people here in Canberra. And there is travel then to visit family and friends back home. That's part of the - if you move to Canberra, like I did, as a public servant from Sydney, you know, I think that's part of the settlement really is that you're able to travel back for family and friends, you're able to travel around for the stuff that you have to do for the job. On a daily basis you have to get to the job and you have to get home again, often long distances in Australia.

And lastly, and most importantly, you have to travel within the job. In most of eth white collar jobs that a person with my disability would actually be able to do, travel to meetings with clients and so on is a non-negotiable item. You know, I've been a public servant working with some pretty large funded programs and I really think you cannot do those jobs unless you can go and meet with the people that you're actually working with. It's very difficult to sustain that. Ditto. I can't imagine that Allen Consulting would take on

someone who couldn't travel around and do consults like this one. That is why the decision of Virgin Blue to effectively bar people like me from travelling is a total and utter disgrace. It is an abortion of a policy and government should be jumping all over them, and if necessary the transport standards should be drilled up ..... to deal with this issue.

I want to talk briefly about why I think the standards are unequal to the problem. I believe the standards as they are are unequal to the magnitude of the whole problem. They don't provide an adequate sense of urgency. The time frames are too late. The exemptions they've chosen in some areas are wrong, and important areas are now not sufficiently covered.

Time frames. The standards in a graduated way basically say: taxis in 2007, buses - not completely till 2022, and trains and trams - not fully till 2032. I think I'm right there. The time frames seem to me to reflect the transitional needs of the transport community rather than keeping in step with the needs of the Australian community. To some extent I think they suggest to industry that the implementation of the standards can be managed as the old stock wears out and falls apart.

If the needs of the community were in the driver's seat, we would be taking urgent steps to ensure that the public transport infrastructure was able to cope with the world as it will really look according to the figures in 2012. That is, a country full of aged, retiring baby boomers who will be struggling to get around cities that will be increasingly unfriendly, to private cars and taxis. Instead we send a message that action can be deferred for a very long time and way after most of those people retire. By 2032 the only way that most baby boomers will get on an accessible train will be as part of corsage from the inside of a coffin. We are deferring the costs now when we've clearly got the best capacity we're going to get in a generation to pay for it now and get it done.

The other side of ageing is that you actually get less government income; you get less consumer income to pay for the things that you need to happen. And we're deferring this, what, till 2022 and then 32.

On a human level, aside from the economics of it, I do think it's important to sometimes step back and reflect on the high level of personal limitation that is imposed on individual people by inaccessible transport in their daily lives. The consequences and limitations imposed on individuals by a lack of basic transport options represent an extreme deprivation of liberty. We are not

talking inconvenience. We are talking entrapment, which would be unacceptable for any other segment of the community outside people in the criminal justice system. People on low incomes with my sorts of mobility issues or with sensory impairments who cannot walk up the street, drive or use public transport are literally imprisoned, especially people on the urban fringe in housing away from shops and social contacts.

I know of people with disabilities - and the Gallop Report here in Canberra brought this out quite well - whose only daily contact ever is with a carer or somebody who is paid to come into their house with them. They don't get out at all to go the shops, go to the movies, do the other things that we take - that other people take for granted. People in prison do have more social contact than the people I am talking about.

To give you another example of extreme consequences - and the United States does this stuff pretty well but it's not uniform. One of the things that I've heard from friends that were in New Orleans is that many people, when the floods came, they just got on the buses and left. But the reason that so many people with disabilities drowned is that they just couldn't get out on the buses. They just couldn't get out in sufficient numbers. A quadriplegic the other week got stuck on a train on top of the harbour bridge - I'm sure you've read about that one - because they don't have emergency access solutions. Again you get extreme personal outcomes from this stuff.

Accessible transport is not a marginal issue, it's not theoretical. Compared to other social problems it's got a very high direct personal cost for individuals. Can that really wait to be addressed until we're a third of the way into the new century? Should it? And why?

Over three million people in Australia today have a disability. While 80 per cent of the general population are participating in the workforce, only 53 per cent of people with a disability do. And that leads to the other reason to address this, and that is to increase labour force participation for people with disabilities and older people.

In the ACT people with a disability make up approximately 17 per cent of the potential labour pool, yet people with a disability are more likely to be unemployed than those without a disability. The standards do not adequately address air travel, in my view. In some areas things are actually getting worse, and this is especially the case with travel by air. In the 21st century air travel is not a boutique option, it's not a luxury. For ACT residents especially, it is

essential. And I've already made the point that it's integral to moving and holding down a job.

Last year Virgin Blue began denying travel to people with a disability, including myself, based on their independent travel criteria, which includes a requirement that we be able to meet a variety of tests or travel with carers. Travelling with a carer is a very unreasonable and unnecessary requirement for an independent person like me. I don't have a regular carer and I don't have the funding to hire and recruit a person like that to travel on planes around with me all the time, nor to pay for the food, travel and accommodation. Despite some media reports to the contrary, this issue remains very much unresolved. In the last couple of weeks, in response to court action and political pressure, they have modified the policy somewhat and made it better in some areas but it's actually worse in others.

What the policy actually does is it acts as a broad brush deterrent against people with disabilities. Virgin Blue state that there is no way of guaranteeing that a person meets the policy, and that tests can only be applied when a person actually arrives at the check-in counter and carries out the tasks in the criteria, including reaching under seats and donning lifejackets. That leaves us in the unacceptable position of having to purchase air tickets - hundreds of dollars - on a lottery basis, with no assurance that we will actually be allowed to board a flight and reach our destinations, or even that the tickets will be refunded if we are denied travel.

You know, I suggest to the panel respectfully that none of them and no-one else would agree to travel on that sort of basis, where you buy tickets and turn up at the counter and you're not sure that they'll actually let you on the plane and that you will reach your meeting on time.

Virgin Blue appear to be relying on an interpretation of certain Civil Aviation Safety Authority - CASA - regulations, to justify their policy. Virgin Blue and Qantas are governed by the same CASA regulations, yet Qantas still allows me and other people in wheelchairs to fly with them. If the policies of this airline creep across the industry, and there are signs of this, people like me could be permanently stranded and unable to get on a plane and go anywhere in Australia. We could lose our jobs, our ability to go on holidays and to see family and friends.

The ACT has many people who travel for work, who've moved here from interstate and need travel by air to maintain contact. I think that Virgin Blue's

actions are highly incongruous at a time when the government is encouraging people with disabilities to participate in the workforce. They have minimal excuses. I mean, you cannot claim that this is a struggling regional airline. This is a very big airline. They've got record profits. They have the capacity to do this. It is significant that Virgin's sister airlines in other countries have not felt able to enforce a policy like this, and to start throwing people with disabilities off their planes. Only in Australia have Virgin felt freed up to do this.

My question simply is: what did the standards do about this? And what use are the standards if they can't prevent the major discount carrier suddenly deciding to turn around and ban the whole lot of us from travelling with them? And what would happen if Qantas did that tomorrow?

Lastly, there are too many exemptions, in my view, and the exemptions seem poorly chosen, in hindsight, and send the wrong messages. I want to start with limos and hire cars, which I suspect may have been relatively uncontroversial up till now. But I actually think that exempting limos and hire cars will kind of be viewed as a mistake and it's already looking arcane. It ignores a growing convergence between the taxi, limousine and hire car industries. Taxis and hire cars are increasingly fighting in the same space for the same market. The taxi companies know this, and that's why they're all dropping into the silver service market. People don't get up and say "Today I want a public transport solution", you know. They say, "I want to get from A to B. I'm prepared to pay for it, and I don't care who is providing it, provided the car is nice, they turn up and they actually know where they're going".

There are taxis operating in the limo market. There are limos piling up at airports at the major cities, offering themselves to passing trade. And both of them are taking an increasing share of private bookings from people on mobiles. Apart from the colour that the car is painted, I mean, you tell me what the difference is. The limo and hire car industry must have done a pretty good snow job on someone to get exempted. If I was a silver service taxi driver, I would be pretty confused, and I might be thinking about hopping over into the hire car industry. So you have the potential in all these exemptions for marketing distortions as well. It also highlights that the exemptions should be kept to a total minimum. They are discretionary. They reward bad behaviours. And I think a similar thing could be said for the exemptions for small planes and regional airlines.

Lastly, school buses. The decision to excise dedicated school buses from the standards is just mind boggling to me. It's a missed opportunity to use the leveraging power of government spending to get bus operators, manufacturers and designers to start thinking about access and spread that beyond the bus fleet. You think about the major sort of, you know, input that government has to leverage off the bus industry, and it's got to be school buses, you know, it's got to be the school runs. It's also just awful messaging and another concession that it's too hard. In any other field where you're serious about changing, sending a message for human rights and inclusion, school buses are the first thing you engage with. You know, when the United States started looking seriously at segregation in the 1950s, the first thing they did was looked at bussing.

Here in Australia we're going to get to 2032, 80 years since bussing, and still have this one exempted for kids with disabilities. There's another reason for looking at school buses, I think. I suspect that a lot of the transport operators probably will be coming in here or, you know, saying to themselves, "Well, we do all this access and we don't have people in wheelchairs actually travelling on our buses, that that's an issue for them". Well, you know, part of that is about the transport network. And I've seen some of the submissions already have made that point, you know, every point in the journey needs to be accessible before people will take it up. But another part of it is about learned behaviour. If you go through school locked out of the transport network, it's hard to get back out of the parallel universe and do the things that other people do.

Getting on a bus involves, you know, reading a bus timetable, working out those sort of horrible weekly fares and student concessions, and learning to negotiate the sorts of issues you encounter on public transport, on buses, I mean, you know, slightly unsavoury interchanges, dodgy people, part of getting out and being in the adult world. Once again, exempting school buses is cutting those kids with disabilities off. Is it any wonder if people don't develop socially, make friendship networks and life skills. Being on the school bus and travelling there with your mates is yet another rite of passage that's closed off to people with disabilities.

And that I think is probably an appropriate moment to finish where I began, that we need to see this as a must-do, not a nice-to-do. We've deferred this for too long. The future is now, and we need to start acting on it.

Thank you.

DR BELL: Well, Craig, thank you for those comments. You've certainly raised some issues that I have not heard raised in some of the previous hearings that I've done.

I suppose that when we talk about the ABS statistics, and we're talking about 15 or 20 per cent of the population with a disability, for a significant part of that 15 or 20 per cent, transport isn't such a big issue. And it reminds me of the bus operator that I spoke to in Hobart who said, "Well, of course, a lot of people who get on our bus with a disability, we wouldn't know that they had a disability. They show us a ticket or a pass and they get on the bus by themselves and that's fine". So the percentage that actually have a real issue with public transport is perhaps a little bit less than 15 or 20 per cent, but we don't really have a good idea as to exactly how big that number is.

Have you seen any - - -

MR WALLACE: No, we don't. What we do know is that physical disability which has attached mobility issues is the biggest part of the split. It's 83 per cent in the ACT. And the other thing that I sort of suspect is - as ageing overtakes congenital as the biggest cause of disability, you are going to see mobility issues and the sorts of things that mandate an accessible transport response sort of taking over in terms of splits across disability. I'd be surprised if that didn't happen.

DR BELL: Yes. Okay. That's a fair point. I'm just watching the time. But, look, let me just pick up a couple of other things that you mentioned. You said that the standards were good in some areas and not in others, and you have identified weakness in the air transport side and their apparent, or at least perceived, conflicts between CASA regulations and the transport disability standards. But are there other areas where you're concerned about the standards that are more specific?

MR WALLACE: Just to go to the air one just for a minute, just so we're clear on that one. What the CASA regulations actually do is they specify an outcome. Virgin Blue have been quite clever. They say, "What you need to do is ensure that your passengers are safe, they understand the instructions and they've got their seatbelts on". So, Virgin Blue comply with that, and so do Qantas. Virgin Blue have just applied a super strict, over-the-top response to it that means that they effectively bar people like me from travelling, when they didn't have to. And so my question is, "Why don't the standards intervene at

that point and say there is an overriding access imperative and you simply ca'nt do this"?

In respect of the standards as a whole, as I've said, I think they're a good framework. You know, it's actually good that we've got transport standards that try and lock people into some time frames. I just think those time frames are wrong. I think it's far too slow. I think the response needs to be in 2012, in the next decade, not in 2032.

DR BELL: You mentioned the school bus issue. Do you have any feeling as to why school buses were exempted?

MR WALLACE: I'm just boggled by it. I mean, it's the same fleet of buses, often.

DR BELL: Often. Yes.

MR WALLACE: I gather, just from looking at some of the paperwork that you trawl around on the web, is that the school bus operators put up sort of a line about regional services and difficulties with terrain and so on in small country towns. But there's no reason why you couldn't have dealt with that or at least had a phased implementation to say "We're going to do everything else but deliberately excise all of the dedicated school buses. I mean, the sort of message that that sends for inclusive education and the sort of drivers it gives for the bus industry to have good behaviour in terms of their purchasing, I just think it's awful and I don't understand it, no.

DR BELL: Okay. Craig, we have somebody here today from Transborder Express, the bus company that runs Yass through to in fact Queanbeyan, and he has brought along a seatbelt - a belt - which he uses to restrain wheelchairs on his bus. And I was wondering if you wouldn't mind if he would use your wheelchair to show us exactly how these restraints get put on your wheelchair?

MR WALLACE: He doesn't have a bus here?

DR BELL: No, he doesn't have a bus. We were not able to figure out how to get the bus into the hearing room. But if we could just stop the transcript for a moment, we're just going to see how this actually works in practice, because he has some challenges and he's going to just show us with this seatbelt, if you don't mind.

MR WALLACE: It gets us closer to buses. I don't mind.

DR BELL: Okay. We're just going to stop and see how this works.

**MEETING ADJOURNED AT 9.43 AM**

**MEETING RESUMED AT 9.49 AM**

MR WALLACE: I suspect that's an issue across some - we come across that with wheelchair taxis as well actually with anchorage points as well. There seems to be a lot of wheelchairs coming into the market, by the way, from Taiwan and all sorts of other places.

MALE SPEAKER: Some of the designs do leave a lot to be desired.

MR WALLACE: They're unconventional.

DR BELL: Well, of course there's also some wheelchairs that are like a four-wheel drive. They're quiet large and bulky.

MR WALLACE: Yes.

DR BELL: And that raises some other issues. I wondered whether you know of any data on taxi waiting times for people in wheelchairs in Canberra, whether you've come across any data?

MR WALLACE: Yes.

DR BELL: I mean, we know that the waiting time for taxis for ordinary citizens in the ACT can be infinite in some cases, they just don't turn up at all, but is there any data for the ones that turn up for wheelchairs?

MR WALLACE: Well, yes there is. Those statistics are kept by the ACT Department of Transport.

DR BELL: Okay.

MR WALLACE: But they actually do have a benchmark for wheelchair taxis. The industry has been fairly consistently not meeting the benchmark. That's why the new Cabxpress company was approved by John Hargreaves late last year. My understanding is that the benchmarks have actually improved somewhat for the wheelchair taxis. There's been a general issue with taxis in this town around the new voice recognition system and new software coming into the company that's really mucked the whole system up, not just wheelchair taxis. But the performance of the wheelchair taxis has been concerning us in the disability community for some time.

DR BELL: We will seek that data from the ACT authorities.

MR WALLACE: But there are .....

DR BELL: There's some recent data in the press that suggests that by the measure of taxis per head of population, Canberra has fewer taxis overall than other major centres in Australia, and it may be that that puts more pressure on the system in terms of the availability of wheelchair taxis because obviously a lot of people who don't need a wheelchair taxi can use one if there's one that's available. But we will pursue that data. I wondered if you knew where it was, and we'll certainly ask them for that data.

MR WALLACE: What's really wrong with wheelchair taxis in Canberra is we've got the wrong vehicle. We're using transit vans, and they're actually not designed to take passenger transport. So you've got people loaded up into these, the g-forces are all wrong. People are getting tossed out, winding up in the Canberra Hospital because of broken knees and stuff, and their actual needs to be - other passengers don't want to travel in them, so they're unattractive to drivers. They wear out after about three years. We've been consistently lobbying governments to look at other solutions, including one-seater Tarago-type vehicles. Not a one-size-fits-all. You actually need some bigger ones so that you can take big power chairs. But we've basically got the wrong set of vehicles, and the drivers don't want to use them, the passengers don't want to use them, and they break down all the time.

DR BELL: Have you got actual data on people who have suffered injuries in these vehicles?

MR WALLACE: There was a reference group and an inquiry held about 18 months ago now, and some of that stuff came out through the public hearings in that consultation that the council actually held.

DR BELL: The council? Which council?

MR WALLACE: The Disability Council that I chair.

DR BELL: The Disability Council.

MR WALLACE: Yes.

DR BELL: Okay. We'll follow that one up too. We're obviously searching for data that we can draw on that's relevant to these standards. And so that's why I'm asking you these questions. Now, I think that really covers things very well. Are you going to be able to give us a written submission, or is that going to be it?

MR WALLACE: I can probably give you a transcript of the stuff that I have said today, so, yes.

DR BELL: We'll have a transcript.

MR WALLACE: You've got a transcript.

DR BELL: Yes, because we've recorded it.

MR WALLACE: Well, I've got written notes with the figures and a bit more detail. So I can hand those up.

DR BELL: Okay. If you'd like to send us that or hand us those, that would be very helpful.

MR WALLACE: Good.

DR BELL: Look, thank you very much for coming.

MR WALLACE: Thanks again, John.

DR BELL: And we'll just stop the session for a moment while we help you out.

**MEETING ADJOURNED AT 9.53 AM**

## MEETING RESUMED AT 9.56 AM

DR BELL: We'll resume. We were going to have at this time Terry Wesley-Smith from the Regional Aviation Association of Australia. He is unfortunately unwell and not able to be here. So we're going to move ahead now and we're going to hear from Robert Altamore, who is treasurer of Blind Citizens Australia.

Have I got that right, Robert?

MR ALTAMORE: ACT branch.

DR BELL: ACT branch. Okay, Robert, it's all yours.

MR ALTAMORE: Thank you, John.

Just a few clarifications before I start. Firstly, I'm here today for the ACT or Canberra branch of Blind Citizens Australia. Our national body and national office is based in Melbourne, and we'll be presenting hopefully I believe to the Melbourne hearing, but I will be - in the course of preparing myself to make this submission, I've consulted with our national office as well and will be saying things that will also be said by our national body. And indeed the ACT branch is of course part of the national body.

The second thing I want to do is mention that I am an employee of Australian Government Solicitor, but the views I'm putting today are for Blind Citizens Australia and reflect their views and my personal experience.

Thirdly, I'd like to depart from blindness for a moment and talk on disability as a general issue, and in doing so I'd like to go on the record as supporting the submission made by Mr Craig Wallace, who you just heard. I mention that Craig is the chair to the Disability Advisory Council and I served on that - on the two councils of which he chaired and also was chair of the council preceding him. And he has adequate - and I think he has very well recorded the issues for people with disabilities generally, and in Canberra particularly. In particular I want to back his call for the fact that the disabilities - that implementation of the disability standards for accessible public transport for people with disabilities is a must-do now, not in 20 years time, and that we do

need to fast forward the disability standards and bring forward the implementation time lines for many of the aspects of those standards.

I would now like to talk a bit about Blind Citizens Australia, which is the organisation I'm representing here today. Blind Citizens Australia is the peak national advocacy organisation for blind people. We have over 3000 individual members. We have branches in each state and territory, nationwide, and we have - sorry - we have nationwide branches and we have 13 affiliate organisations of blind people who are affiliated to Blind Citizens Australia.

We believe that these disability discrimination standards for accessible public transport are very important in making public transport accessible for people in that they raise awareness of the needs of people with disabilities and offer guidelines and legally binding requirements to service providers for their transport and infrastructure. We also believe the standards are very important accelerators and motivators and drivers in terms of making public transport accessible for people with disabilities, and in doing so, for the whole community.

We believe that the imperative insofar as we have had improvements for people for the accessibility of public transport, the standards have gone a long way to driving those improvements, in that they've focussed peoples minds on what needs to be done to comply with legal obligations to make transport accessible.

The standards are also very strong tools on which people with disabilities can hang their advocacy for improvements to public transport, that is, they are strong when they are actually implemented. Unfortunately that strength is dissipated somewhat by the length of the time lines involved that people have to comply with accessibility requirements, and also the disturbing trends to grant exemptions from the standards, such as the exemptions that Craig highlighted for hire cars and limousines and the exemptions for small airlines and for railways.

A particular difficulty we've had in dealing with railways, for example, has been the application by some railways for exemptions from the standards with regard to tactile ground surface indicators, which we might discuss later on in my presentation.

The point I need to mention now is that the big thing for blind and vision impaired people in relation to their mobility and a big thing which is an issue

for us is consistency. Consistency in public transport systems is, we think, important for blind people because when we negotiate our way through our environment, we very much depend on our memory of what things are and what things were and what we can reasonably expect, because we don't have the gift of sight which enables us to see hazards and things coming and make adjustments. Therefore consistency in standards and therefore environment is important for safe, effective and independent mobility.

There are some key issues that I want to get onto. Blindness and vision impairment is going to be in increasing prevalence in the community, and as with other disabilities, we are seeing a move from congenitally people who are blind, and we're seeing - while we're seeing fewer and fewer people who are congenitally blind, like myself, we're seeing more people with age related blindness and vision impairment.

I want to refer the review to the research done by the Centre for Eye Research Australia, particularly pages 32 to 34 of their report, which tables that over 40, that is when the increase in the prevalence of blindness starts to kick in, or starts to occur, and with increasing age and with increasing numbers of older people, there will be an increasing amount of vision impairment.

The other issue that raises is that older people with vision impairment will - may need more assistance because of the adjustment that they are making to vision impairment. With a person like myself, I had no adjustment because I was born blind, and also I had the opportunity to learn very good blindness skills. And that opportunity won't be afforded many people who become blind adventitiously later in life.

I want to talk about accessible information, which is a key matter for blind and vision impaired people. I understand the 2007 standards require that accessible information issues will be addressed by 2007. My experience in the ACT is that the accessible information aspects of the standards, particularly in regard to braille, are met fairly sporadically and ad hoc. There's no regularity or guarantee in it. As a matter of fact last year I had to submit a DDA complaint to get access to information in braille, which I understood should have been accessible to me in braille via the standards.

That matter was settled, and settled amicably. But the fact that I had to go to the extent of lodging a DDA complaint shows that it's not - that the standard obligations with regard to provision of information in accessible formats, particularly braille, aren't always being met. This was a situation in which our

provider, ACTION buses, sent a householder pamphlet to all people outlining the very significant change to their services, but were reluctant to provide it in braille. But they did so eventually. So I think that we need to record the fact that the compliance with the standards in return for braille needs to be monitored very closely.

The other thing which is particularly important for Canberra is bus transport. There are a number of issues here. Under the standards, announcements are required on all forms of public transport. In the ACT, buses are our main form of public transport, and these have no announcements. I'm not sure exactly what the timetable is for announcements on buses, but I would suggest that that timetable needs to be brought forward, because there is already work being done in Western Australia on announcements on buses. And I believe that if we bring the standard forward - if we bring the implementation forward for that, we'll get a better accessible outcome, because the important thing when you're catching a bus is to know when to get off the bus.

DR BELL: Well, it's also to get on the right bus.

MR ALTAMORE: And to get on the right bus, that's right. And I'm going to come to that later, John.

DR BELL: Yes. That's a whole challenge in itself.

MR ALTAMORE: Yes. I'll come back to that later.

Announcements should cover where the bus is going, when it is going - that's when it's leaving, location during the journeys, and unexpected events. As I said, you know, I believe that the implementation date for announcements on buses should be brought forward, if it's not already - should be brought forward.

Bus stops hold a number of issues for blind people - and I want to focus on buses because they're the main form of transport in Canberra - particularly with respect to locating the bus stops. Bus stop signage, identifying that you have the right bus stop, and knowing when your bus comes is especially important. And in the bus stops which - we have a number of them in Canberra where a number of buses line up at the one bus stop, and you have two or three buses. And you cannot - and it's happened to me a number of times, and many of my blind colleagues, we will actually miss the bus because the bus at the back of the queue was the one we wanted, and it either skirted off

before we could get to it or else it just didn't stop at all and went around or whatever. So that's an issue which maybe - it's a problem we're currently having, and the standards address.

In relation to signage, there are no references or requirements within the standard to ensure that signage is accessible for people who are blind or vision impaired, except in relation to taxis, which I'll come back to later on. That said, the standards themselves don't guarantee that the signage is accessible. And in a consultation I attended on Monday run by Vision Australia for blind people, Vision Australia mentions that the chief service provider - there's a multi-state service provider for blind people in Australia, and at that consultation some of the people mentioned that they still had trouble reading signs that they understood weren't compliant with the standard. So, the standards should require accessible signage for both the buses and for the premises from which - and for transport infrastructure and for the infrastructure.

In relation to taxis, one of the issues we're looking at and we have as blind people is when a sighted person gets in, they can see the taxi number and so identify the taxi if there are any problems. For blind people, we can't see that number. The standards require the number on the outside of the cabs, but many taxis aren't doing that. And Blind Citizens Australia would argue that the requirement for the number to be put on the outside of the cab - of the taxi should be enforced, as well as for the number to be on the inside of the taxi, because it's quite often you don't know if you're going to need the identity of the taxi until you've already got into the taxi. That is, you get in the taxi first, and it's only after you get into the taxi that something occurs which makes you think that you're going to need the identity of the taxi.

For example, I got into a taxi in Sydney that dropped me in the middle of the street instead of my destination. Now, when I got into the taxi, I didn't know that was going to happen, and so I didn't know I was going to need the identity of the taxi driver - the taxi. So, that's a matter which we need to look at in the standards.

There's also the braille and tactile components of signs should be mandatory. Clause 17.6 does have a reference to the signage for people who are blind and vision impaired, but it's not a mandatory requirement. We think that requirement should be a mandatory requirement.

Website standards are a major issue for blind people. Unfortunately I can't point you to the chapter and verse of the report but I remember reading recently a report which I think came from the US or England, and I would suggest that we can apply it to Australia and apply it in a transport context, which suggests that only 3 per cent of public websites are accessible for people with blind and vision impairment, like myself, who use screen reading technology to access websites, as I said. And websites are becoming increasingly important because public transport operators are increasingly referring you to the website for their timetable information and their booking information and even to book transport.

We think there needs to be a greater compliance, and maybe the standards need to reference the issue, that websites used by public transport service providers should comply with the WC3 guidelines for web accessibility. Also an important issue for us is that many of the documents, particularly timetables, on websites are written in PDF format, which is inaccessible to many of the screen readers we find that vision impaired people use. And we would suggest that that's in accordance with good practice in web design and accessibility, where a document is produced in a PDF format, an alternative accessible Word or RTF or text format should be included. The other option of course is to use recent developments in web streaming to allow a verbal presentation of documents to be streamed on the web.

I want to now move to part 2.1 of the standard. Are we right, or am I running overtime?

DR BELL: No. You're fine. I'm just saying to my colleague that we should contact Adobe and ask them what they're going to do about their inaccessible PDF files. It seems to be an interesting and difficult issue.

MR ALTAMORE: Yes. Thank you. Sorry. Okay.

Part 2.1 requires that an accessible - I want to now talk about accessible pathways. Part 2.1 of the standard requires an accessible pathway must be provided along a walkway and must also be provided on ramps and landings. We think that before the word "accessible" in the standard, the words "clearly defined" should be added, because the key issue for a person like me is, as well as there being an access to pathway, it be a clearly defined pathway because it's only when a pathway is clearly defined that it's really accessible to someone like me. As I said, the addition of the words "clearly accessible"

would greatly assist all blind people and would probably assist other people with disabilities.

We also point out that pedestal and head-high objects are hazards for blind people and their use should be minimised. And another hazard is spiral staircases, which are sometimes used. The standards need to promote good design in public areas to reduce these hazards.

The next issue I want to talk about is access pathways and connectivity. Section 2.2 of the standard requires continuous accessibility. Access path must comply with AS 14.8.2 1992 in clause 7 of that 1992 standard. Accessible entrances must connect with external and interior spaces and facilities that serve the pathway. We think that that's a very important requirement and it needs to be - the compliance with it at the moment is patchy and it needs to be - compliance needs to be improved and it needs to be enforced more rigorously.

I now come to the issue of tactile ground surface indicators. Part 18.1 requires that TGSIs must be installed on an access path to indicate stairways, ramps, changes of direction, overhead obstructions below a height of 200 metres - 200 millimetres - sorry - and hazards within a circulation space or adjacent to a path of travel.

In reality in Canberra we do not see a consistent use of tactile ground surface indicators in transport infrastructures and premises.

Now, what we find is the use of tactile ground surface indicators does not connect entry and exit points and helps to identify bus stops. And to give you an example. If you go to Woden bus interchange, you can follow the tactile ground surface indicators to a certain point. But let's say I want to get off the bus and get to the taxi rank at Woden, which I often do, because I live in the Weston Creek area, I can get off the bus and I can follow the TGSIs quite happily to a certain point, then they peter out, and there's a further point I've got to get to the taxi rank, where there is actually no guidance, where I believe the standards actually require that happen.

So, again, this is an enforcement issue - a compliance and enforcement issue - that we need to get ACTION buses and the local department to comply with the standards. And though I've only cited that instance, I would suggest there are other instances around Canberra, and indeed in other states and territories, where tactiles are not laid consistently, they're not laid in accordance with

standards, and sometimes they're actually over used. And over use of tactiles is as bad as under use.

We just think we would like - we say we encourage the authorities to use tactile ground surface indicators correctly and discretely and not to over proliferate their use.

I want to talk briefly now about the issue of luminance contrast, which is a requirement by the standards. But again this is a standard which - the luminance contrast is not being used on many items in public transport infrastructure and premises.

Bus stop placements. Many bus stops are placed in inappropriate - sorry. I'll just come back to luminance contrast. I can't give you any examples, because I'm totally blind, but I'm sure other people with vision impairments that you talk to will give you an idea of the importance of luminance contrast and where it's not being used effectively and how it might be used more effectively.

DR BELL: Yes. We've been given some really good examples, such as tactile surfaces, for example, that are a light grey colour, that are set on a concrete background so that they're not detectable at all to people who are partially sighted.

MR ALTAMORE: That's right. Yes.

Now, I want to talk about bus stop placement. Many bus stop placements are - their placing is inappropriate. The positions are inappropriate and wrong, and often the bus stops are placed without required tactile ground surface indicators and luminance contrasts.

The next thing I want to talk about - please excuse me. I want to draw attention to a conflict in the standards in the references to stair nosings. And we'd recommend that the correct reference to be used is 1428.1 clause 9.1, regarding stair construction whereby the contrasting nosing strip is not less than 30 per cent contrast and between 50 millimetres and 75 millimetres in width.

There's some other issues here that I want to mention briefly. The symbols for colours should be mandatory. At the moment the symbols for colours in the standard, and I refer here to clause 9.10 of the standard and 16.1 of the standard, they're not mandatory and we believe they should be mandatory.

I want to talk about consistency of implementation of the standards between states and territories now, because the states and territories are not consistent in their implementation of the standards. There are many reasons for this, but we think there should be an improvement in the monitoring system so that we can better assess how states and territories are - the degree of compliance by states and territories in relation to the implementation of the standards.

I want to talk about aircraft now. Aircraft is an issue that Craig Wallace raised in his submission. And I want to support what he has said. I think it's very disturbing that although we have disability standards which are supposed to reduce discrimination in public transport for people with disabilities, we have a situation now where airlines can actually refuse to carry a person with a disability on the pure ground of their disability and it puts at nought everything that - it actually contradicts everything that the standards stand for.

There is a risk that that airlines and governments will hide behind the cloaks of safety and security to undermine disability standards and undermine the ability of people with disabilities to travel on aircraft. The problem is particularly acute in Canberra. And I'm sad that Robert Wesley-Smith is not here, from the Regional Aviation group, to talk about this issue with you, but it's particularly acute in Canberra because Canberra is served by a higher number of small aircraft than other cities. And I mention that the issues of aircraft are not just for people with physical disabilities, they're also for blind people, for example, for small aircraft.

I recently had a situation where I travelled with a friend of mine, and the aircraft was a small aircraft, and my friend had a guide dog. And at the very last minute - I should mention she'd told them about her guide dog, et cetera, done all the right things, and at the very last minute when we got to the stairs of the plane, they were going to say, "We can't carry you because of your guide dog". This is contrary to discrimination acts and contrary to the standards, but nevertheless, there was a possibility of this happening to my friend and I. And luckily we were able to negotiate the situation and we were both able to board the plane, but they wanted to put us on separate flights. Basically, fortunately we were able to negotiate the situation, but it illustrates how precarious our access to air travel can be, particularly in relation - and I mention that the issue of people with disabilities not being able to board the flights they're on, and being told this at the last minute, though it has primarily affected people in wheelchairs, it can be relevant for people with disabilities. I am aware, through discussion links, of a recent incident whereby Jetstar, which is a Qantas

subsidiary, refused to carry a blind person on a flight in Asia. And so it's very disturbing to me as a blind person that Jetstar, as an Australian company, can actually do that.

DR BELL: Can I ask about the guide dog?

MR ALTAMORE: Yes.

DR BELL: Did they give you any indication as to what their concern was about the guide dog on the plane?

MR ALTAMORE: They just said that they - they claimed they didn't know about it.

DR BELL: I see, because - - -

MR ALTAMORE: But I know that they were told. And then they claimed that they're not sure the guide dog could fit under the seat, because it was one of these very small aircraft.

DR BELL: A Dash 8 by chance?

MR ALTAMORE: Pardon?

DR BELL: A Dash 8?

MR ALTAMORE: Yes, I think it was a Dash 8 if my memory serves me correctly, yes. In the end we got the guide dog in there, yes, but it was a bit traumatic for both the guide dog, her owner and ourselves. But, as I said, fortunately both of us are able - have the wherewithal to negotiate our way through the situation. Not all of us are able to do that, as you would understand.

The problem is I think that it's a particularly acute problem in the Canberra context because we use - there's a lot of small aircraft and Dash 8s used to service the Canberra/Sydney and Canberra/Melbourne links.

How am I going for time?

DR BELL: You're doing just fine.

MR ALTAMORE: Okay then. There are some other matters I want to raise regarding the standards. The disability standard cites Australian Standards reference - by reference of their year, and doesn't always cite the most current version of the standard. We believe that creates problems in the implementation whereby an organisation, whereby a state or a provider wants to implement the most up-to-date standard, yet the standard only refers to the previous version of the standard.

And I know that there are legal - there may be legal reasons for this in terms of the ability of regulations to cite the sort of - to be ambulatory and cite a most recent version of another document. But we think that wherever possible the disability standards should reflect the most up-to-date Australian standards.

There's also a lack of clarity in the standards regarding refurbishments, for example, and I refer here to clause 32.3 of the standard, which states that improvements should occur when any substantial upgrading takes place. But it doesn't have any time lines. So if station is upgrade in - we agree that, let's say - this is particularly relevant for things like train stations and platform designs. We agree it could be unreasonable for a train station which is upgraded in 2007 to be again upgraded in 2009, but we often find that we've got a train station which was upgraded in 1999 and improvements have come and it's not reasonable to - and the train station is still not upgraded. This is particularly in reference to tactile ground surface indicators. So there needs - the standards could be more clear in that regard.

I've dealt with the issue of raised registration numbers on taxis, which is actually dealt with in clause 17.7. But again, the issue of raised registration numbers on taxis is not covered by any Australian standards, and that sometimes causes difficulty in terms of implementation.

There is a point I want to talk about, which I should have mentioned under signage, and that is the requirements for raised tactile lettering and braille, which we said earlier should be made mandatory. I see many instances of raised tactile lettering which is actually not raised. It's actually indented into the metal material or the - particularly on metal things, where you have signage which is purportedly accessible, but it's actually - the writing is embedded into the metal, so we actually can't read it. And that is a major problem. And a good example of this is if you look at the metal bus shelters in Civic in Canberra. We're finding that often signage that is purportedly accessible for us by saying it's raised, it's actually not raised, it's actually indented into the

metal. So again we have an issue where the standards are not being complied with.

I've dealt with the issue of luminance contrasting which is dealt with in clause 18.2. And I want to go back to luminance contrasting. The terminology is very vague within the standard and this leads to confusion in consistency, particularly in relation to TGSIs, which, as we mentioned, there's a requirement for them to be colour contrasted rather than luminance contrasted, and that means the TGSIs are often not visible to people with low vision until they get very close to them, if at all.

Those are the main things that I wanted to raise in my submission. And I'm happy to take any questions.

DR BELL: Robert, do you think that it might be useful for somebody to develop some guidelines for local authorities on the sorts of things that they need to do at bus stops and that - well, I guess it's mainly bus stops that are affected by local authorities? It seems that there's quite - you talked about the consistency issue, and it seems that, as you say, different jurisdictions have quite different approaches to this, even down to different local government areas having different approaches. And there seems to be a lack of awareness - and the ACTION bus stops in Civic are perhaps an interesting example of this - a lack of awareness on the part of people who do the design work, as to what would meet the standard.

MR ALTAMORE: I guess any reinforcement would help. There are various - there are numerous guidelines and best practice documents available. For example, on the website of my own organisation, Blind Citizens Australia - [bca.org.au](http://bca.org.au) - our transport access policy, which has a specific section for each modality of transport, in the section on buses it gives some very clear guidance as to what might be good practice to make bus stops more accessible.

Whether you're talking about something - and I think even the transport standard itself, as Craig said, there's some very good how-to-do-it sort of type provisions in the transport standard. The trouble is that - the difficulty we have is with enforcing them.

DR BELL: And do you think this is partly a problem of awareness? I mean, we've also touched on taxi drivers, for example. Is this an awareness issue as much as anything else?

MR ALTAMORE: I think it's - it's hard for me to say. I mean, I can't get inside people's minds. I think it could be. And sometimes people just do things that are convenient for them.

DR BELL: Yes. Well, you've certainly raised some issues that I've certainly not heard raised in previous hearings. Some of those issues regarding the standards I think are matters that we're going to have to give some careful consideration to, because you're quite right when you say that some of those standards do change over time, and the ability of the standards to keep up to date - of the disability standards to keep up to date with the Australian standards, I guess, is really the issue that you're raising here. And that suggests that perhaps there's a need for a revision of the standards from time to time, just to ensure that Australian standard that is referenced, in the various parts of it, is the most recent one.

MR ALTAMORE: Yes. Could I raise one thing which just has occurred to me, if I may, and that is the issue of staff awareness and staff training for public transport service providers. In general, while blind people get good assistance from public - many staff in these providers, we have observed an inconsistency in the effectiveness of staff assistance. And a good example of this is the way public transport address systems are used. Public transport address systems are very useful, particularly in environments like railway stations and airports, to sort of make you aware of what is happening, where trains and planes are leaving from, et cetera. But if the staff aren't trained to use the systems properly, you know, their use is very much compromised.

For example, if a user of a public address system is getting too close to the microphone or too far away or is talking too quickly or slowly or distorting or else makes an announcement at an inappropriate time, example, you know, an announcement comes at the time the train is coming into the station, that severely compromises the effectiveness of the public address system as an aid to access the transport for us.

So, what we're saying is that there needs to be - the standard requirements for staff training need to be better enforced and perhaps with specific learning outcomes. There needs to be - the standards need to reference specific learning outcomes for staff.

DR BELL: Robert, that's all been very helpful. Have you got anything else that you want to add there? I can see you're busy checking your pages there to just see that you haven't missed anything.

DR BELL: I think I've covered the main issues. As I mentioned, the staff training was the one that I had not quite covered before. So other than that I think I have covered all the issues I needed to raise. I will stay for some parts of the hearing.

DR BELL: All right. Thank you very much for coming and thank you for that carefully prepared presentation. I can see that you've put a lot of work into it.

MR ALTAMORE: Sorry, but there is one other matter I need - two other important matters I need to raise, and that is: in 2004 there was a technical review of the standard - and I'm sorry, but these came to my attention very late in the morning when I was preparing my paper and I didn't have it written down. In 2004 there was a technical review of the standard to which BCA put in a submission. Two changes were made to the standard which adversely impact on blind people. And BCA's comments were noted and it was agreed that they would both be taken up in the 2007 review.

The first issue is that in 2004 the requirement for tactile ground surface indicators in the interior of transport conveyances, such as trains and buses and planes, was removed. This is particularly - we believe this is a particularly backward step for the accessibility of these public transport vehicles for blind people, particularly in relation to the removal of tactile ground surface indicators at the tops of stairs.

As we know from our experience in using - blind and sighted people - in using buses, trains, et cetera, and even ferries and that, stairways on these devices are often steep and narrow. And I would suggest that the absence of TGSI warnings at the top of these stairs could - are a significant hazard for blind and vision impaired people. We would ask that this issue again be looked at very carefully in the 2007 review with a view to perhaps restoring a requirement for careful use of TGSIs and for - at the tops of stairs, in stairways, within the interiors of transport vehicles.

The second issue relates to emergency evacuation warning alarms and a requirement that these alarms emit an audible sound. This is once again a requirement that was removed from the - and I think the reference is clause 20 of the standard. This was again an issue that was removed, which BCA put up a submission that emergency warning alarms need to be audible and it was agreed that this issue would again be reviewed in the 2007 standard. Obviously if an alarm doesn't have an audible component, it's not very - it's

inaccessible to a person who is blind or vision impaired, and we would therefore ask that the 2007 review revisit this omission to the standards and include a requirement for emergency - for the alarm systems to be audible.

DR BELL: Okay. We'll certainly take that on board.

MR ALTAMORE: Thank you very much.

DR BELL: All right. Look, thank you very much for your time and for your presentation. At this point we're going to stop briefly for morning tea. There's some coffee and tea at the back of the room. And we're going to start again in about five minutes I think, because we've got more work to do. But we'll just stop here for the moment.

#### **MEETING ADJOURNED AT 10.42 AM**

#### **MEETING RESUMED AT 10.59 AM**

DR BELL: We're all ready to start again. And so this morning we have Nicole Lawder from the Deafness Forum.

Welcome, Nicole.

MS LAWDER: Thank you.

What I have to say today is not especially technical, but it's reflecting comments that we've received from our members. Deafness Forum represents nearly four million Australians who are deaf or have a hearing impairment. A lot of those people will be later deafened through ageing, but there's quite a wide range within those nearly four million people.

So we've asked our members for their comments about the review of the accessible public transport standards. And some of the comments we've received range from quite personal anecdotes, a couple of positive examples of changes, and some areas where our members feel there's a lot more that needs to be done.

And I guess firstly you'll not that I've mentioned nearly four million Australians with deafness of one form or another. So of course we have long disagreed with the Australian Bureau of Statistics' definition of disability. In the Transport Standards Review paper it mentioned the ABS and a number of Australians with disability. But the number of Australians with some form of deafness is more than the ABS total of Australians with disability.

And as I guess a cultural comment, most people with some form of deafness wouldn't necessarily classify themselves as having a disability, whether they're the culturally deaf who use Auslan, or people who've been later deafened. Certainly their view is that whatever hearing people can do, they can do, except hear.

Probably the most pressing issue for people who are deaf or have a hearing impairment is the accessibility of timetable information, public address announcements and other signs, alarms and alerts.

Speaking about buses, firstly. There are very few bus terminals with loop systems. People with hearing aids can have a telecoil or a T switch in their hearing aid which enables them to hear public announcements. So our members would certainly feel that it would be good to have more loops in bus terminals. At present most of them wait around and see how everyone else responds when they hear some sort of noise coming over the PA system or see people sort of listening to something. So it's very difficult for them and they wonder what exactly is being said. So our preference - our recommendation would certainly be for a visual equivalent of any verbal announcements, and that could be through scrolling text or there's lots of different technology available.

Buses themselves could also have a loop system. So, again, anything a bus driver says over a PA system would then be accessible by people who wear hearing aids, or if there is again a visual equivalent for what the driver is saying.

Long distance buses are certainly often equipped with a loud speaker system, but not loop system. So the same applies. Long distance buses also often have television sets on them. And our recommendation would be that, you know, those buses should have captions available on the television set, so that people who are deaf and hearing impaired can also access what's being displayed on the TV screen.

From a trains perspective, again many of our users, especially from Melbourne, have said they're disadvantaged in being unable to hear voice announcements at railway stations. And I can read, I guess, verbatim what one member has sent to us:

*I watch other passengers cocking their ears to hear the announcements, then reacting, rolling their eyes or tut-tutting or making mobile phone calls. If I'm confident, I might choose a friendly looking passenger to ask their advice, but sometimes that feels very risky to make it known that you have deafness when you're talking to a stranger.*

*If there are no other passengers in the carriage or station whom I feel comfortable approaching, I can only hope that the cause of the disruption is nothing life threatening and that the delay will not be so long as to cause me to miss a critical appointment. Even though some major railway stations have special zones with the blue-and-white ear symbol, I've found that quite often these are not working. I suspect it's up to myself, as a hearing impaired user, to report that they're not working, but usually you're rushing to catch the train at the time.*

*To ensure that there's full and fair access for all users, all announcements should appear in writing as well. This applies to the overhead PA announcements, both pre-recorded and live, as well as to the push-button update service that's available at railway stations.*

Another member has said to us:

*I would like to congratulate Queensland Rail for the way in which they look after the needs of the hearing impaired. Once you know what's offered, it's easy to access information at the booths that offer a loop system using a T switch. Long distance trains offer hearing augmentation through headphones, although it's not always powerful enough to pick up a good signal. And visual information is easier to see and kept up to date and time.*

And we have received quite a number of positive comments about work that Queensland Rail has been doing. So, that's a very positive thing.

Moving on to aeroplanes. Air travel and airports are a source of major concerns to our members and constituents. The anxiety created by not being able to easily communicate with personnel at counters, not hearing the

announcements, not understanding where a service is located, is a source of concern to all travellers who are deaf or hearing impaired. Another good example is the queue combbers who go looking for people who are catching the flight that's about to close. People who are deaf or hearing impaired struggle very much to understand that they may be being called forward for an imminently closing flight.

In airport terminals we believe that there should be better access to TTY phones and volume controlled phones so that travellers who are deaf and hearing impaired are able to use the telephones in those transport hubs.

We can also acknowledge though that the traveller has some responsibility in perhaps identifying their needs before they travel so that they can be contacted through their preferred contact method, whether that's SMS or a member of staff seeking out that person with deafness in order to communicate any changes to them.

While we all understand the need for heightened security in the light of possible terrorist activity, the information regarding that security needs to be accessible to people who are deaf and hearing impaired. They cannot hear, for example, when they go through the security gate, the metal detector, and it beeps, which might indicate that your shoes or belt or something has set off the alarm. In one instance a traveller from Perth proceeded through the gate and started up an escalator, at which point he was tackled by two security guards because he's apparently failed to respond to verbal commands and the audible beeping of the metal detector.

Of course the problem, and I think I heard Robert refer to it, about staff training, is that often when verbal commands are given, they're given when they're facing away from the traveller. If you look at the person who's deaf or hearing impaired, they will usually understand that you're communicating something with them. But if you're picking up something from a conveyor belt at the time when you're saying, "Stop, please. Can you check your shoes", that traveller has no idea what the security guard is saying.

So, we would also recommend, for example, a flashing light to accompany the audible beeping when you go through things like the metal detector.

DR BELL: The interesting thing is that the flashing lights are there, but the person walking through the metal detector can't see them.

MS LAWDER: Can't see them. That's right.

DR BELL: The guard can see them, but not the person that's walking through.

MS LAWDER: That's right. It's a positioning thing.

DR BELL: It's a positioning thing, yes.

MS LAWDER: That's right. And I think generally speaking, people who are deaf or hearing impaired are very alert and aware and taking stock of their situation and their environment. So, if those lights were in a more accessible place, they would understand that the light had gone off and be looking for a signal from the security guard as to what they should do next.

Where there are seating areas, for example, in departure lounges, there should be loops available for people who use hearing aids, and also text communication. Just last week I was sitting in a departure lounge in Melbourne and there were announcements over the PA about the complete cancellation of a flight, and all passengers booked on that flight had to go back out to the ticket counter and get re-booked onto other flights.

For people who are deaf and hearing impaired, if they are travelling on their own, and there's no reason why they wouldn't be travelling on their own, they would still be sitting there in that lounge until or unless someone came and physically sought them out and said, "You must go and do this". They can't hear those announcements over the PA.

DR BELL: I must say, people with normal hearing can have difficulty.

MS LAWDER: That's true.

DR BELL: I was in one of those lounges last week where there were two announcements being made simultaneously, and the person making one of the announcements was trying to set some new sort of speed record for reading a cancellation notice, and although I have spent quite a bit of my career working in countries that don't speak English, so you learn to enhance your listening skills, nobody would have made any sense of these announcements. They were just completely incomprehensible.

MS LAWDER: That's quite true.

DR BELL: So I can just understand how difficult it would be for somebody with a hearing difficulty.

MS LAWDER: And furthermore, just in the interests of making even entertainment more accessible, the TVs that are on in departure lounges should display captions so that people who are deaf and hearing impaired can also follow what's going on.

There have been some good activities in that regard. Those of you who've travelled Qantas will note that their news is usually captioned.

DR BELL: Always captioned, yes.

MS LAWDER: And it's quite useful for travellers, whether you have a hearing impairment or not, to be able to follow what's being said. And in the Sydney Airport departure lounges, captions have been turned on on the TVs there as well, but it needs to be more widespread.

On the issue of taxis. One of the most vexed issues for our members is the introduction of voice recognition systems for bookings. People who have a hearing impairment really struggle to hear those prompts and to understand what button they need to press next. In some instances people who are deaf or hearing impaired - or mostly people who are hearing impaired - have been given the wheelchair accessible number. However then you get treated to a very, very frosty reception by the operator because you don't have a wheelchair. But there seems to be no acknowledgement that those voice recognition systems are almost impossible for people with a hearing loss to use.

Where there are taxi lines provide, when you pick up the phone and it goes directly to the taxi company, a volume control phone would be useful and/or a TTY. People who are deaf or hearing impaired would have better access to use those taxi lines then.

And we have another - a comment that comes up time and time again, and it's always a bit delicate as to how to phrase it. But for people who are hearing impaired, it's extremely difficult for them to - while they're concentrating so hard on trying to hear, when they're talking with someone with an accent, that exacerbates the difficulty. And I know that doesn't sound particularly politically correct, but that's certainly a comment that we get from our

members, that's it's really, really hard for them to hear at the best of times, without trying to also understand an accent. So I apologise if that sounds offensive to anyone. I'm merely passing on comments from our members.

On ferries and trams, I received no specific comments from our members, but the points about visual information at terminals and loops on board still apply.

On a couple of other issues, just briefly. There's the use of the international symbol for deafness, which is a blue-and-white sign. It's not particularly in widespread use in Australia. It applies more for people who are hearing impaired than deaf, because it denotes the existence of assist of technology, for example, for use with your hearing aid. But when you look around, there are a number of other adaptations or proprietary signs which are changes to that which we don't feel are acceptable. It's confusing for people when there are many, many different signs about the same issue, and it's also confusing for tourists from overseas, where the international symbol is more widely used, when they come to Australia and there's so many other signages about.

On making complaints, our members tell us that individuals are unlikely to make complaints. In the first instance, it's partly because you're talking about public transport and you're usually trying to get from A to B for a particular purpose, so you have a mission to accomplish in a certain time, so you're unlikely to try to attempt to complain at the time, especially when you know that you're going to have communication difficulties when you try to do that. You won't hear what the other person is saying or you don't have access to an interpreter or someone who uses Auslan, so it sort of nips the complaint in the bud before it even gets there.

Without the support of another organisation or advocate, a person with deafness is probably unlikely to progress a complaint and there are no deafness-specific organisations that receive advocacy funding through the National Disability Advocacy Program, although people with deafness could access other advocacy organisations to make complaints.

However, because of the amount of general advocacy and individual complaints, people with deafness tend to be quite a long way down the list because it's a prioritisation system. So, someone who may be about to lose their job or be thrown out of their house is always going to get higher priority than a deaf person complaining about access and public transport. So, those sorts of complaints don't tend to be progressed in any way. It's the rare individual who will try to progress their complaint.

On audible alarms and alerts, we mentioned in relation to security screening, but basically anything that has an audible alert should also have a

corresponding visual alert and that also applies to emergency alarms and fire alarms, etcetera, in terminals and other infrastructure and there are some relevant Australian standards about that, and there is certainly an upcoming - I think it's out for public comment - AS1428.5, which relates to communication access and hearing augmentation.

We did talk about staff awareness and training which is important, and also on the auditory beeps and alerts - level crossings are another example where there needs to be lights as well as the sounds - very important.

So, I think I've covered most, if not all, of the comments I've received from our members, but I'm happy to take any questions.

DR BELL: All right. Well, thank you very much for that. That has been very useful and has given us quite a complementary perspective to the perspective we got this morning from the speaker with physical mobility issues. I don't really have any questions. I think you've covered the issue very well. Signage and communication is just as much an issue for you as for people who have sight impairment, your people as people who have sight impairment.

MS LAWDER: To some degree the blindness and the deafness are the opposite sides of the same coin. Whatever you're thinking for people with blindness, you need to kind of do the opposite for people with deafness, and vice versa.

DR BELL: But it's interesting that some of the technology that provides solutions to these issues is able to do both. So, there's some room for optimism there. All right Well, look, thank you very much, Nicole. We appreciate that. Are you going to - is Deafness Forum going to put in a submission?

MS LAWDER: Yes, we will.

DR BELL: Good. Very good. All right. Well, look, may thanks for that. I think we've next got Michael Apps. Michael? You're from the Bus Industry Confederation. Would you like to tell us just a little bit about the Bus Industry Confederation?

MR APPS: The Bus Industry Confederation is the national body or the peak body that represents bus and coach operators and bus and coach manufacturers in Australia. We're based here in Canberra, although we have a range of State associations that represent the interests of the industry and the operators in particular who have to put in place, I guess, accessible transport standards, but from a manufacturing perspective there are a range of challenges there, as well.

So, we're here today just to obviously present a view about some of the challenges that are faced by the industry in respect to the accessible transport standards and the Act itself and what I wanted to present today was just some general issues in relation to the legislation and maybe touch on some of the

specifics, but we'll be presenting a comprehensive submission, in any case, that will cover all of the issues and let you ask any questions you might want in the context of what I might present.

DR BELL: Very good. Please go right ahead.

MR APPS: I will. I guess what I want to first do is just cover five general points. I guess, from an industry perspective, it should be made clear at the outset that the bus and coach industry in Australia is committed to the implementation of the accessible transport standards. However, in the context of the five-year review, we do have some issues about a range of factors that are impacting on the industry's ability to meet all of the requirements of the Act and to meet all the requirements of people with disabilities. That's not to say that the industry in its own right isn't making its best efforts to actually meet those needs.

I think the first point we'd like to make is that the legislation seems to have become, over five years, being interpreted as looking at the issue as equal access rather than versus removing discrimination, and this exactitude, this equal access to everything across the board, is actually impacting on the industry's capacity to actually meet the needs of people with disabilities.

That interpretation is an outcome of the legislation, the way it was introduced, and whilst the industry is doing its best to actually remove discrimination as best possible, there's this exact access issue that continues to emerge, which is making it very difficult, from a practical sense, to actually deliver the needs of people with disabilities. So, that's an opening statement. There's this definitional issue which we have a concern with and we'll be outlining more about that in our submission.

I think a second key point in relation to the accessible transport standards is that they are actually compromising safety standards in a range of other areas, and that might be in the context of vehicle standards, in the context of vehicle passenger carrying, and the capacity to make sure that all passengers are safe on the vehicle, and also in the context of occupational, health and safety and workplace injury. So, there are some issues that have emerged over five years which clearly identify that the standards, the accessible transport standards, are actually compromising a range of other issues that the industry has to meet - Australian design rules are a case in point, and I'm sure we'll outline some of those specifics, but in the context of Australian design rules, you might look at ADR68 which relates to seat strength and anchorages of seats and how that actually relates to a mobility device being safely secured in a vehicle.

It might also relate to the two wheelchair space requirement at the front of the route service buses, and the safety of passengers who sit in those front two seats. I mean, these are issues that you will hear.

The third issue is probably the five-year review is timely because from the context of industry and the way that the bus and coach industry operates across

Australia, which is three distinct sectors. You have route services, which are primarily or are all government contracted services which are largely run by government themselves and they have their own fleet or they're contracted out to private operators, how those route services, based on their contractual arrangements, are actually able to meet the timeframe that has been put in place.

So, we think the five-year review gives an opportunity to actually look at the compliance timeframe and maybe review the timelines that have been in place based on the practical realities of how each of those sectors, the coach sector, the tour sector - school services are exempt - and route services, operate.

The fourth issue is probably the effectiveness of the APTNAC and APTJC Committees, and their ability and capacity as consultative committees with industry and the State jurisdictions and the Commonwealth to actually effectively look at the issues that have been emerging and actually put in place fixes for them. We'd have to say that, really, those committees have been a good spot to air concerns, but really haven't come up with any solutions to practical problems that have emerged, and perhaps there's a greater need for, rather than DOTARS who currently chair those committees from an industry perspective, but the Attorney-General's Department to take a much greater leadership role in actually looking at the legislative solutions for some of the problems that have emerged.

HREOC, the Human Rights and Equal Opportunity Commission, there is a concern that whilst the legislation is largely a complaints-driven process, there are other - in each State we have anti-discrimination councils and boards who are dealing in the same issues and we have a view that HREOC should be the single entity that deals with issues in relation to accessible transport standards rather than each State jurisdiction having the capacity, through other boards and commissions, to actually address these issues of disability discrimination, which ends up with a whole range of different results, outcomes, sanctions and penalties. So, we think that HREOC actually needs to become the focus of all of these issues that relate to accessible transport standards.

I guess the final issue in the broader context is the role of local government and local government is probably the team that has let down everybody thus far. Local government has a responsibility to ensure, in many cases, that the whole of the trip is accessible, and what we're seeing is that local government hasn't been able to invest, largely due to funding restrictions, to actually put in place the needs for the people with disabilities to have the whole of the trip accessible, and that flows back through to bus and coach operators who are trying to meet those needs. But you get to the start or the end of the trip and those needs aren't being met, and there's possibly - or there is a need for Federal and State and local governments to work out how they're going to best address those funding issues to make sure that the infrastructure that surrounds the actual trip on the vehicle is being met, whether that's bus, rail, ferry or whatever it is, because what we're seeing is the transport operators and providers are actually doing their very best to meet the needs of the Act, but in

the context of the whole of the trip, they're not.

Some specific issues that I think - and I won't go into too much detail of them, but local government again - for example, planning of urban developments out of metropolitan Sydney, out of metropolitan Melbourne, growing regional centres where these accessible transport vehicles actually can't even gain access to the streets because planning is not taken into account - the whole of the trip infrastructure, as I've just mentioned, which is everything from a bus stop to access and entry from buildings, and bus terminals, or coach terminals.

I think it's important to mention that one size doesn't fit all and the legislation has actually way beyond what we'd necessarily say is fair and reasonable. In urban environments, certainly vehicles should be meeting the accessible transport standards, but there are conditions and situations in country/regional/remote Australia where these standards just aren't relevant, where perhaps alternative options to a bus having to meet all the accessible transport standards should be considered as appropriate. On top of that, regional/remote Australia, where many of these services operate on dirt roads and hilly mountains, culverts, low floor buses just simply don't operate well and the term of their life is actually - of the bus - is actually jeopardised by having to operate on those where more practical options might be considered.

I've mentioned the compromising of safety standards and the wheelchair access, and I guess the final issue, just as some specifics, is which mobility device is allowed and not allowed on a bus. Who knows? And how is the driver supposed to? These are issues that have been raised. What are the issues in the context of safety, for example, in the context of a mobility device with a dry cell battery in an accident?

There's a whole range of factors that actually the industry are concerned with that we're working toward dealing with. These have been raised in the consultative process over the last five years. None of them have been dealt with in any adequate way, and the industry's objective is to provide a practical solution to these issues and we're finding that the legislation actually is becoming so exact that the standards are becoming the law rather than a practical solution to remove discrimination, and across the board we believe that buses and coach aren't necessarily always going to meet the needs of the disabled, but we would seek some flexibility in the context of other practical solutions to address the needs, rather than an approach of exact equal access.

That will do me for the moment.

DR BELL: Well, thanks for that. Some of the issues you've raised were also mentioned in Dubbo and Hobart. The Dubbo transcript is up on the website and the Hobart one - - -

MS GOLDSMITH: It's also there.

DR BELL: - - - is also there. So, you might find that quite interesting to look

at and see some of the discussions that we had on those issues. I wanted to ask you about the conflict between the Australian design rules and the access standards that we're talking about here. What sort of process do you think is needed to resolve some of these conflicts?

MR APPS: Well, I think, number one, there's a need for a process and the legislation was introduced without any consideration of the Australian design rules, and beyond those, Australian design rules are one. I mean, the Department of Transport and Regional Services have a technical liaison group, or have Vehicle Standards Group which addresses such as these. The problem with the Australian design rules is they relate directly to the vehicle, not necessarily to the safety compromises that relate to the passengers, and that's not only people with disabilities but the compromises that actually relate to other passengers.

So, from a process perspective, there needs to be one. I'm not a master in determining what that process should be, but I think it's certainly an issue that needs to be addressed as part of the outcome of the review, and looking at where those compromises exist, and they certainly exist, as I said, for people with disabilities and the issue of what is a passive and an active restraint of the wheelchair mobility device, and how that affects and impacts on the safety of other passengers in those vehicles.

So, it's a fair question. I don't have the solutions, but they have been raised; but there is a need for a process to actually address those issues and put in place a more practical approach to how the standards might be, number one, interpreted; and, how, number two, they might be put in place practically.

DR BELL: One of the challenges that the bus driver faces is looking at a wheelchair that's sitting at a bus stop and deciding whether the wheelchair and the occupant can be handled with the facilities that are available on the bus, for example, in relation to total weight. Is this an issue that can be addressed through wheelchair standards, do you think?

MR APPS: This is an issue that has been raised by the Bus Industry Confederation over the past five years. I guess there are a couple of questions in your question. Number one, what is the driver's responsibility? What is the responsibility of the person with the disability to understand the standards? What is the responsibility of people who manufacture mobility devices to clearly recognise whether they're public transport accessible? And what is the responsibility of State and Federal governments to actually make sure that drivers can clearly make that decision?

Our view is that every mobility device, whether it's a wheelchair or a scooter in their many various forms and weights, are clearly identified as being public transport accessible and that they actually meet the standards and requirements of the Act, and the Act clearly articulates that the device and the person must not be more than 300 kilograms, for example, so therefore the ramp that you go onto a bus can meet those needs.

How the driver actually assesses that at the moment is not possible. Clearly, our aim from an industry perspective is to try and provide a service that allows people with disabilities to use it. However, if ramps are being broken because you've got the biggest scooter in Australia trying to get on there and it breaks the ramp, how do we actually meet those needs? On top of that, there's a range of occupational, health and safety issues in relation to the driver and his responsibilities and how he actually provides that equal access. So, it's a very difficult issue. Our aim is to try and meet those needs, but there needs to be something done in relation to identification of mobility devices and which ones are, and which ones aren't able to access buses.

DR BELL: You mentioned that your organisation also represents bus manufacturers. I wonder if you can say a little bit about how many people we have in Australia in this industry and what they do. Are they just coach builders or are they actually building the entire bus?

MR APPS: From a bus manufacturing perspective, all buses above - not all buses, but all buses above 22 seats, which is all the big buses, you might say, so they're not the coasters and the roadsters are actually manufactured in Australia. What happens is a chassis is imported from the major European manufacturers, in our case which is the Volvos, the Skennards, the chassis, and the rest of the bus is actually built here in Australia by Australian bus manufacturers.

There are certainly one or two companies who are starting to bring in fully built buses. Hino does that at the moment. There's a Chinese company called Kinglong who are bringing in fully manufactured and built buses, have to meet Australian design rules. Whether they actually meet accessible transport standards is another thing all together. And what that means, in the context from a manufacturing perspective, is another, what I would suggest, problem within the industry because they're building the buses, they're not specifying the type of bus that people want, and the legislation, in many senses, is a little bit ambiguous in the context of the requirements of the Act in that area.

And so some bus manufacturers just build the bus that an operator wants without necessarily the consideration of the standards because the complains timeframe allows that.

DR BELL: Okay. Are there differences between the States and territories in terms of the rules that, for example, apply to bus drivers getting out of their seats to help passengers who have access problems?

MR APPS: The issue with drivers is very much based on the companies own approach. I mean, I think the reality is in the bus and coach industry, you clearly have to differentiate between government-contracted services, which are the majority of buses out there, which are route services; and tour and coach operations. Tour and coach operations operate in a deregulated market where they're providing a service for pay, and do their best as they can to meet

the needs of people with disabilities.

Route services, when it gets down to it, they are approximately 80,000 registered buses in Australia. About 3000 of those are government owned. The rest are run by private contractors who are operating under government contract and are doing their best to meet the needs. I think one of the key issues that we need to take into account is that, in the context of route services - and you've been to Tasmania - the government contract, in many senses, doesn't actually support or allow a private bus operator to actually upgrade his fleet to meet these standards, and that's where we'd argue that the compliance timeframe needs to be extended.

If the contract, as it does in Tasmania, for example, doesn't include a capital component, which gives no incentive for the operator to upgrade his fleet or to have a new vehicle, what you see is the age of the fleet, as it has in Tasmania, blowing out to 25 to 26 years, and there is no way, and there's no capacity a private operator can invest the type of money in Tasmania, for example. South Australia is not too far behind in the context of private operators. Queensland is probably similar. To meet these standards in a sense it doesn't actually incur some form of financial hardship on them, and in fact if they had to upgrade their fleet, they wouldn't be in business, and the State governments, in the context of their contracts, haven't funded bus and coach operators to meet these standards. And so, from an industry perspective, we believe there should be an extension of the compliance timeframe based on particular circumstances, to actually allow private coach and bus - private operators to actually meet the needs of the people with disabilities.

DR BELL: I suppose the other issue that was mentioned in Tasmania was the rather short term nature of some of the contracts that these operators have, so they don't have a certainty of length of contract over which to amortise any investment they make in new bus equipment?

MR APPS: It depends which State you're in. As I've said, route services are largely government - are all largely government-contracted services. Each State has a different approach and arrangement. The contract has varying components to it, and the reality is in most cases, except for probably New South Wales and Victoria where they have actually an average age of fleet component within their contracts, all the other States have no capacity - private contracts have no capacity to have their fleet 25, 50 or 100 per cent compliant to a lot of these standards because they simply can't afford a bus because State governments are not willing to pay.

DR BELL: Is there any assistance to bus operators from government in terms of financial assistance to upgrade fleets?

ME APPS: Queensland has an arrangement, but it doesn't relate to accessible transport standards. I'm unaware of any State that has anything in place that actually looks at the implementation of accessible transport standards and providing assistance to bus and coach operators to meet those requirements, in

the context of the compliance timeframe. The irony is, I think, that if you look at government-owned bus businesses, which aren't many, but STA in New South Wales, Metro in Tasmania, they are actually, funnily enough, being funded well enough to meet the requirements of the standards; whereas private contractors who are operating a business which largely has to be subsidised by contract otherwise they can't run, but they're provided as a service to the community, aren't being funded to an extent to meet the standards, and what we're seeing is that private bus and coach operators are actually being pointed out as the problem, when the reality is neither the Federal or State governments have really come to the party in the context of funding the introduction and implementation of these standards.

DR BELL: Do you think there's a case for government support for some of this?

MR APPS: There certainly is. I mean, governments are fantastic in introducing legislation but then just putting it on industry to actually implement at their own expense. Industry are happy to come to the party. Industry is actually, in the many senses, doing that but I think it's clear that industry is not going to meet the accessible transport standards in many areas, in many States. New South Wales and Victoria, as I said, I think will meet the requirements of the compliance timeframe. Most of the other States won't, and the reason they are is because the governments have come to the party in the context of the contractual arrangements which include a capital component in the contract which allows upgrading of the fleet. And when they upgrade the fleet, they build those vehicles to meet the standards.

MS GOLDSMITH: Michael, could you give an example of - going back to what you said at the beginning, give an example of how the standards might inhibit flexible or practical measures within the bus industry for allowing or improving accessibility of transport for disabled people?

MR APPS: The point I was making was that what we're seeing from an industry perspective is this view that the legislation is a form of a blunt instrument to actually say we want exact access, exactly the same, rather than looking at possibly alternative options where a particular bus and coach operator in a particular area might not have an accessible bus, but might be able to say, "However, this taxi service does exist and they can look after you for this particular trip". What we're seeing is, "No, that's not the case - sorry, that's not equal access, that's not equal access, I want to catch the bus", rather than being provided the option to provide an alternative and have this view that every bus in Australia has to be a hundred per cent accessible, no matter where they operate, no matter what they are, and where they are. And so, as I've said, the context of buses that are operating in southern New South Wales, western New South Wales, remote Queensland, and low floor buses operating in hilly terrain, and they have to be low floor, accessible because they're providing a route service, and they have no demand, and they might not even carry a person with a disability, but just because this is the law, this has to happen.

So, practical examples are all outlined in our submission. Off the top of my head, it's probably more experience in the context of exactitude and the complaints process that HREOC have to deal with and trying to articulate that State government contracts, number one, mightn't necessarily allow a bus operator to upgrade his fleet. The complaint is provided. The operator has done everything he can to provide an alternative. However, because it's not an accessible bus, then it's not good enough. And I think part of the practical part of the legislation should be - this isn't about exact accessibility, this is about making sure we remove discrimination as best possible, and that might not necessarily mean that every route service bus in Australia, no matter where it operates, has to be accessible.

DR BELL: Yes. I mean, you're taking it to the point almost of equivalent of tradable emissions certificates in the environment area where you'd let a bus operator somehow do a deal with the taxi company to offset an obligation that, for one reason or another, he's not able to meet with his bus. I mean, that's the sort of flexibility I think you're starting to argue.

MR APPS: No, I think there has to be flexible and practical and that the standards shouldn't be applied in an exact sense. A bus and coach operator needs to be able to have the capacity within the legislation to not necessarily have a brand new bus that's fully accessible transport to carry one passenger a year in a wheelchair, but actually provide or look at, and have the capacity to say, "Well, but, no, I can't do that, but this is the alternative".

MS GOLDSMITH: As long as the alternative is economically viable for the people accessing the service?

MR APPS: Well, economics is a wonderful thing. I mean, the reality is that a route service bus operating in dirt roads and hilly terrain that's low floor, is not economically viable, but it has been imposed on operators to provide it.

DR BELL: I guess, then one of the other issues that goes alongside this is that the different States and territories have different subsidy arrangements for people with a disability, to use a taxi, and depending on the source of funds, even from different agencies within the one jurisdiction, you can get different arrangements for people in terms of the subsidy that they can get for the taxi. So, in one jurisdiction, for example, the subsidy seemed to be limited to quite a low figure for trips that could be quite long.

MR APPS: There's a variety of conditions or comments, but one of the wonderful things about Federation, isn't it? All of the States have different arrangements in the context of their contractual arrangements for bus and coach operators in relation to subsidies for people with disabilities and their options to make choices about the way they want to travel. I mean, I guess from our perspective, a bus and coach industry perspective, we want a consistent approach across the board that takes into account the practicalities, the flexibility and the opportunities to provide alternatives without the legislation being interpreted in an exact sense, not only by people with

disabilities, but others who want to use it as blunt instrument to actually push this exactness in the context of removing discrimination, rather than providing options and alternatives to remove discrimination.

As I've said at the outset, the industry is actually committed to providing a service and we're keen to actually meet the standards. We think the compliance timeframe is not sensible in the context of the way the industry is currently funded. Coach operators and charter operators, for example, need some flexibility about how they provide services. We have charter ferries that don't need to meet the standards, but charter buses have to meet the services - depending on who's interpreting the legislation, which is another important issue because, from our view, if it's a charter service, then it shouldn't necessarily need to meet the standards, and the person booking that service will actually usually request the need for meeting people with disabilities needs.

So, there's a range of factors. It's a bit of a mish-mash, to tell the truth.

DR BELL: Okay. Well, thank you for all that, Michael. There's nothing else you wanted to add?

MR APPS: No, no.

DR BELL: You're right? Well, look, thank you very much and thank you for your time and we look forward to getting a submission from you, in due course. So, look, we'll move on now, and I think Peter Moore. Are you right? And your colleague. I'll let you - get yourself another chair from that - sorry. Can you turn off the technology for a minute?

**RECORDED : NOT TRANSCRIBED**

DR BELL: Okay, so we'll restart. So, first let me get you to introduce yourselves and the organisation that you're from.

MR MOORE: I'll go first. Peter Moore, I'm the executive director of the International Association of Public Transport, based in Canberra. I have a list of members from both Australia and New Zealand. Our head office is in Brussels. We have some 2900 members in 90 countries of the world and the office here in Canberra represents some 70 of those in Australia and New Zealand.

MR STOTT: My name is John Stott. I'm an office bearer in UITP, both internationally and nationally in Australia. My other claim to fame is that I was the chief executive of the State Transit Authority in New South Wales for eight years, and prior to that, I led a national taskforce that wrote the first draft of the Accessible Public Transport Standards. These days I'm an independent consultant.

What I'd like to do this morning is to take a brief pass over the broad essence of this review. Clearly, in the time available we can't be addressing all of the terms of reference and all of the issues in the issues paper, so what we've done here is we've listed a few things which we think captures the essence of the review.

Firstly, what progress has been made in eliminating discrimination? What issues have arisen along the way? How effective are the standards and how efficient are they? And that goes to the review model which is in the issues paper; and then where should we go from here?

DR BELL: John, can I just explain something to Robert for a moment. Robert, can you hear me okay?

MR ALTAMORE: Yes, I can.

DR BELL: Okay. We have a PowerPoint presentation here this morning, so while I know that it's very bad practice, normally, to read all the words that are on the PowerPoint presentation, I'm going to ask John if, in his presentation, he can pick up the words off the screen, so that you'll get to hear them, Robert.

MR ALTAMORE: Thank you.

DR BELL: Okay.

MR STOTT: You will actually hear what's on the screen, plus a bit extra.

DR BELL: Okay. So, you're not going to miss out on anything, Robert.

MR STOTT: No, not at all.

MR ALTAMORE: Thank you, John, and thank you, Mr. Bell.

DR BELL: That's all right. I was sure John was going to do that, but I just had to make sure that we were making sure you got the information.

MR STOTT: So, that's the broad scheme of where we're going this morning. Look, our view is that actually some progress was being made before the accessibility standards were promulgated. Back in the '90s, major operators were starting to procure low floor buses. Accessible taxis have been around since the early '80s in many capital cities.

City Rail in Sydney, for instance, has been working on an easy access station program from the mid-late 1990s, and basically every new ferry wharf that has been built in Sydney in the last 20 years has been an accessible wharf. That's not to say that there aren't a number of inaccessible areas and things. So, essentially, since the mid-90s, most urban bus operators have been acquiring low floor buses. Some are now more than 50 per cent compliant.

In the hearings in Parramatta last week, a number of people pointed out that, for instance, State Transit is now at 44-45 per cent, but I did some research after that and that was the figure in their 2006 annual report. They have put on a hundred buses a year, so my calculation is they're about 49 per cent - so considerably ahead.

And if one looks around the major fleets, both public and private, there is a very significant penetration of low floor buses now. Rail operators have progressively set up processes to assist passengers because rebuilding infrastructure is a major challenge. We don't have the luxury of the new, emerging Asian economies where they're building railways very, very rapidly into modern standards. Mostly, our cities have railway systems that are decades old and, in some cases, a century old.

So, operators have been looking at how they can assist, and so you find on urban rail, frequently now assistance for passengers to board using ramps and personal assistance. It's not perfect, but it's a step in the right direction. And, of course, access to stations is starting to happen in a planned manner.

DR BELL: Thanks.

MR STOTT: There are now many more travel options available than there were in 1992 when the DDA was introduced. We would argue that the pace of change commenced from '96/'97 when the draft standards were endorsed by the Australian Transport Council and released to the community. For some time before that, operators around the country were well aware of the DDA and were well aware of the obligations that they had. They didn't quite know how to go about complying. So, our view is that the 2002 promulgation of the standards has, in effect, confirmed the process rather than necessarily introducing an additional stimulus. People knew what they would be looking at.

So, what issues have arisen over the period that the DDA has been in place and that the standards have been developed and introduced? Well, we believe that these divide into two main areas. One is the regulatory system, the way that the Act is framed and the way that the Act is administered, and the mechanisms within the Act for removing discrimination.

Separately, there are specific service issues and my attendance at these hearings suggest to me that these have been pretty well aired from a number of directions, but we'll probably air them a little bit more for you. The complaints-based regulatory system, in our view, is not well understood, either by service providers or users. There's a wish on both sides, and there's a presumption on both sides that regulations are prescriptive by nature and are policed by governments.

The DDA is not like that. The DDA is complaints-based. The DDA puts the onus on the provider to find a way to comply. There are different views about prescription versus complaints-based, but I think it's fair to say, I don't think

anyone would argue, a traditional prescriptive, regulatory structure is essentially a mechanism for shifting cost and risk - reducing cost and shifting risk from the provider to the government.

In essence, this rule said I should have a step height of 300 millimetres. Here is my step height. I've done everything I have to do. I'm no longer responsible. It's the government's problem. I think one could argue that a system like this does remove some flexibility that's available to operators, some of whom are able to provide better, more cost effective alternatives by direct assistance or equivalent access as defined in the standards. And I think it's important to make the point that the standards are not mandatory. If you've got a better idea, and if you want to put that in an action plan and take it to HREOC, that will be looked at. You don't even have to put forward an action plan, you can take the risk.

So, there's a lot of flexibility and I think, as Michael has said, nobody would reasonably expect an operator running school buses in western New South Wales to have a fleet of low floor buses. That operator would have to find another way to meet the objectives of the Act - and I keep coming back to the Act because we need to remember that it's the Act which says that the objective is to remove discrimination and says, "Look, there are various ways you can do this".

You could also argue that a traditional regulatory structure removes the users' ability to negotiate alternative arrangements as well, and I think that's also pretty important because if you have traditional regulations, minimum standards, the game is over, once you've done that.

Now, the most significant specific service issues, in our view, relate to infrastructure and mobility aids, but there is an issue about taxis that we'd also like to discuss. Infrastructure is clearly the biggest challenge under the DDA and the Accessible Transport Standards. Developing stations and ferry wharves and the like, and bus terminals, is conceptually very easy. The accountability is clear because it clearly sits with the government about 99 per cent of the time. But we're dealing with major civil works. They're very costly. They're not the sort of thing that even a government can budget for and do in a matter of two or three years.

Bus stops are a very major challenge. Bus stops, by and large, are the responsibility of local government. I've heard it said this morning, and I've heard it said before, that it's a funding issue. Certainly, it's a funding issue but I think it's also fair to say that the penny hasn't yet dropped with local government that it has a responsibility.

The standards as drafted say that a bus operator may assume that there is a conforming kerb and gutter and bus stop, but I would suggest to you that in probably 80 per cent of bus stops - and, let's face it, Sydney - Sydney has almost 20,000 bus stops. In most cases, they don't conform. Moreover, the further out you go from the city centre, the harder it is to get to a bus stop, so

you might have a perfect piece of concrete and a perfect shelter and room to manoeuvre a mobility device, but you can't get from your house to that particular bus stop. There is a very major issue and I think local government needs some education and some assistance.

The other issue is that I think we all have to admit that information in alternative formats is not yet seriously advanced. There is a long way to go, and it is a very major challenge. Again, in this particular area, so many things sound conceptually simple, but they are major, major challenges. Just the issue of providing information in all of the formats that are necessary in all of the different modes, it's no wonder that some operators have said, "Well, I could remove discrimination by giving no information". And so, I think there has to be some realism brought to this particular area.

Accommodating the full range of mobility aids has proven to be extremely difficult. It was a hot issue in Parramatta last week. I'm sure it was a hot issue in Hobart, as well. The standards contemplate so-called standard wheelchair. There was an Australian standard that, I think, is an A80 these days. It used to be a T80. But we know that there are some vehicles in the taxi industry that can't carry them, they don't fit. Now, if we had a standard prescriptive system, those people would clearly be in breach and there would be some sort of action taken.

One could argue that in this particular case, the operator has formed a judgment that he can meet the standards by buying this particular vehicle, but there is a lot of discomfort in the community of people with disabilities who feel pretty unhappy that when the doors open, the person sitting in a standard size wheelchair can't even fit in.

And that doesn't even take us to the issue of so-called "scooters". Scooters are a very major policy problem for governments around Australia in this area for a number of reasons. Firstly, scooters are not always being used by people who you would necessarily say have a disability - unless, like me, the disability is age and, you know, maybe you're not as agile as you were. So, we are seeing scooters used as alternative forms of transport, not necessarily as mobility aids as have traditionally seen them.

That opens up a rat's nest of policy issues. It's going to require Solomon to work out what are the border lines for the disabilities. The alternative is to just carry everything that turns up but that, in itself, is a major issue because then two wheelchair spaces won't be enough in some areas, you'll need even more. The weight issue has already been discussed at length.

The other things I should say to you about scooters, though, is that scooters come with four wheels and with three wheels. Three-wheeled scooters are unstable when carried on a moving vehicle. At State Transit, I eventually introduced restraint straps on the buses so that the scooters could be tied to the wall. Some people used them, some didn't. There was a history of three-wheelers falling over. No provider can protect a three-wheel scooter in those

sorts of circumstances. By definition, buses have to travel at more than 30 kilometres an hour, they have to go around corners, occasionally the brakes are applied, and so we have a real issue here.

Everybody knows what a traditional mobility aid looks like. The border line is a difficult one. If one were to choose a way of discriminating between the devices, leaving aside the issue of whether the user is disabled or not, I think one would say that the real division is that the traditional mobility aid has no steering system. The scooter usually has either handle-bars or a wheel, and maybe that is where you start to consider what the variation might be, where the distinction might be, in engineering terms.

Okay. The taxi industry - response time for taxi bookings for wheelchair accessible taxis is a very hot issue and I have personal acquaintances who are users of wheelchair accessible taxis. I've heard all the rhetoric, but the reality is that a person in a wheelchair, it's like entering a lottery - it could be 10 minutes, it could be two and a half hours before your taxi arrives. It depends on the traffic.

And the Taxi Industry Association last week explained this very well and very positively. The reality is that their industry is made up of thousands of independent operators. When the call goes out for an accessible taxi, if all the accessible taxis have got other work, none of them bid for it, and in most States there is no simple way to enforce the compliance. The industry makes the point that the cooperatives, the radio centres, are basically booking agencies for these groups of people. So, there is a real issue there and it hasn't been dealt with properly.

As I said earlier, some taxis are said not to conform to the standards but, again, responsibility lies with individuals rather than with any company or structure. We would suggest that the resolution of the taxi issues can really only be achieved by some form of joint action on the part of the industry and the State governments, and I know that the taxi industry wants a solution. They're not happy with the criticism that they're getting. It may be something that goes to the way taxi operations are licensed. In the long run, it may go to the way that taxis are owned and operated, but that's a fairly formidable reform task.

Mention was made last week at Parramatta that the introduction of Lime Taxis in Sydney was a positive move. Now, Line Taxis is a wheelchair accessible service funded by Macquarie Bank which has direct control of the cabs and there is some mileage to be had there.

MR MOORE: Perhaps I could come in at this point. And it has been mentioned previously today the effectiveness of the standards as such and the process we've had in place for reviewing those standards up to this point in time, and as Michael Apps has suggested previously, the committees as they exist at the moment are really not effective in a real manner. Both Michael and I have sat on that committee now for some time and, like John, I sat on the previous steering committee that developed those standards and I must admit

we are having great difficulty at the present time in being able to move those standards forward from a performance aspect. I would suggest very strongly that we have a close look at how those committees function and where they, in fact, sit. John?

MR STOTT: Okay. So, I'd like to move on to the question of how effective are the standards. Now, major operators have been subject to the DDA for 15 years now and, with the potential for complaints, many of them moved to modify their services long before the standards were issued, and there has been some really good work done, and I just see in the newspaper yesterday that Greyhound bus services has just been given an award for accessible, long distance coaches.

To my mind, the standards serve to bring clarity to operators compliance obligations and that was the broad sense of it, without intruding on their freedom of choice to say, "Well, here are some options. If you follow them, you can have reasonable comfort", that a complaint would not be sustained.

The standards, I think you have to say, are less effective than traditional regulations if the objective is to deliver compliance with prescriptive engineering standards because they're made to be flexible. But as I've said earlier, traditional regulations seek to set a minimum benchmark. The DDA generally, as far as I can see, seeks to go beyond the minimum.

So, I guess the point that comes out of that is that if there is discomfort about the nature of the regulations and if there is a wish that there should be prescriptive regulations, there has to be a hard look at the Act because, ultimately, you go back there and it says very clearly that operators have personal obligations and it also says that users have particular avenues of action.

So, in the context of the DDA, the standards merely indicate what is one acceptable form of service. They're not obligatory, but they can give you a defence.

So, given that underlying philosophy, we would argue that the standards have been highly effective in motivating service providers who perceive the threat of complaint action. They don't appear to have motivated infrastructure providers. Now, that's probably a bit of a sweeping statement because we know that some rail operators have tried pretty darned hard and within their ability have done a lot of good work.

When you look at upgrading a railway station to easy access standards, you're looking at maybe \$10 or \$15 million for a small suburban rail station. Sydney City Rail has got 325 stations. Rail Corp will tell you that their stations are 93 per cent accessible and that's true, because it includes all of the CountryLink stations which are platforms with ramps. But in the city, it's a lower number. So, that is big, big expense.

Likewise, ferry wharves which, I guess, Sydney has probably got the most ferry services in this respect. One would have to say Brisbane River looks pretty good to me, but in Sydney there is a lot of old infrastructure - again, a hundred years old; timber wharves; steps, all that sort of stuff, and a lot of money to spend. That was complicated because of a conflict between State and local government as to who was responsible. That conflict is being resolved at the moment.

So, how efficient are the standards? Now, I'm using here the model that's in the review issues paper which basically talks about, in effect, the efficiency of outputs as a function of inputs, and then uses that to develop a cost effectiveness structure. I think one would have to say that in terms of the review's evaluation framework, the standards have been relatively inefficient in terms of upgrading fleets.

It has been a bit of a challenge introducing accessible urban buses, but it hasn't been the end of the world. It has been - you know, we're talking maybe 10, 15, possibly even 20 per cent increase in cost, but major urban fleets, leaving aside the country, major urban fleets, ultimately the cost falls back to the government, one way or another; and then in Perth and Adelaide, for instance, the government still retains ownership of the fleets.

And likewise in terms of new rolling stock, in terms of new - of water transport, although the results at the moment are middling, it's not a huge challenge and people are starting to make some progress. But it's really doubtful that you could demonstrate efficiency or cost effectiveness in respect of infrastructure provision - very, very big expenditure with a great deal of difficulty in demonstrating the cost per passenger, I guess.

But it doesn't necessarily follow that inefficiency is reason to water down the standards in this respect. The object of the Act is to remove discrimination as far as possible and, clearly, the upgrading of infrastructure is possible. It just needs money to be applied to it.

So, where do we go from here? The DDA, in our view, has been inadequately explained by the Australian government and it was really introduced without any provision or any deep thought about the cost of implementation. If we're really serious about eliminating discrimination as far as possible in the use of public transport, we believe that the national government needs to be prepared to contribute to the costs.

This is national legislation and it is legislation that has impacted on every operator, every service provider in the country, to a very great extent; and the real issue is about infrastructure and the big issue there is about local government. Local government is going to need a lot of support to provide accessible boarding points for buses, for ferries and, in some cases, for access to railway stations.

The standards will clearly benefit from refinement in some areas, but they're

not the key to removing discrimination. That requires the application of the compliance processes which are available under the DDA. Service and infrastructure providers should retain the option of eliminating discrimination in alternative ways. The bus operator in a small country town should have the option of being able to provide alternative access or personal assistance, which is defined as an option in the standards. Clearly, the mechanisms that one applies in an engineering sense depend very much on the situation.

I think we've got one more, haven't we, Pete? Sorry, his memory stick had less slides than mine.

DR BELL: That's all right.

MR MOORE: We had a different version. Perhaps I could mention a couple of other points. I go back to the very, very early days when the way these standards were to be developed was discussed, and I go back almost over 10 years ago. As John has suggested, it was based on performance. Strict technical criteria was not really an alternative - not really the solution that the original committee was recommending.

Accessibility by particularly the large public operators has been seen as a market opportunity, and I think we forget that sometimes that we are in a market now where we have an ageing community. We have a community that's demanding a higher quality of service in their public transport operations, and accessibility is a market opportunity. There's no question about that.

I go back also to this point of the action plan that John has mentioned. The bigger public transport operators around Australia, without exception, have developed action plans. In developing those action plans, they've worked very closely with the disabled community in a very real sense. In other words, committees are established, points are discussed, solutions are promulgated through those committees, and action plans are developed.

They're not always technically prescriptive. They may come up with a solution for a regional operator. It may be a taxi is a better solution than a bus service. And as John has suggested, that was always the original intention of the standards, to come up with a performance-based solution, not a technically prescriptive solution.

The funding aspect was examined in great detail back - by Booze, Allen & Hamilton, through the Attorney-General's Department, some time ago. And, again, as John suggested, the figures that they came up with were very large, and we are talking many billions of dollars to implement the standards in a technically prescriptive way. But, again, that's not the original intention of it.

I emphasise working with the disabled community, working with communities who have an issue with the standards, is really the essence of where we can progress implementation. Technically prescriptive is not the solution always.

The rail industry, particularly in the first four or five years, did not really get involved in the development of the standards, and I say that quite honestly. It's only in more recent times that the rail industry has addressed some of these major issues. Local governments, as others have suggested, have never really been involved in these issues. It's an issue, with infrastructure, it's all very well to have an accessible bus, but if you haven't got an accessible bus stop, it's meaningless.

Rail operators have thrown many millions of dollars at this. State Rail New South Wales has spent, TO my estimation, over \$200 million on this already.

DR BELL: Over what time period do you think?

MR MOORE: Since the late '90s till about now.

MR STOTT: 10 years.

MR MOORE: 10 years or so.

DR BELL: 10 years? Okay.

MR MOORE: So, they've addressed the issues. They see it as a market opportunity though - lifts in railway platforms and so forth are being demanded by the community. To have a quality service, a quality public transport service, one needs lifts. So, there are often other reasons for putting accessibility into railways stations. And, again, it's a market opportunity we must come to.

One thing that hasn't been mentioned today in a more specific sense, is the accessible space on buses. State Transit Sydney Buses have had an issue with this particular aspect of the standards where it has become - last year, in February 2006, there were two major incidents in Sydney related to the accessible space where a lack of handholds contributed, as the coroner suggested through the findings of those two accidents, played a large part in the cause of those accidents. So, I would recommend to the review committee to have a close look at that.

I know Sydney buses have grappled with that particular issue for some time about how to have an adequate number of handholds on buses, so it is safe for everybody, but it is a particular safety issue.

Again, I come back to, as John has suggested, its funding. When these standards were promulgated, the responsibility for funding was never addressed. Commonwealth have said to the States, "You're responsible for public transport. You're responsible for funding". States have said, "Operators are responsible funding", and really the responsibility has never been defined. I always come to the conclusion, in any society; we would like to have a level of safety, a level of accessibility, that funds will not allow. And

the Accessible Public Transport Standards are no different.

One other issue also is this - and Michael mentioned it previously - is this confusion with aspects of the Building Act, aspects of Vehicle Design Standards, that sometimes do conflict with these standards. They are creating some confusion about those who are required to implement these standards, particularly in the rail area.

Building standards on railway platforms do not always complement accessibility standards. I recommend the committee to have a close look at that. Another review committee has been looking at that in some detail, but I recommend you have a real close look at that.

DR BELL: When you're talking about the railways, though, the Building Code of Australia applies? Surely not?

MR MOORE: It does.

DR BELL: It does, does it?

MR MOORE: Yes, it does.

DR BELL: Okay. So, that's the source of the problem - I mean, with width of doorways and all sorts of things like that.

MR MOORE: Indeed.

DR BELL: Yes, okay. I guess the other area where there's conflict between different sorts of regulations is in the CASA regulations in relation to air transport?

MR MOORE: Indeed.

DR BELL: So it's probably inevitable, when you start a process like this, that there will be conflicts. The question, I suppose, is how much progress have we made in resolving these in the past five years? We'll obviously have to have a look at that.

MR MOORE: I emphasise the solutions - the best solutions are those where we get the right people involved, where we get the disabled community involved. And we've found that with out large public transport operators. Queensland is a great example of where the disabled community has been involved with the public transport operators up there, to come to some solution which fits - not perfectly, but fits as much as funding will often allow. So, again, that's an issue that we've lost. This performance-based aspect of the standards has really been lost over the years as the committees have moved on and as the players involved in those committees have moved on. We've sought technically prescriptive solutions which are not always possible.

MR STOTT: I wouldn't get too excited about the conflict of building standards and transport standards. A lot of the transport standards picked up the Building Code, anyway, and the work that has been done on new infrastructure clearly has not posed a major problem. The retro-fit does pose difficulties at times because you often can't widen the doors, but I don't believe we have dramatic conflicts there. There are some issues, as you've heard earlier, about vehicle engineering standards, but I think it's important there to bear in mind that the vehicle - if it's a bus, for instance, it's delivered compliant with Australian design rules.

The key issue that Pete is discussing here is not really a conflict with an ADR, is the fact that you have to leave a significant space on your bus without any uprights or grab handles, so that you can get access to people in wheelchairs. So, those people then being in place, other people who are not in wheelchairs but may be infirm, the bus takes off and there's nothing to get hold of. And also, you know, if a wheelchair is not secured and braked, and rolls or tips, well there's a risk there.

It's less of a conflict between regulations than the result of an unfortunate decision that one has to make to make the transport system work properly.

MR MOORE: That's about it, from our point of view.

DR BELL: Thanks. I'm sympathetic to your view on the standards as not being too technically prescriptive, but I suspect that there are some areas where it's hard to avoid, and I suppose the prize example is the weight of a loaded wheelchair. If you designed a 300 kilos, then that sets presumably a cost parameter. If you design it to 400 kilos, then presumably the cost is higher?

MR STOTT: I think what the standard says is that, you know, basically you can assume that that's the maximum you'll have to carry. But it should then be open to the operator to decide whether they want to load via accessible ramp on a low floor, or by a hoist or by some other device which I might not know about.

I guess the point that I'm making is that there are - there is the potential for conflict because traditional regulation, which I've spent just about all of my working life dealing with, sets out a specification. It's an Australian design. You get your tape measure out and it passes or it doesn't. And it's fixed, and there's no argument, there's no appeal.

The DDA is not framed that way and so I've always seen the standards as being a set of rules which can give you comfort. If you abide by these rules, you can have some comfort that you're really proof against challenge. But if, at the end of the day, there's a feeling that we should have a more traditional regulatory structure, my point is that then goes to the Act because you can't have it unless you amend the Act.

DR BELL: Right. And then, of course, the other difficulty with some of these

specifications is that we're dealing with a moving target here. We can see that these mobility devices are getting heavier and more complex. So, a bus that might be adequate to handle a wheelchair that was designed perhaps in 1998, might last another 20 years, and in that period we might see quite a range of other devices.

MR STOTT: I don't know if anybody saw, there was an article in The Herald's "Good Weekend Magazine" about two or three years ago about Hervey Bay, which is the scooter capital of Australia, and these aids range from what I regard as very simple, straightforward mobility aids, to things that look like Harley Davidson motorbikes, and it is impossible for an operator to draw a line anywhere. And that, I think, is one of our major challenges.

But, again, way back when we first started to address these issues, we were also confronted - and in fact one of the members of the standards taskforce was a man who found it impossible to sit up, so he had to lie down, so he had a very special aid in which he had to lie. And so his mobility aid, I think, was about 2 metres long.

We all agreed, including the user associations, we all agreed that the system just could not cope with that particular aid. So, there is a point at which, you know, a disability can't always be accommodated, and it's not just in that area. It may well be in some of the sensory areas. We had lengthy discussions with the people who suffered from chemical sensitivity and people with psychiatric illnesses who, to all intents and purposes, cannot be recognised as a disability by an ordinary transport operator. And we're certainly not going to ask them to wear badges, you know. So, there's a whole host of those sort of policy issues that sit behind there.

DR BELL: The other point that I had to agree with you on was your comment about three-wheelers being inherently unstable. You may know that the United Kingdom had an interesting problem with three-wheeler vehicles for people with disabilities, and it was ultimately shown that they were very dangerous. But they were specially made for that particular group of people.

MR MOORE: In my youth, I was onboard one of those three-wheel cars - not the disability ones, but they were tax dodging devices because they classified as motorcycles. I was in one of those in my youth and it fell on its side as it went around a corner.

DR BELL: Yes. Well, they had a reputation for doing that. Yes, we certainly have some interesting challenges. Well, look, we've very glad to have had your presentation this morning.

MR STOTT: Thank you.

DR BELL: Very useful. You pointed out some things that we obviously will have to bear in mind. I don't think rewriting the Act is quite something that we're ready to come to grips with.

MR STOTT: Neither do I.

DR BELL: Nor do I think we would necessarily want to go that way, but I think we're certainly very interested in those points you've made.

MR STOTT; There is a very thorny philosophical issue at the centre of this and it's a difficult one to resolve.

DR BELL: Yes, but I think it's one where there has to be some balance and compromises made here and there, and we'll manage that. So, look, thank you very much for your time. Now, what we're going to do now is we're going to stop for lunch. We are running a little bit late, but I guess we'll just shorten lunch up, won't we? We'll start again at - - -

MS GOLDSMITH: Well, we've had Robert actually, who has already spoken. We could probably have an hour. What's the time?

DR BELL: Well, say it's 20 to 1, so how about we start at half past 1? How does that sound? We start again at half past 1? Is everybody all right with that idea? I think so. All right, we'll start again at half past 1. Thanks very much.

## **LUNCHEON ADJOURNMENT**

## **MEETING RESUMED AT 1.37 PM**

DR BELL: I'm John Bell from the Allen Consulting Group and this is Jessie Goldsmith, also from ACG. This is, of course, as you know, the first five year review for the standards. The standards, of course, have an implementation period that goes over about 25 years. We've got the website - I'm sure you know about the website - and the issues paper you've seen. We've advertised nationally for submissions. The dates have been extended to 24 August for submissions.

MS GOLDSMITH: Thank goodness.

DR BELL: We're doing hearings around Australia, as you know, all the capital cities and several regional centres which give us quite a mix of different sorts of regional centres. So Kalgoorlie is quite different, as you can imagine, from Launceston, and again quite different to Dubbo. In the regional centres we pick up some quite interesting regional jurisdictional differences as well. So we're busy doing that. We're fairly informal but we are recording this and transcripts are being put up on the web as they get prepared. That is so people

who are not able to be here can see what's said. For those who can't see what's said, it's designed to be readable with a screen reader so you can play the sound if you have the right software.

MS GOLDSMITH: And Braille will be available as well.

DR BELL: And we've even made some Braille copies of the issues paper so there's a whole raft of ways that you can understand what's going on.

MS HODGE: And I'm pleased to see that you've done a simplified version on the net and - - -

DR BELL: And there's a copy at the back of the room in big print.

MS HODGE: Thank you.

DR BELL: So we are trying to communicate to the key people who are interested in this that we're on this job. So, with all that, Kylie did you want to introduce yourself and then we'll have it on the record.

MS MAHAR: Kylie Maher, Executive Office, People with Disabilities ACT.

MS HODGE: And I'm Margot Hodge and I'm a member of the board of PWD ACT.

DR BELL: PWD?

MS HODGE: People with Disabilities ACT.

DR BELL: That's good. These acronyms are causing us a few challenges today, but that's all right. Okay. Well, it's all yours, if you'd like to say something, we'd be very please to hear from you.

MS HODGE: Okay. I'm going to lead off because my information is of a more general nature and then Kylie's going to deal with what exactly happens here in the ACT. My experience has been at a more national level because I've been involved with the legislation and getting the standards in place and working, negotiating with industry and other people to get the standards to where they are at the moment, right? I wanted to raise some of these issues and I felt that it's important for the disability sector that you are aware that we have very limited funding and that we don't have access to the number of

people, administrative people, that are necessary to put together submissions. I'd like to just add that Kylie works 20 hours a week and she has multiple tasks and she has put together this submission in this amount of time which I admire. I think it's marvellous, and as I've been away for five weeks so I've been of no help whatsoever.

The other thing that I was concerned about with this under-resourcing is that some people with disabilities who may wish to attend these hearings would have difficulty getting to them because of funding issues, and I was just wondering whether there had been any consideration of that problem.

DR BELL: Let me just comment on that. We realise that when you hold hearings in the capital cities and a selection of regional centres, it's just not possible for everyone who'd like to get to a hearing to get to a hearing. You'll appreciate that we couldn't go to every regional centre. What we hope is that - two things. Firstly, people who are interested in the process will be able to see or hear what was said by looking on the website and we are very keen to get written input. We use this word "submission." I should say, we'd be more than happy just to have a letter from somebody setting out their concerns. So it is a challenge to get to everybody who would like to communicate with us, but we obviously hope that organisations such as the ones you represent will be able to help in that respect. I'm sure you understand that logistically it'd be very difficult to do this everywhere.

MS HODGE: Yes, I'm very aware of that, and that's why I wanted to stress the fact that we are under resourced in the disability area and for us to actually send people is a difficulty. But my paper that I gave at this conference talks about some of these problems and I brought a copy with me that I'd like to leave with you.

DR BELL: We'd be very happy to have a copy.

MS HODGE: I'm sorry if that sounds a bit forward, but I just thought that - - -

DR BELL: No, that's fine. We're very happy to have a copy of your paper.

MS HODGE: Okay. So those issues of the actual hearings I'm concerned about. The other things that I would be concerned about is the data that we have been given as the disability community. We find that that is very difficult to interpret and often it's not very relevant to our daily lives. That's the data that's appearing on state by state transport departments' websites, data that's

been presented to HREOC. That data about what is accessible and what's available is not very relevant to people when they want to go out and use public transport on a daily basis.

Some states have put together documents which they make available, but usually that's in very limited editions. You know, you've got to actually go and apply for this information to find out about what's accessible, what's available for people with disabilities. I'm in a privileged position because I know what's available and when I visit other cities then I can use their public transport because I've been, you know, dealing with it all the time, but most people in the community don't have that access to information about what is available.

That leads me to my other concern, is that because there is only 25 per cent of transport accessible, many people with disabilities haven't had the opportunity to experience what is accessible. So information that they will be giving to you will be not from a knowledge base. It will be from the - because they know that if they catch an accessible form of transport, it's not reliable, and it may not be that they can get a return trip with whatever transport they're using. So there are those issues that are a problem at this stage.

The other area of concern is the scope of the review and in particular the costing. We ran into this problem when we did the regulatory impact statement where the first lots of costing for the regulatory impact statement were very geared towards industry and there wasn't a balance in costs to the people with disabilities. It wasn't shown how the benefits could balance with the expenditure that was occurring from industry and from the government. So I'm particularly concerned about that, that costing that will go on in relation to  
- - -

DR BELL: Particularly the costing of the benefits?

MS HODGE: No, the costing of - well, the lack of costing of the benefits.

DR BELL: Yes.

MS HODGE: And also the general costing of what it will cost to produce this accessible public transport and that seeming to outweigh the benefits. There are a couple of studies and one of them this young English woman presented at the conference I was at and she is showing how costings can be done to show

social capital or economic benefit. So I just wanted to highlight the fact that there are the opportunities to have these benefits put into a costings.

DR BELL: Would you by chance have a copy of the paper?

MS HODGE: I do. I brought it with me.

DR BELL: That's very good, because that we'll certainly have a good look at.

MS HODGE: All right. There are some other issues like comparison of patronage figures and those sort of things, which I'm presuming that you're going to start the patronage figures from 2002 with zero and not from - because many of the bus companies have been operating prior to 2002 and they had some patronage prior to - and the rail as well.

DR BELL: Yes. I think patronage may be limited by a number of factors, and you've pointed out one of them, that if the services are not there or they're not assured - one of the speakers this morning spoke of the importance of consistency, and I think he's as much referring to reliability as much as consistency - then you don't get uptake. The same speaker made the point that if we haven't provided school bus services for people with a disability then we haven't got this group of people used to dealing with the challenges of using public transport from an early age and they're perhaps then less likely to be willing to try to use in later years. So there's a sort of - it's almost an unmet demand. It's sort of latent. It's sitting there when it could be higher. This issue's come up several times, by the way.

MS HODGE: Good.

DR BELL: For example, in Hobart, the bus operator there identifies particular services in the timetable that will have a low floor bus. They don't have a full fleet of low floor buses, as you wouldn't be surprised to learn, but they can allocate the bus to particular services. At another city we were in, if you ring the bus company and you say, "I want to use, let's say, the 34 bus through Deakin coming to Canberra, coming to the City centre," the bus company puts on a low floor bus, accessible bus, on that service. I don't know how they do that because managing your fleet must be quite a challenge, however. So there are some innovative things that we've been told about, about some of this.

MS HODGE: I am very aware of those.

DR BELL: Until more of that gets into play, people with a disability will continue to feel reluctant to use public transport.

MS HODGE: Of course, and what's happened here in the ACT and in other places, they've started with making one route accessible, like the 34 which goes past the hospitals and the shopping centres and so forth and, I mean, that's the way they're managing their fleet, to do that sort of thing, and that's great. But many people don't want to always use those services, you know, in that area, so, you know, they will say the buses still aren't accessible to us, of course. All right? So I think that some of these issues I will also bring out. As I've said, this is one hat that I'm wearing, but I also will have some input into some national organisations and I would just like to congratulate Kylie on the work that she's done and let her go ahead.

MS MAHAR: Thanks, Margot. I compiled a submission - I basically put an email out to all our members, everyone in our contact list, other disabilities organisations who weren't doing their own submission, I got them to pass it on to their members, so I decided to widely disperse it, and this is the feedback I received from all those people. They mostly had either visual impairments or physical disabilities, but there were a few other disabilities as well. I'll address each of the questions.

The first one. *Has the accessibility of public transport improved since the introduction of the transport standards?* The answer to this question changes depending on who you ask, the type of disability they have, the type of conveyancing they utilise. Many people that we surveyed simply answered definitive, "No." People who use wheelchairs in the ACT are able to access buses albeit on a very limited amount of routes, which still makes public transport very difficult for them and not an alternative to the very expensive wheelchair accessible taxis. The only reliable accessible bus routes are to the interchanges and hospital routes.

Taxis are considered hopeless by visually impaired people. Call centres are difficult to use and waits of up to an hour are not uncommon. Some drivers don't speak English properly and don't know where they are going. They expect to be directed, which is impossible for someone who can't see where they're going. People with vision impairments have been dropped off at the wrong place, become lost and unaware of where they are. There are insufficient wheelchair accessible taxis to meet demands, delays are still prevalent, bookings don't always turn up, some ..... are dirty and the drivers treat the disabled passengers badly. There is no complaint line that achieves

good outcomes in the way of service improvements. If misdemeanours are reported to regulators, nothing appears to happen as a result. The taxi subsidy voucher system has limitations on voucher numbers to individuals that prevents taxis being a regular form of transport for those who want or need to access the community quite regularly.

Airline staff are always very helpful and attentive towards people with vision impairments travelling alone on both Qantas and Virgin Blue. But it is a different story for those with physical disabilities travelling on airlines. The airline industry still continues to create problems for people with physical disabilities, as they need to arrive earlier than able bodied travellers for loading. No two travel arrangements ever seem to go the same way or smoothly. People with physical disabilities who use wheelchairs are still looked upon as second class travellers. The training provided to staff for handling people with disabilities is very poor. Lifting devices are used on some occasions but not on others. It can be difficult being the first on and first off an aircraft and people in wheelchairs have been forgotten altogether by staff and left on planes. Expensive wheelchairs have been damaged by poor handling and storage in aircrafts.

Now, the next part. *How has accessibility to conveyances changed? Can you provide examples?* As far as people with disabilities are concerned, accessibility has not changed. The infrequency of buses is one reason why. Others have noticed a definite improvement. This is especially true for buses in the ACT. A big improvement is that the green buses have ramps and are able to kneel down. Knowing that a particular route is dedicated as a green bus route is a major change in accessibility. If a person doesn't know when the buses are coming then they are useless, but if travellers with a disability know about them, it is possible to plan to use them.

According to the report on ACT public transport accessible infrastructure and services that is available on the HREOC website, ACTION Buses state that they have provided information sessions for people with a disability to practice boarding and disembarking from accessible buses. We received feedback from several people with disabilities who work in the disability field who have no knowledge of the availability of such information sessions. While ACTION may say the sessions are available on request, that is of no benefit to people with disabilities if they are completely unaware of the opportunity to request this assistance.

Now, the next question. *How has accessibility of information changed?* The people with disabilities that we surveyed do not think accessibility of information has changed at all.

*How has accessibility of infrastructure changed?* Responses to this question varied from those who had not noticed any real changes to those who noticed an increase in ramps. For wheelchair users, there is still the need to get on at interchanges, unless it is not in peak times. With bus crowding, there is a need to be on first, and that means an interchange. When someone does find a bus stop, there is no indication of which way the bus will travel, other than on the left hand side of the road. This can lead to much confusion. For someone with a vision impairment, the infrastructure of bus stops is still very inaccessible.

Unlike in other states where a bus will automatically stop at a bus stop where a person is waiting, in the ACT the onus is on the person waiting at the bus stop to hail the bus or it will not stop. For a person with little or not sight who cannot see when the bus is approaching, this presents a huge obstacle to catching a bus. Simple hailing any bus that approaches is not a solution, as the bus drivers resent pulling over for someone who may not have the right bus. So when there is more than one bus approaching, it can be impossible for someone with low vision to see the buses behind the first bus. In addition, when someone who has compromised vision has the sun in their eyes, it reduces their vision even further.

At the airport, there are no designated or specific set down areas to provide safety for those transferring in and out of wheelchairs. This causes people in wheelchairs to transfer uphill, onto the footpath or onto the roadway and travel against traffic to the nearest kerb ramp.

2. *Have these changes matched your expectations of the implementation and uptake of the transport standards?* While the standard of transport accessibility has improved in general for some people, there is still an expectation from wheelchair users that the whole fleet needs to become made up of green accessible buses as soon as possible to give them complete user accessibility to the conveyance. That would be a very welcome change to the current low level of accessibility. It appears to some that the 20 year time frame is too long and full accessibility could be obtained much earlier.

Next question. *Do you consider the changes have matched (1) the compliance requirements and (2) your expectations?* One of our members considered that regional trains have improved in terms of accessibility. For another, while they

agree that compliance wise the changes have met the requirements, the changes have not met their expectations.

*If the changes have fallen short of your expectations, can you provide examples?* If anything, airline and taxis have become more inaccessible for people with a physical disability who use wheelchairs, contrary to the expectations the transport standards have raised.

*3. Do you consider that the level of compliance required at the end of the first five year period is sufficient to have had an impact on accessibility?*

Overwhelming the people with disabilities we surveyed answered, “No.” This was for several reasons, including that until wheelchair users have access to an entire fleet of green buses, then it is not sufficient. A partially accessible system still has major constraints on planning public transport travel as a person with a disability. Others were adamant that airline services have gone backwards with accessibility.

*4. To what extent do you consider current data and accessibility are reliable?*

*Can you provide examples of problems with data that you’re aware of?* There must be poor data, because inquiries of providers doesn’t give a clear indication that they even know what the improvements in access are, if any.

*5. How could reporting of accessibility data be improved for future stages of the implementation of the transport standards?*

Some private operators have government contracts that could include reporting as part of the contract. Improvements must be regularly provided to users, as this keeps the pressure on providers to meet their requirements under the standards.

*6. Are you aware of examples where improved accessibility of public transport has led to increased patronage?*

No, because providers aren’t good at keeping potential users up to date with changes. We are aware of someone with a vision impairment who has cut back how often they use buses because of the continued inaccessibility.

*7. Has introduction of the transport standards helped you better understand your rights as a public transport user?*

Most people we surveyed hadn’t read them and if they had it hadn’t really helped them better understand their right as a public transport user other than to know that people with disabilities have as much right as anyone else.

8. As far as we have ascertained, people with disabilities as a whole aren't aware of other sources and don't know what's in the guidelines. It seems that even knowledge of their existence is limited to those who work in the disability field. Even then it is only those who have investigated through their own interest and found out about it through transport and government websites.

9. *Are you aware of other users of public transport who appear to be unaware of their rights and obligations? How could this lack of awareness be addressed?* Most users of public transport seem to be unaware of the existence of public transport standards. Using disability groups to disseminate the information to those who most need to be informed would be one way to increase awareness, but as disability groups have limited resources already, this awareness campaign would need to be funded separately. The lack of awareness could also be addressed by a greater spread of information to potential users of the improvements that have been made.

17. *Are there requirements that have proven to be impractical or difficult to implement? If so, please specify.* In hindsight, the only two wheelchair spaces on public buses will be a future problem with an aging population who has a greater reliance on mobility aids and will require increased space.

18. *As a public transport user, are there areas of the transport standards where you consider that a more specific requirement for compliance would improve accessibility?* People either said, "No," or weren't sure if a specific requirement would improve accessibility.

20. *Will any current areas of inconsistency be addressed through the future stages of implementation of the public transport standards?* Not unless providers are made aware of the inconsistencies.

21. *Do you consider that the current exemptions granted are appropriate? Should these exemptions be reduced over time?* Yes, at this stage, but there is no reason that any exemptions should be retained.

22. *About compliance reporting.* Compliance reporting against the standard is extremely poor across all public transport.

23. *To what extent do the requirements in the transport standards address all of the accessibility requirements for people with a disability? Is there gaps in the coverage?* They fall short on informing progress made on a more

accessible public transport system to users, as well as the following: ticketing, costs for air travel, safety and staff training.

*24. Does the compliance timetable provide for a gradual improvement of accessibility over the 30 year implementation period? Are there aspects of this timetable that present compatibility problems? How could these requirements be improved?* The twenty year time frame is too long and this review process should look at speed of compliance at each of the reporting times, with a view to shortening the overall timeframe to 10 to 15 years.

*25. Are providers meeting their obligations across all aspects of accessibility which insures compatibility?* No, they could report more widely and target better the phased improvements that come with the standards.

We've answered yes to question 26.

*27. How well are the current arrangements for making complaints about accessibility understood by the public?* The general disability population and user are unaware of the standards requirement to report on a stage compliance.

*28. Finally, are the current processes sufficiently responsive to complaints or a request for information or advice on the transport standards?* No. Currently complaints are the only process that regulates the system. If there were other regulatory systems, complaints wouldn't be needed. Complaints are a powerful tool for change as it was the myriad of complaints that were responsible for putting the standards in place.

DR BELL: Okay. Thank you for that. Is there anything else you wanted to add on that?

MS HODGE: Yes. There are a few questions that I would like explained a little bit more, but I don't know whether we have the time.

DR BELL: I'm always happy to hear them.

MS HODGE: All right. The very first question, "Has accessibility improved since the introduction?" and providing examples, do you want actual situations that have occurred in each state?

DR BELL: Well, some examples would be fine. Obviously this is quite a difficult thing to mediate, the general proposition, and we're thinking about

that and looking at how other people have attempted to do this, so that's one issue. If you have data then that's fantastic. We will go searching for data. But the second thing, of course, is examples are always useful, so if you've got an example. And sometimes there are differences between States, sometimes there are not. So I don't want to put you to a lot of trouble chasing for me an example in each State. That's not necessarily - - -

MS HODGE: I mean, at a national level I can do that, but I - - -

DR BELL: Yes, but it's not necessarily useful. I think if you've got some examples though that you think - - -

MS HODGE: Outstanding or.

DR BELL: - - - are presentative or illustrate particular issues, those would be good.

MS HODGE: Okay. I mean, for instance, in Western Australia, the train line between Perth and Fremantle, people in a wheelchair don't have any trouble getting from platform onto the train, you know, it's completely level and accessible, but the level of use in general of public transport is much higher than it is in other states because, you know, this man Paul Newman has been going around promoting these systems of public transport and he was here recently in Canberra working in the same area, so there's some correlation between the use of public transport by the general population and also by people with disabilities.

DR BELL: And there's also been quite significant investment in public transport, especially in Perth.

MS HODGE: In Western - yes, that's right.

DR BELL: The bus line and the new train line going south, so it's a different situation, I think, in lots of ways.

MS HODGE: But it is the ultimate.

DR BELL: Yes, but we were hearing this morning about the efforts that the Queenslanders have made to try and get their rail system more accessible. So there's certainly some good news stories out there as well as some ongoing problems. So we're interested in the views that you've got of that.

MS HODGE: Okay. Another of the issues is this exemptions. You're talking about the original exemptions? Or are you talking about the ones that are short term, temporary exemptions like the recent submission of the ARA to the?

DR BELL: We're looking at all of them. I don't think that there's any such thing as a permanent exemption. We were discussing whether school buses were permanently exempt this morning. It may be that that's the way the standards are written at the moment. Everything is on the table. So, I mean, that's not - the school buses are not an example of an - well, I suppose they are in that it's written into the standards that they're not included. So that's an exemption, but then there was that round of exemptions that HREOC provided. The early ones looked like permanent exemptions, but I don't think there's such a thing as a permanent exemption. I think they're all open to review from time to time and, as far we're concerned, they're all on the table.

MS HODGE: The school buses here in the ACT aren't separate so we're really in a quite unique situation probably because the school buses are used as normal buses, except for a couple of the private groups.

DR BELL: That same situation does apply in some other jurisdictions.

MS HODGE: That's right.

DR BELL: Not always. You're quite right. So we don't see anything as being ..... as off limits.

MS HODGE: Good. All right. Well, I'll, as I say, probably start - - -

DR BELL: I wanted to ask you about access committees in the ACT. Does ACTION Buses - sorry, ACTION in capital letters - does ACTION have an access committee?

MS HODGE: At the present time they have one of our board members Ian ..... is working with ACTION. He's been approached to handle the situation here in the ACT. Ian's also working with the taxis at the moment, because he's a regular accessible taxi user. There was a system set up here in the ACT where the government and people with disabilities were working on access issues with the taxis and the taxi company was left outside. So Ian's introduced the idea that it would be a good idea if everyone got together and the situation was sorted out in that way. That's the approach that people with disabilities have

taken at a national level, is that it's better to have all parties sitting down and going through it, because then you come up with a realistic approach. That's what's happening with the rail situation at the moment. They're working on a Code of Practice and people with disabilities are going to have input into that Code of Practice.

DR BELL: Your survey indicated that some of your respondents felt that airline services have gone backwards.

MS MAHAR: That's right.

DR BELL: I wondered if you had an example of that?

MS MAHAR: Well, I've been told of - I'm not sure if it happened in the ACT or where it happened in Australia, but one man, he was helped onto the plane and they got to the destination and they were waiting for them to come and help him off the plane and he was waiting and waiting and waiting and then the cleaners started turning up and they said, "They've all left," and they just left him there on the plane. They'd just forgotten about him.

DR BELL: It would not have been funny.

MS MAHAR: No.

DR BELL: No.

MS HODGE: But it has gone backwards, because I'm - fortunately, I have a very low level of paralysis, but if I travel with Virgin, I would have to take a carer, and that we've never had that situation. I've travelled on airlines. I've been in a wheelchair for 33 years and I've always been able to get onto an aircraft, use an aisle seat, be placed in the seat and, because I don't need any physical assistance I've been able to do that and I've travelled - - -

DR BELL: Yes, you can get yourself into the seat.

MS HODGE: I've travelled alone all the time and now the provisions are that I would have to take a carer. I believe Mr Craig Wallace who was here earlier today had a very unfortunate incident where he was told he wasn't allowed to travel on his own and he had to transfer flights and it was a cost to him. So if I travelled with Virgin, I would have to pay for a carer, which doubles my fare.

So these practices and policies have only come into place in the last very short while.

DR BELL: Has your wheelchair survived being loaded into the aircraft hold?

MS HODGE: Yes. Because I use a manual wheelchair and I don't have the problems of an electric wheelchair fitting into the space - it's been explained very carefully to a great many people in the population of wheelchair users is that the new 737s have got a small baggage handling area, containment area, to get any of the baggage into this area, the wheelchair doesn't fit, so it can only be 84 inches high, whereas mine will fold up and fit into any space. So this is the reasons that they've given for some of the policies. The other reason, of course, is the handling of people and so the occupational health and safety of the workers lifting people in and out of seats and in and out of their wheelchair was another reason for the difficulties. CASA has apparently said that people have to be put on their own oxygen masks and we pointed out that children in planes have never been expected to put on their own oxygen masks and people who have manipulative impairments would readily be assisted by people around them. So the issue of aircraft is being pursued very scrupulously Morris Corcoran and HREOC, so you'll hear more about it.

DR BELL: Even the seats, you'd think the purpose of the front they could have had one where the arm would lift up on the aisle so it would be easier to get in.

MS HODGE: No, no.

DR BELL: Because the OH & S issues arise from lifting people from reasonable weight into a rather awkward, narrow space, and you'd think that people would need quite a lot of training to be able to do that.

MS HODGE: Well, this eagle lifter is a hoist arrangement that people use to get in and out of bed for 50 years and all they've done is transfer it in, this hoist arrangement, into the transport area and Qantas won an award for this eagle lifter just recently of getting people out of their chairs into their seats in the aircraft. But, you know, when I first travelled when I was in a wheelchair they used to bring me in the front door and put me right in the front seat of the aircraft which, to me, was imminently sensible. But now, of course, with that being business class and other problems, it doesn't work out like that.

DR BELL: Yes, you're right. Okay. I think you've really covered pretty well most of the issues in the ACT. I mean, do you feel that the ACT Government is doing enough as far as the footpaths and the bus stops are concerned?

MS MAHAR: Talking to people with vision impairments, it's not the actual bus stop that's the problem. It's the idea that the passenger has to hail the bus whereas somewhere like Melbourne, anyone that is standing at the bus stop - -

DR BELL: Is presumed to be waiting for the bus.

MS MAHAR: - - - and the bus will stop. But here it's completely different so I know people with vision impairments who have been waiting for a bus and the bus they wanted was behind the bus that came up first and they couldn't see the number in time, even using a monocular, so they missed their bus. Or they couldn't see it in time and they couldn't hail it and they realised it was the right bus as it was going past them, so they didn't have the chance to sort of look properly. So it discriminates against them in that respect.

MS GOLDSMITH: Do the green buses have - are you aware of anything with the green buses having problems with the kerb?

MS MAHAR: No one's told me anything about that.

MS HODGE: I mean, it's still a problem with the infrastructure, people getting themselves out of their home and to their bus stop. I mean, the broken footpaths, they're just - in my suburb, just around me, I have a young man with cerebral palsy who walks with a very unsteady gait and he coming to visit myself and another friend in my street has fallen over on our footpaths. So he himself complained to the government and they came and ripped them up and they resealed them. But even that to get to the bus stop would be a problem with limited capacity to push or even an electric wheelchair to get from their homes out onto the footpaths and to the bus stop.

MS GOLDSMITH: I know in my street we don't even have a footpath. If I was to - if there was someone in my street that had a wheelchair, they would have to get onto the road, or anyone with any kind of mobility would have to walk on the road because it's the only flat surface.

MS HODGE: We have at a national level invited the local government people to our national meetings so they have an insight into the fact that there are

opportunities for local government in helping with this access, getting people from their home to the bus stop, and for having proper bus stops and things. They have developed in some areas a sort of a portable bus stop where you can pick it up literally and put it down in one place. So that was a sort of a best practice situation where the bus would then come along and, in the beginning of course, people were using a lot of the automatic ramps and they found that the mechanisms kept failing in those. So they've reverted to using a lot of the mechanical ones where they actually pick the ramp up and put it out and they seem to be a better proposition from the bus operator's point of view for maintaining their fleet, which was a big problem in the beginning, because buses were arriving and the mechanical ramp wouldn't work because - - -

MS GOLDSMITH: Or it'd go out and then it'd stay out. You can't drive along - - -

MS HODGE: Yes, it had been broken or - yeah, and there was a tremendous amount of maintenance involved in putting those ramps out. But the other big problem that I feel is that the coaches, the intercity coaches, are still a problem, and they're probably the most used by public transport users. People getting from here to Sydney will hop on a Murray's bus and that's the quickest and cheapest way. But people with disabilities haven't got that access.

MS GOLDSMITH: They're not wheelchair accessible?

MS HODGE: I don't think there's any in the fleet. I've travelled on them, but I travelled on them in Queensland.

DR BELL: The next person who's going to speak is going to tell you about - -  
-

MS HODGE: Is going to help tell us about it. Good, good.

DR BELL: - - - what Transborder Express has done. Thank you very much for your time.

MS HODGE: And thank you.

DR BELL: And we'll - - -

MS GOLDSMITH: I've got bits of paper to get off you.

MS HODGE: Yes, I'll give you the paper that I was going to.

DR BELL: That would be very good. Thank you. Well, thank you very much for that.

MS MAHAR: Thanks very much for your time.

DR BELL: So, Doug?

MS GOLDSMITH: There's tea and coffee up the back if anyone wants any.

DR BELL: Yes, we should tell you there's tea and coffee if you'd like some. Okay. Well, Doug, welcome. Would you like to introduce yourself and tell us a little bit about what Transborder Express does.

MR HJORT: Okay. My name's Doug Hjort and I'm from Transborder Express. I'm the field manager. I'm responsible for supervising everything that happens on the road with our vehicles, school buses right through to the long distance route buses. The wheelchair accessible buses we have are the ones that operate the CountryLink contract from Eden to Canberra, from Bombala to Canberra, from Queanbeyan to Cootamundra, and from Cootamundra to Tumbarumba. We have also operated for a period of time the Condobolin run and the Mildura run to Cootamundra. All of those four vehicles are wheelchair accessible. However, we have a considerable number of difficulties with them and we're going to explain the reasons why and what it's about.

I did demonstrate today the use of the wheelchair mechanism for locking a wheelchair in a bus and for strapping a passenger in. As we go through some of it today, we might have a look at that as well. Basically I don't have a written submission for you, but what I'm going to do is try and address some of the issues that other people have raised and may be able to put a little bit more light on some of the subjects.

The issue of school buses was raised earlier today as to compliance. The question was asked as to why they weren't included in the paperwork. From our understanding, the reason for it is because school buses are standard seat, they carry more than the seating capacity of a vehicle and, if you were going to introduce wheelchair accessible buses, you were going to reduce the number of seats available considerably, thus increasing the cost to the government to provide services.

If seatbelt requirements are all introduced, it also opens another can of worms where the number of seats reduce again significantly and our estimate is the fleet would have to double. Now, I can assure you, from an operator's point of view, we would love it if the government did that, because immediately the value of our business doubles in value, because we'd have twice as many buses doing the exact job. I hope that throws a little bit of light on why the exemption was brought in.

To clarify it, if a child is under 12 years of age, then we can have three children under 12 on a seat made for two people, because the passenger loading or the passenger loading we're allowed, is adult capacity on the back and if it's got 61 on the back of it, we can then increase that by a third if all the kids are under 12 years of age, so we could carry 90 on a seat on a bus. Just to clarify a couple of those problems.

DR BELL: But presumably if seatbelt requirements were brought in...

MR HJORT: If seatbelt requirements are brought in, it reduces the number of seats, because you can only have one child in each seat. So instead of getting 61 seats in a bus, you would get 45, 48 maybe, 50 at the absolute most, because of the size of the seat itself. They would also have to be available for - they would have to wear a seatbelt. Again, that raises another problem, because the seatbelt regulation does not address the fact that a child under 10 will actually do more damage to himself in a seatbelt in a bus than what he would if he wasn't restrained, because of the problems we hear in motorcar accidents at the moment where seatbelts actually cut the liver in half when the kid's in an accident. So that's another problem for the industry. Our coaches don't really cater for children, because the seats are designed for adults, not for children, and the seatbelt as such will cause children damage. What we do about that, that's a different issue completely, but does that help you?

DR BELL: Nevertheless, it plays into this same issue.

MR HJORT: It plays into it. We'll come back a little bit more to seatbelts when we deal with the actual wheelchair, if you like. I've just jotted down a few notes so just bear with me as I come through. Equal access as against options and alternatives and the cost of operation. We'll have a look at that. You were talking about the cost of the operation and the value of the benefits. What the industry have to look at is the return on the cost, because to provide a wheelchair accessible coach - not a low floor bus. I'll deal with that

differently. I'm talking coaches here - it costs a minimum of \$60,000 to put in the loading mechanism for a wheelchair accessible coach, minimum. All right? We might look at that now at the moment so people understand what we are - we've done some photographs and brought them up so you can actually have a look at them.

DR BELL: The picture has disappeared.

MR HJORT: Oh. Well, we'll continue on and when you find it, we'll come back.

DR BELL: Jessie will chase it up while you keep talking.

MR HJORT: So, for a private operator to provide wheelchair operation vehicles with no extra input, it becomes difficult to maintain the operation. Where you're able to get a contract, say with the Country Link ones where we actually build the price of that into the tendered price, then that cost is covered. So therefore that part of it doesn't happen, but for private bus industry the cost is prohibitive to provide them for the return you are going to get by the number of people that currently use them. If you had a 60,000 price added to a coach, and you get two people per year or four people per year use it, sums naturally say, if it's four, which is pretty high usage on some of our runs. Some of our runs we've had none in five years. So that would be 15,000. We could provide equal access with cabs at a lot lesser rate and with a lot less cost to the community in general, because, as I said, even though we're getting paid through the Country Link contract for these vehicles, that's at cost to the taxpayer an extra dollar. So the cheaper option would be to provide that equal access rather than - no, not equal access. Alternative access rather than equal access.

DR BELL: What sort of length are these Country Link contracts?

MR HJORT: This raises another issue and another problem. The Condobolin run, the distance of that is currently five hours from the time the run starts till it gets to the railway station. Now, that's a long journey with a fifteen, twenty minute maybe, maximum half an hour break, when we're halfway along. The run from Queanbeyan to Cootamundra takes three and a half hours one way. So again that is a long time to be sitting in a coach. No breaks. The Eden one takes from 6.50 to 12 something a rather. It's about five and a bit hours. Four and three quarter hours I think that one is. He's got just enough time to get to the depot, roughly.

DR BELL: With a stop at Batemans Bay or?

MR HJORT: No, with a half hour stop at Michelago on the way up, Cooma on the way back.

DR BELL: So it's ...2.29.52...

MR HJORT: Yep. So you have those problems. Bombala is simple, but then we haven't had a wheelchair passenger on the Bombala bus in five years. The other problem is, and we'll go through these slides that are up here, if we were able to load a vehicle - load a passenger on, so what we've got to do. We'll go through the whole process for you, and incidentally I've got a copy of the loading and unloading procedure there you can have. All right?

DR BELL: Thank you.

MR HJORT: It takes approximately 12 minutes to load a passenger in a wheelchair into the coach, lock in the seatbelt mechanism, lock the wheelchair down, and strap the passenger in. The first one here shows you the actual loading mechanism coming out from underneath the bus. It's a cassette system. We open the big door at the top, which is behind the chap on the left, and we have to open a little flap door. There's a control mechanism. We press it and that piece comes out. It goes down. So slide two. We've got to go to slide four, haven't we?

MS GOLDSMITH: I thought I was on slide four.

MR HJORT: That's that one. No, go down. The other one. You've got one more to go. That's it. They're not in the right order in the system, but don't worry. What we've done is, we're both able bodies, but when we first got these vehicles, we borrowed a wheelchair to be able to see how they worked and to train the drivers in the operations and stuff like this, and this is five years ago. That's the boss, actually, and he's saying, "He's not real well," so he's actually making like he is - that platform, when it comes down, has to be relatively level to the vehicle. If those two surfaces are not relative, then the mechanism itself is not able to adjust on a very great amount. It can adjust slightly, but if you can visualise the coach laying that way and that way, the coach here and the footpath that way, it would not be possible to load, because you would damage the machine.

DR BELL: If there's a camber on the road then - - -

MR HJORT: Which there normally is, and the footpath has a camber the opposite direction, you're in trouble straight away. If it's flat or parallel, it doesn't matter if there's a different in height, the machine will adjust to that, but the slopes have to be similar or that one has to be flat and you can have a slight angle on that. But if this is too great then you're going to damage your machine. Then you've got the person on there, the machine doesn't operate it, you've broken it, you're going nowhere, so everybody gets stopped because the vehicle won't go anywhere until you can get it back in the cassette. There is an overriding mechanism which is a hand held mechanism. Takes about 25 minutes to get the thing back in its cassette. So it's a fairly big task.

Can we go to the next one? Once you've got them loaded on there, you lift them up to the height of the vehicle. There it is there. You can see there's a little ramp there on the front to stop people coming off. We recommend to the drivers that all people in wheelchairs get placed on that lifter backwards, so they're facing outwards, because I think you'd probably agree, you'd be much more comfortable facing that way then what you would facing the other way. Is that correct? We believe that - - -

MS HODGE: The one I got on it wasn't a problem. I was on in about four minutes.

MR HJORT: Is it like that?

MS HODGE: Yeah, it's exactly the same.

MR HJORT: I'll tell you what, I'd like to get that lifter. It'd take that long to get it out.

MS HODGE: Okay. No, no, it's very quick.

MR HJORT: Then when you get it in, then you've got to take the person inside, stand it up, bring it around. It's just going in through the door there and what we do is we bring it around and then we've got to lock the seatbelt mechanisms into the floor and put on the seatbelt, because everybody in the coach has to wear a seatbelt. That's to comply - that raises another problem. Collapsible wheelchair strength, the ones like you're using there, I don't think they'd meet the design rules required for seat strength.

MS HODGE: Yeah, but neither do the seatbelts.

MR HJORT: The seatbelts don't meet the requirement either?

MS HODGE: All the strapping mechanisms. They don't meet the requirements.

MR HJORT: They don't meet the standards required under ADR 68 legislation which is seatbelt and seat strength, which is a problem. So we have a regulation that states that the seat strength has to be such and such a thing, the seatbelts have to be such and such a thing, but then it doesn't apply to the wheelchair person. In the event of a crash, which we hopefully will never have, untold damage could be done to someone in a wheelchair because of the seatbelt and the collapsing are the same. Would you agree with that?

MS HODGE: I sit in a seat so and I get strapped into the seat, so I - - -

MR HJORT: That's an entirely different area. That's fine.

MS HODGE: I don't sit in .....

MR HJORT: But I'm saying is there's a high danger in that type of thing. We also have a problem with the three-wheeled scooters, because we can't strap them down and I think another speaker spoke about the unstableness of them in an ordinary low floor bus.

DR BELL: And what's the weight limit on this?

MR HJORT: That one, I think it's about 500.

DR BELL: Okay.

MR HJORT: 400. What were you saying this morning? 300? 300.

DR BELL: It's commonly 300, but - - -

MR HJORT: 300, I think you'll find.

DR BELL: - - - some people are putting in ones that have more capacity because a number of the scooters loaded, with the person on them,

MR HJORT: I'm actually in the process of trying to get an easier means of loading wheelchairs, one that doesn't have to lift someone to that height before they can go into the vehicle, one that will actually load like a low floor, similar height, and then go up inside the vehicle. But there are constraints on that because of the sizing, the ADR requirements - not ADR, the DDA legislation requires widths of 800 mm by 1350 for manoeuvring, and you can't build that inside a coach with the current chassis arrangement. So we're looking to what we can do there to get that amended to be able to make it. That way would be quicker because then you could open the door on the bottom and, similar to your low floor buses, you drop out a ramp, the person just rolls in on to the lifter - - -

DR BELL: And then you're away.

MR HJORT: You lift them straight up and they've got locking pins in, a seatbelt built into the floor of it, and the locking mechanism for the wheelchair built into platform, so you could actually lock that all down before you lift it up, and then you'd just lift the ramp up, close the door and you're away. Much quicker, much easier, but of course the problems associated with the actual engineering of it is what we're addressing.

DR BELL: Yes. I'm thinking of the manoeuvring room requirement. Once your new model lifter has lifted up to floor level, presumably you've got the manoeuvring room - - -

MR HJORT: Plenty of room then. Yeah, but it's the manoeuvring in the coach that the actual width and length of the platform in the bus where the platform lifts up. That could be the problem. I'm not sure, because I'm still trying to get that done. University of Canberra are interested in looking at it through their engineering department, but funding is going to be an issue to get things done, issues done on that.

DR BELL: Have you looked around to see whether there's a source of government funding for research on this sort of stuff?

MR HJORT: Not for that I haven't. I've been dealing with other things at the moment.

DR BELL: I somehow doubt that there's a source of research funds for this sort of thing, but - - -

MR HJORT: I'm hopeful.

DR BELL: - - - possibly one of those road safety funding programs might have some money .....

MR HJORT: I know RTA do but they're not involved in that side of it, so.

DR BELL: They're not normally. Yeah, you're right. Anyway, we'll - - -

MR HJORT: I'll have a look at those. Yes, I'll certainly investigate those a little further. Thank you for that. One of the speakers today said something about Country Link with 93 per cent of stations complying. Was I right in hearing that?

DR BELL: I think that was the trains.

MR HJORT: The trains and the stations.

DR BELL: But I think that was the whole of the rail network.

MR HJORT: But they used the Country Link section.

DR BELL: The Country Link ones have ramps, I understand.

MR HJORT: 93 per cent. That's fine for the platform, but it's not necessarily the case with the infrastructure and the coach bays that the coaches arrive at to unload to get the people to the train. So, yes, they've addressed one issue, but not the whole package. Not all stations are that way.

DR BELL: True.

MR HJORT: Low floor buses also was asked about earlier today and there was a couple of other things. Low floor buses. The low floor bus issue is a problem for most route service operators for two reasons. For our route service from Yass to Canberra, we have a provision for people to load their pushbike underneath and for to load luggage which we have people coming for visiting and stuff like that. If we were in a situation where we had to put a low floor bus on it and we could not access the Jolimont with a low floor bus - the current ones already scrape - we lift them up and they just clear it going out of the driveway. So again the infrastructure, even in cities in places and towns, is not suitable for low floor vehicles.

DR BELL: This is the Jolimont Centre?

MR HJORT: The Jolimont Centre. Where we go in and out at the back, we scrape - even the big coaches will nose dive into the bitumen if you don't hit the raise button to lift them up, and they've got much more clearance than a low floor bus. So I'm suggesting that a low floor bus would have to lift extremely high to get in and out of some of those places. So low floor bus is a bit of a problem for route services such as our own. Yass certainly has issues for low floor. A lot of towns in the Western District, Lake Cargellico, all of those places, have, I think, Temora, a couple of those others, have huge dips in the road to take the storm water through where the road comes down and goes through a huge dip. Low floor buses are never going to do it. So the issue that he raised about getting wheelchair accessibility on everywhere is very, very difficult and extremely costly.

The luggage is a problem. There was a question raised about the driver leaving the seat. The regulations in that for a driver authority course state that "A driver may leave the seat and may not leave the driving seat unless he has a reasonable excuse to do so". That is the wording. So, to assist a passenger on or off a bus, or to unload luggage is a reasonable excuse, and that is what we train the drivers to do. It may help to clarify that question that you had earlier about that.

I am very keen to continue to try and provide better access for everybody. We're currently looking to upgrade the website to get access for sight impaired people, so they can actually obtain the information on the timetable. I had not thought of the hearing impaired, but there is televisions screens in the coaches and I'll have to investigate the feasibility and what we would have to do to get that text up when the driver is making the announcements. Announcements are mandatory on all of our vehicles that are travelling long distances - announcements before you leave the thing for our long distances - not average service because that's public. It's just treated like an ordinary bus service around Canberra. People turn up, pay their fare, hop on and sit down and go. I'm talking about booked services.

With the lifter, if we were to have a breakdown, you'd have a major problem. The bus would be decommissioned because the wheelchair wasn't going to work properly and it would take some time to fix that up, so it creates a problem.

Dimensions at infrastructure. For to operate some of these wheelchairs, we need a longitudinal fall of about 1 in 20, with a cross-fall of about 1 in 40, and that means that the roadway and the footpath are parallel and neither have a cross-fall of more than 1 in 40, with a slope less than 1 in 20 in the length of the coach. The surface has to be hard - in other words, sealed or paved - for a wheelchair to load, according to the regulations.

DR BELL: You can't do it off gravel?

MR HJORT: Well, that's not the way the regulation reads. It says it must be - "hard stand" is the word that's used.

DR BELL: Yes.

MR HJORT: So, we go by that. Clearances from the coach to allow for us to open and close, the side door opening - that's the big one up the top - to get that opening, we had to have a clearance of 3.5 metres from the ground to the top of that door, which is a fairly high area, and that means that if there's an awning or something sticking out close to the footpath, which is below that, we would have difficulty opening the big access door up the top. So, it's 3 metres to the top of the door on a route coach; 3.5 for a coach.

The wheelchair lifter comes out from the side of the coach 1.3 metres out from the side of the coach. That's the length of the platform which is what we were talking about earlier, and it's 800 mill wide. In other words, no awnings or obstructions should be within 1.5 metres from the side of the coach and a height of 3.5 metres for a coach and 3 metres for a route service bus.

The loading platform comes out, extends from the side of the coach 1.75 metres when you take the flap into account and the clearances at either end, and it's about 1.1 metres wide in total, including all the mechanical bits and pieces. Then you require approximately 1 metre to 1.3 metres for manoeuvrability of that person to get around the end on hard stand to get on to the platform. So, any site that doesn't have those kind of things - you've got to have - a footpath requires to be near - requires a hard level surface or near level surface, approximately 3 metres from the side of the coach for a safe loading and wheelchairs. Any site that doesn't comply with the above is not recommended as safe for the loading or unloading of passengers in wheelchairs, and we've instructed our drivers to attempt to load a passenger in an area which does not comply, could be seen as a breach of our duty of care and places the company and the driver at risk of prosecution.

Now, I'm currently in contact with a couple of bodies - the ACTION people here, and Ministry of Transport, and they're trying to clarify the situation of the gradients required because I was told by the ACTION chap that the longitudinal fall also must be no greater than 1 in 40, which is different to what is coming up on the Ministry of Transport website - and again, we were talking earlier today about getting some definite figures because it's very difficult to work out.

So, the Ministry of Transport tell me 1 in 19, but they've worked that off the fact of the infrastructure guidelines for ramps - accessible ramps - and they're saying 1 in 19 if it's less than 6 metres, but no greater than 1 in 14. A ramp can exceed 1 in 19 if less than 6 metres but no greater than 1 in 14 is the way that the ramp is read for the infrastructure. If it's more than 6 metres, then it has to have a level area with a fall of less than 1 in 20 in that particular area.

So, there's a lot of information out there that is difficult to get correct so that we can operate these things properly. Our company is committed to try and do as much as we can, but the difficulty is fairly large. We comply currently with the regulation of 25 per cent on our long distance coaches because of our four CountryLink contracts. We have provision for wheelchair lifters in route service buses from Yass to Canberra, but at this stage we have not put the cassettes in place. The vehicle was built read for to put the cassette in, but at this point in time there has been no requirement by anybody in a wheelchair for usage.

And that brings me to the other point, the usage levels are very low. As I said earlier, Bombala - zero patronage in five years - sorry, one in five years; Tumbarumba - zero in five years; Eden and Cootamundra have had about six in that five year period, each. So, you can see there's not a lot of usage. And that's a problem. It may be that the information isn't out there. I don't know. But CountryLink - it's all through the CountryLink network. All of those coaches are wheelchair accessible with the exception of some on some of the small mini-buses, out of western ones, like Bourke, where there are only mini-bus, and Parkes.

DR BELL: So, does Transborder have its own website or do you - - -

MR HJORT: Transborder have its own website.

DR BELL: Okay. But then your timetable is on the CountryLink site?

MR HJORT: The CountryLink timetable is on the CountryLink website, but our website tells you that information for CountryLink is available on that site. Our website tells you everything about our services, which is the ones down to Ulladulla and Narooma and up to the snow, and our route services to Yass and stuff like that.

DR BELL: And can a disabled user look at your website and determine which buses will be able to take them?

MR HJORT: Except for the visually impaired at the moment. That is we're just currently looking for some funding for that. I'm in the process of applying for a grant to upgrade, or to assist with the upgrade of that site. Hopefully by Christmas this year that will be up and running.

DR BELL: And then they'll be able to use the screen reader to zip down your column and - - -

THE HJORT: Yes. Well, they'll be able to talk, yes. It talks to them, I believe.

DR BELL: Yes, that's right.

MR HJORT: I'm not really up to it with electronics. I just know that I'm applying for the funding. Somebody else has got to put it in.

MS GOLDSMITH: Looking at the buses like you had here, how would someone who is not in a wheelchair but has a mobility impairment, get on?

MR HJORT: If they want to be assisted?

MS GOLDSMITH: Well, for example, when we did the Bendigo hearings, I met a lady there who had a lot of difficulty stepping across gaps, so she couldn't get on and off the train; and because of the type of impairment she had, if there was no ramp there to allow her to step across, she had to be carried. She couldn't provide assistance.

MR HJORT: I don't know how we'd meet that particular situation. The vehicles do kneel.

MS GOLDSMITH: They do?

MR HJORT: In other words, the front comes down.

DR BELL: But they could still come down?

MR HJORT: But it still only reduces the step height to about that high. That's the lowest step.

MS GOLDSMITH: Yes, which is quite large?

MR HJORT: Yes. And then the other steps are a little bit higher again. I can't answer that question. I don't know how we'd be able to handle it.

MS GOLDSMITH: Because I can't imagine - there'll be occupational, health and safety reasons for why you couldn't actually carry someone?

DR BELL: Up the stairs.

MR HJORT: Well, there are, yes, there are health and safety ones.

MS GOLDSMITH: Not to mention that you'd have the indignity of everyone involved in that particular - - -

MR HJORT: But you'd have to have training to be able to do that, as well. So, the driver has to be trained. So, there's a heck of lot in that, yes.

DR BELL: So, does Transborder operate any school bus services?

MR HJORT: We operate a large number of school bus services.

DR BELL: I thought you might.

MR HJORT: We carry a thousand school students a day from Yass to Canberra and Canberra contract.

DR BELL: Now, there seems to be an issue about the school buses in regional New South Wales in that, under the present rules, if they're a dedicated school bus then they're exempt, but the moment that they start taking other passengers, they're no longer a dedicated school bus, and so then they have to meet the requirements of the standards, and yet in some of these remote parts

of New South Wales, the school bus may be the only bus. I mean, we were talking to somebody from Peak Hill, it has no bus service, period.

MR HJORT: Okay. And the Ministry of Transport are currently trying to encourage school bus operators to carry regular passengers on their service or to provide transport for people in remote areas, like country towns - like Binalong, for instance - on the school services.

DR BELL: So, this is a problem in that - - -

MR HJORT: One area is saying, "Yes, you can do this". The other one is saying, "If you do, then you'll gauge this penalty", and that is a problem. Ours are dedicated school services at this stage but, of course, there are adults that, from time to time, will access that service. We don't have a problem with that, at the moment. But if it becomes mandatory, then we'll have to re-think that policy.

DR BELL: Yes. There are certain circumstances where an adult can accompany a child that's on the bus, and that obviously is well within the rules.

MR HJORT: That's right.

DR BELL: And you can understand why there's some interest in trying to make some of these school bus services more available, if there's capacity to do it, when there are small numbers of people to be moved and the costs can be quite significant.

MR HJORT: I think that may have been covered with the chap earlier today that was talking about the fact that the type of contract you have, whether it's a commercial contract or a non-commercial contract.

DR BELL: Yes.

MR HJORT: Because a non-commercial contract is owned by the Ministry of Transport wholly and solely, and you are just the provider of that service. So, that could be a different interpretation of whether or not you had to provide accessibility, to provide remote areas with access.

DR BELL: Yes. It's a matter that we'll have to have a careful look at because there's obvious tensions there. Now, the other thing that you had mentioned to

me earlier was the issue of loading time and how that creates uncertainties with the timetable. Do you want to say a little bit about the logistics of that?

MR HJORT: Well, the lady at the back just said she was able to get on a vehicle in four minutes.

DR BELL: That sounds like a good - - -

MR HJORT: I haven't been able to achieve that.

DR BELL: That sounds like a very good loading time, four minutes.

MS HODGE: I mean, it was that type of arrangement. It was in Hervey Bay in Queensland, and they use it a lot, so it's practised.

MR HJORT: They'd have it set up, too.

MS HODGE: Yes.

MR HJORT: They would have the seat belt mechanisms built in, already clipped into the floor, ready to go.

MS HODGE: Probably, yes.

MR HJORT: Seat restraints.

MS HODGE: Yes, yes.

MR HJORT: Whereas, if you turn up at a bus stop and somebody is there, then you've got to start from scratch.

MS HODGE: You've got to take - yes, take the chair out.

MR HJORT: Which is basically what we have to do. We have one wheelchair accessible place on the coach, currently, right? And it takes approximately 12 minutes with somebody that knows what they're doing - like myself that have done it several times, and practised it - to actually get a person on to the coach, locked down, everything packed up and put away, before - so it takes 12 minutes to do that.

DR BELL: Yes. I mean, that's just not the loading time because that's getting the door up and everything else ready.

MR HJORT: Opening the door - the whole lot. To put the person on the lifter and get them inside, probably about five or six minutes, yes. But to actually get everything else set up - now, if you had a second wheelchair, which our coaches are capable of handling - we can handle two - and they were both getting on at one stop, then it wouldn't take double the time because you've already got the gear out ready to do it.

However, we have to know about it because we have to unbolt a seat and take that out, so there's actually - we lose four seats for one wheelchair place. If we take a second wheelchair, we actually end up with eight seats not available for general patronage. So, it's a fairly huge cost in revenue when you've got to do that. Now, one of those seats remains in the coach, but because the wheelchair comes in, there isn't sufficient room behind the wheelchair for the person in that seat to be able to sit in it. So, you lose those two seats, as well. So, that's the problem.

When you get to the other end, it takes approximately 12 minutes to get everything back out again. So, say, eight minutes and then four minutes to pack up after you've finished. So, in total, you've got to say 12 and 8 is 20 minutes, in our current timetable from Canberra to Cootamundra, the arrival time of the coach is 15 minutes prior to the departure of the train. So, we've missed the train, if he's on time.

Fortunately, when we've had somebody on board, the train has always been late, so we've always managed to do it. They will hold the train if we ring ahead and say we have a problem, but they will only do that in the circumstances of having a disabled person or if something is out of our control. If it's something that's not a problem - if it's something that's created by us, they won't hold the train. We have to make alternative arrangements for everybody on the coach.

Now, if that person - say that trip from Condobolin through to Cootamundra, we're on that, which is a five hour trip, somewhere along that journey we will have to have a rest break. Legally, we require a rest break anyway, which is half an hour. By the time we get the person off, on, packed up, ready to go again - - -

DR BELL: It's more than half an hour.

MR HJORT: - - - the half an hour has gone. So, again, we've now lost the half an hour for this first initial load and unload, plus another half an hour in the middle. So, the timetable is now almost an hour behind schedule. So, it's a problem. Cost-wise, as I said earlier, we would have been very happy to provide wheelchair accessible taxi or something, which would have been cheaper for everybody, than what we would have been to provide the coach.

Now, that's not saying that we wouldn't do it because that's what we're doing currently. If, by some chance, we don't get the CountryLink contract when it comes around the next time, then we're going to have four wheelchair accessible coaches which we're going to have to move into our standard fleet, which are then going to look at what we'll be doing with those. So, whether we look at other route services or start a new route service, we don't know. It's all conjecture at this stage.

DR BELL: It seems to me that it should be possible to develop loading technology that enables you to achieve all of that in less than 12 minutes.

MR HJORT: We need to, we need to do that.

DR BELL: Because it's just the obvious logistics of this. It needs to keep the other passengers happy and the driver, and everybody else.

MR HJORT: It's unfair on the rest of the travelling public.

DR BELL: So, we'll have to find out what goes on at Hervey Bay, I can see.

MR HJORT: Yes, I'll be up there, I'll have a look.

DR BELL: There you go.

MS HODGE: Their bus meets the train.

MR HJORT: Yes.

MS HODGE: That's the one I went on. When I got off the train - - -

DR BELL: Sorry, we're probably not picking this up. Would you like to motor down to this other microphone for me?

MR HJORT: Motor down?

DR BELL: Yes, motor down, because this is too valuable not to pick up on the thing.

MR HJORT: Exactly correct.

DR BELL: I definitely need this. Thanks.

MS HODGE: The bus that I went on was connected with the tilt train, and when I got off the tilt train I got on to a low floor bus when I was - you know, I just moved on and sat in an area with another wheelchair person, and we sat side by side, facing the inside of the bus. But that was fine because we don't have any restraints at this stage, just my strong arms.

And then on the way back, the bus turned up to take us to the train and they didn't know that I was there because CountryLink information hadn't got through to the bus company and so they had to load me, then and there. And so they - you know, it was all very quick, and I got on and nobody was late, and, you know - I know in Hervey Bay, they've got a woman up there with access for all and she's a bit of a demon. She's known throughout Australia, and she has probably worked on people to get these buses to work.

DR BELL: Had some influence on the speed of the hydraulics, by the sound of it.

MR HJORT: No, it's electrical.

DR BELL: It might be electrical, yes. Your's is electrical, too?

MR HJORT: Yes.

DR BELL: Okay. So, it's a question of - yes, it may be a question of the gearing because of the load.

MR HJORT: Yes, but again, the loading - the weight - you can't increase the gearing because then it won't have the capacity to lift.

DR BELL: No, I realise that. Okay. So, we're obviously going to have to have a little think about this.

MR HJORT: This is why I'm trying to get the University of Canberra to look at it, but I've got to get funding for them to be able to do it.

MS GOLDSMITH: Have you looked at other coach systems in other countries?

MR HJORT: Not in other countries, no.

MS GOLDSMITH: No. Canada has a lot of that because they don't have - in their snow season, they don't have the capacity to use those low floor buses, so they've got - they have the capacity to do those hoists. So, I mean, that might be another area that would be worthwhile looking at.

MR HJORT: Yes.

MS GOLDSMITH: And, of course, there's always the equivalent access clause, other ways of getting people on and off, particularly with school buses.

MR HJORT: School buses are a different issue, completely different issue.

MS GOLDSMITH: Yes. I know about the number of spaces and the number of people on those buses. I've been there.

DR BELL: Yes. Okay. Well, look, we've probably covered things pretty well, I think, and we do appreciate your having brought along - - -

MR HJORT: I'll leave those with you.

DR BELL: Yes, that will be very handy.

MR HJORT: They may be of use to you.

DR BELL: We'll be interested to see those.

MR HJORT: As I said, I'm advising that one at the moment.

DR BELL: But, also, thanks for bringing along your belts to demonstrate how complex it is, to attach a wheelchair to the floor and to secure the passenger. That was really very helpful. So, look, we do thank you for your time and for making the effort to come.

MR HJORT: My pleasure.

DR BELL: Now, just let me ask, is there anybody else who wants to talk while we're here - just checking? Okay, that's good. All right. Well, look, we've finished our hearings today. Thank you everybody for coming.

**MEETING CONCLUDED AT 3.04 PM**