



Submission to Transport for NSW  
Point to Point Transport Independent Review

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Hayley Stone and Alice Dixon-Wilmshurst

Physical Disability Council of NSW  
3/184 Glebe Point Road, Glebe NSW 2037

02 9552 1606

[www.pdcnsw.org.au](http://www.pdcnsw.org.au)

[hayley.stone@pdcnsw.org.au](mailto:hayley.stone@pdcnsw.org.au)

[alice.wilmshurst@pdcnsw.org.au](mailto:alice.wilmshurst@pdcnsw.org.au)

## Who is the Physical Disability Council of NSW?

The Physical Disability Council of NSW (PDCN) is the peak body representing people with physical disabilities across New South Wales. This includes people with a range of physical disability issues, from young children and their representatives to aged people, who are from a wide range of socio-economic circumstances and live in metropolitan, rural and regional areas of NSW.

Our core function is to influence and advocate for the achievement of systemic change to ensure the rights of all people with a physical disability are improved and upheld.

The objectives of PDCN are:

- To educate, inform and assist people with physical disabilities in NSW about the range of services, structure and programs available that enable their full participation, equality of opportunity and equality of citizenship.
- To develop the capacity of people with physical disability in NSW to identify their own goals, and the confidence to develop a pathway to achieving their goals (i.e.: self-advocate).
- To educate and inform stakeholders (i.e.: about the needs of people with a physical disability) so they are able to achieve and maintain full participation, equality of opportunity and equality of citizenship.

## Recommendations

**Recommendation 1:** The TTSS be available as an electronic smart card-based system.

**Recommendation 2:** Transport for NSW expand the TTSS to enable subsidies to be available for use on any point to point transport journey.

**Recommendation 3:** Remove the requirement for paper-based Interstate Travel Vouchers and move towards a smart card system which allows for TTSS subsidies to be applied throughout Australia under reciprocal arrangements between the States and Territories.

**Recommendation 4:** The subsidy offered on the TTSS be expanded to 75% for those in receipt of a pensioner concession card.

**Recommendation 5:** Access to the interest free loan scheme, free licenses and the WATDIS be expanded to drive share providers and community transport operators.

**Recommendation 6:** All of industry disability awareness training be rolled out and clear expected service standards in compliance with anti-discrimination legislation be mandated.

**Recommendation 7:** The centralised booking system be provider neutral and expanded to include people with disability who are not M50.

**Recommendation 8:** Transport for NSW implement pricing guides for consumers across all point to point transport to ensure passengers have clear price comparison information and can make informed decisions when using point to point transport services.

**Recommendation 9:** Transport for NSW provide an Opal transfer discount or additional allowance for fares that include a transfer between point to point transport and accessible public transport.

## Introduction

The Physical Disability Council of NSW (PDCN) appreciates the opportunity to provide feedback to Transport for NSW on its independent review of the Point to Point Transport Industry. As the peak representative body of people with physical disability in NSW, PDCN will endeavor to represent the voice of its membership in its response to the issues raised in the Terms of Reference. PDCN acknowledges the important role the taxi industry and other point to point transport services play in providing people with disability with a mode of transportation. PDCN believes it is essential that accessible transport services are available across NSW to facilitate greater access, inclusion and participation of people with disability in the community.

PDCN consistently identifies that many individuals with disability have no access to public transport such as trains, bus or light rail due to a lack of accessible services or infrastructure and practical barriers preventing their utilisation. In many parts of NSW, particularly rural and regional areas, accessible transport options available for people with disability are limited to modified private vehicles, community transport services and wheelchair accessible taxis (WAT). Appropriate regulation of the point to point transport industry is essential in ensuring people with disability can access the transport they require to achieve full social and economic participation in the community.

In 2015, PDCN, along with other representative bodies for persons with physical disability, provided a submission to a taskforce appointed to review the point to point transport industry, highlighting various inadequacies across the point to point transport industry in addressing the transport requirements of persons with physical disability. Since that time we have welcomed the efforts of the NSW Government to address our concerns, including the passing of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, as part of its commitment to modernise the point to point transport industry, provide greater flexibility in meeting customer demand and ensure that safety standards are maintained.

We note that since the introduction of the Act, we have seen even greater diversification of the point to point transport industry with new industry players like Ola, Scooti and Shebah to name but a few.<sup>2</sup> At the same time, we are seeing interest from the ride share space in moving into more accessible transport options – a case in point being the rollout of UberAssist – a service promoted as providing “*specialist assistance from certified drivers*”, across a number of Australian cities.<sup>1</sup>

The point to point transport industry is offering greater diversity than ever before, and whilst we see the scope for greater customer choice for our membership; safety, affordability and accessibility continue to be our paramount considerations.

The issues we will specifically address within our submission include:

1. Whether further structural adjustments are needed to realise positive customer outcomes; and
2. Any further support needed for wheelchair accessible services.

### *Reforms to improve and modernise*

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<sup>1</sup> Uber, Uber Blog, *Introducing Uber Assist* <<https://www.uber.com/blog/los-angeles/introducing-uberassist-la/>> accessed 22 March 2020 - UberAssist is available in a number of cities across NSW. The service offers transportation for those who require assistance entering and exiting vehicles. UberAssist vehicles can accommodate folding wheelchairs and scooters but the vehicles are not customised for wheelchair passengers.

Across 2016-2017, the NSW Government implemented a series of reforms aimed at improving and modernising the point to point transport industry.

The *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* (the Act), was developed as a framework for regulating the sector, and a number of schemes were introduced to ensure the continued viability of the taxi industry in light of new market players, and to increase attractiveness of wheelchair accessible taxis (WAT) as a subset of the taxi industry. These schemes included:

- Increasing the maximum TTSS subsidy from \$30 to \$60 per trip.
- Increasing the pre-existing WAT driver incentive payment (WATDIS) from \$7.70 (ex. GST) to \$15 (ex. GST) per trip.
- Increasing the pool of funds available for the pre-existing WAT interest-free loan scheme from \$800,000 to \$5 million and allowing for WAT loans to cover the full cost of purchase and modification (rather than \$30,000 to cover just the modifications).
- Subsidising the cost of Zero200, the centralised booking service for WATs in Sydney, at a saving for WAT businesses of \$2,130 per vehicle per year.
- The reduction of WAT licence fees from \$1,000 per annum to zero in metro areas, in line with the rest of NSW.<sup>2</sup>

The Act also allowed for the appointment of a Point to Point Transport Commissioner, as of 1 November 2017, to advise and educate the sector around safety compliance, conduct audits, receive complaints and take enforcement activities if necessary.<sup>3</sup>

Overall, we consider that the efforts of the NSW Government have improved the customer experience for persons with physical disability across NSW. We have seen increases in the number of WATs, both in urban and regional areas and subsidy increases have meant that the costs associated with travel have been reduced for our membership.

We appreciate the proactive approach of Commissioners both past and present in ensuring regulatory compliance across the sector, including proactive investigations into WAT dimension requirements,<sup>4</sup> the development of a Wheelchair Accessible Taxis & Hire Vehicles Driver & Driver Assessor Competency Self-Assessment Guide,<sup>5</sup> and the development of a wheelchair accessible taxi licence compliance policy which attaches specific safety requirements to a WAT licence.<sup>6</sup>

Whilst acknowledging that we have already seen a series of actions to improve safety, affordability and accessibility of point to point transport for people with physical disability, PDCN considers that further adjustments are still required to address remaining impediments faced by our membership and to adjust to changes across the sector since the roll out of the regulatory reforms.

## **Recommendation 1: The TTSS be available as an electronic smart card-based system**

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<sup>2</sup> NSW Government, *Transport Disability and Incentives Subsidy Review Findings*, Feb 2020 <<https://www.transport.nsw.gov.au/projects/programs/point-to-point-transport/transport-disability-incentives-and-subsidies>> accessed 20 May 2020, p. 3

<sup>3</sup> NSW Government, Point to Point Transport Commission website <<https://www.pointtopoint.nsw.gov.au/>> accessed 15 May 2020.

<sup>4</sup> <https://www.pointtopoint.nsw.gov.au/industry-news#WAT%20compliance%20operation>

<sup>5</sup> NSW Government, Point to Point Transport Commission, *Wheelchair Accessible Vehicle Self Assessment Guide*, vol.2 <[https://www.pointtopoint.nsw.gov.au/sites/default/files/Wheelchair%20Accessible%20Vehicle%20Self\\_Assessment%20Guide\\_V2\\_0.pdf](https://www.pointtopoint.nsw.gov.au/sites/default/files/Wheelchair%20Accessible%20Vehicle%20Self_Assessment%20Guide_V2_0.pdf)> accessed 20 May 2020.

<sup>6</sup> NSW Government, Point to Point Transport Commission, *Wheelchair Accessible Taxi License Compliance Policy*, Operational Policy Number: OP18003 2.0 Effective Date: 26/09/18.

PDCN endorses the Taxi Transport Subsidy Scheme (the TTSS) as a mechanism for reducing the costs of point to point transport for persons with physical disability, particularly those on limited income or who rely on point to point transport as their primary method of transport.

We are happy to hear that a transfer from the paper travel docket scheme to an electronic payment system is currently in the pipeline<sup>7</sup>, as the paper docket system has many deficiencies that are both general in nature – such as the greater risk that paper dockets will be damaged or destroyed and the wait times associated with ordering new docket booklets, and specific to our membership - many TTSS users are unable to complete the vouchers independently due to their physical disability and passengers with vision impairments have reported that they are unable to see how a voucher is being used or filled out, leaving the system open to financial abuse by drivers.

### *Suggestions for an electronic smart card system*

From a consumer perspective, we would be looking towards an electronic smartcard system with the following attributes:

1. The card should have capacity to operate as a simple 'tap and go';
2. There should be the capacity under the scheme to book via phone or app (including wheelchair accessible taxis), but the card should also be able to be used for rank and hail travel;
3. Capacity to generate electronic receipts;
4. An online (and accessible) portal where travel information can be accessed - this may be useful in allegations of fraudulent use by drivers or simply for people with disability to track their travel expenditure, such as for tax purposes;
5. Cards should be personalised to the user.
6. Where possible the card should be able to be uploaded to a phone or watch 'app'
7. The card reader should provide an audible readout for those with a vision impairment

Any smart card system incorporated into the TTSS scheme should also have the capacity to be "charged up" similar to the Opal card. As some of our members are not able to use electronic transfer methods of payment, there should be the capacity to charge up TTSS smart cards via cash at accessible venues.

Any transition would need to be rolled out with sufficient time for users to be able to adapt to the new technology – we would encourage broad consumer engagement throughout all stages of the process including development, trial and review.

### **Recommendation 2: Transport for NSW expand the TTSS to enable subsidies to be available for use on any point to point transport journey.**

An issue that has been acknowledged in the recent *Transport Disability Incentives and Subsidies Review Findings*<sup>8</sup>, is that the Taxi Transport Subsidy Scheme (TTSS) is only offered on travel via taxis. This has recreated a captured market where people wanting to utilise the TTSS to reduce their travel costs are shut out from cheaper and arguably more innovative providers.

To highlight this point, we note that a year long trial of wheelchair accessible Uber services, known as UberWAV, across 2016-2017, and supported by a range of disabled persons organisations and

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<sup>7</sup> NSW Government, *Transport Disability Incentives and Subsidies Review Findings*, op cit., pp3-4.

<sup>8</sup> Ibid.,

representative bodies including Community Disability Alliance Hunter, Life Without Barriers, Castle Personnel, Northcott, Cerebral Palsy Alliance, Spinal Cord Injuries Australia and Lifestyle Solutions<sup>9</sup>. determined that the rollout of UberWAV was not commercially viable, despite the fact that fares were significantly cheaper than standard taxi services – a key aspect of this decision being that UberWAV drivers could not offer their passengers subsidised fares under the TTSS.<sup>10</sup>

### *People with physical disability should be able to access a competitive market and ‘shop around’*

We would submit that that the capacity to apply the TTSS across the whole of the point to point transport industry has been greatly enhanced by the legalising of ride share within NSW, the introduction of universal requirements as to ongoing vehicle maintenance, the requirement to implement a safety management system for identifying and mitigating risks to drivers and passengers, and vehicle registration<sup>11</sup>. Drive share is a much safer option than it was previously for both drivers and passengers. General benefits of ride share platforms as opposed to taxi are varied, but some common features include the ability to rate individual drivers, to identify vehicles on approach, track trips against recommended trip routes, assess the driver and quality of the drive itself, as well as the ability to pre-pay electronically.

One of the biggest advantages of ride share over taxis is that ride share offers lower fares in most instances, based on full fare comparisons. Cheaper fares are a compelling advantage of utilising the driver share market - particularly for those who rely on income support, such as the Disability Support Pension, but only if people with disability can access the TTSS when utilising ride share services – since the full fare costs of these services are usually greater than the subsidised taxi fare they can access under the scheme.

There is no question that applying the TTSS universally across the point to point transport industry would increase the overall pool of vehicles available for persons with physical disability to access, reducing wait times, particularly during peak travel times or in regional areas where there are limited taxi services – it would do this in two ways – firstly, it would open up the ride share market to those M40 passengers who can utilise general use vehicles or take advantage of UberAssist and other services that specifically provide additional assistance in entering and exiting vehicles. Secondly, it would improve the commercial viability of services like UberWAT – which we would anticipate would lead to an expansion of the net pool of WAT vehicles within the Point to Point Transport market.

People with physical disability should have the right to make their own choices about how they travel. They should be able to pick services that are best for them, weighing up the relative pros and cons. It appears that there has been genuine interest from the ride share sector in entering into the accessible transport space in Australia and providing that these services are held to the same standards as the taxi industry around training and safety, we consider that this may present real advantages in increasing the industry’s capacity to meet our service need – but drive share providers must be able to compete on a level playing field – expanding the TTSS across these services is critical to achieving this.

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<sup>9</sup> NSW Government, Future Transport 2056, *Greater Newcastle Future Transport Plan* <<https://future.transport.nsw.gov.au/plans/greater-newcastle-future-transport-plan/customer-outcomes-for-greater-newcastle>> accessed 22 May 2020.

<sup>10</sup> Victorian State Government, Standing Committee on the Economy and Infrastructure, *Inquiry into the Commercial Passenger Vehicle Industry Bill 2017*, Transcript 24 May 2017

<https://www.parliament.vic.gov.au/images/stories/committees/SCEI/CPV/Transcripts/FINAL-Uber.pdf> accessed 22 May 2020

<sup>11</sup> *Point to Point Transport (Taxi and Hire vehicles) Regulation 2017* (NSW),

### **Recommendation 3: Remove the requirement for paper-based Interstate Travel Vouchers and move towards a smart card system which allows for TTSS subsidies to be applied throughout Australia under reciprocal arrangements between the States and Territories.**

People with physical disability spend significant time in pre-travel planning and do not enjoy the capacity that other travelers have in being able to make spontaneous travel decisions.<sup>12</sup>

People with physical disability travel interstate for a variety of reasons – including leisure, to connect with loved ones, for medical treatment and work. A 2015 survey of 2700 people with physical disability across NSW showed that 77% of respondents had travelled at least once that year, and of that 77%, 28% of those trips were interstate.<sup>13</sup>

Whilst we know that people with physical disability '*do travel, spend money and want to travel more*'<sup>14</sup> the current TTSS system does not allow for ease of travel between states and territories except for a limited number of border towns and cities.<sup>15</sup>

#### *Paper-based Interstate Travel Vouchers remove flexibility of travel*

The Interstate Voucher System represents a major impediment for our membership to travel freely and completely removes the inability to travel at short notice. Under the existing scheme, people with disability who wish to travel interstate and use point to point transport must apply at least ten business days for interstate travel vouchers, and then wait for the vouchers to be printed and posted to them - the advised wait time is two weeks.<sup>16</sup>

The paper system also relies on a traveler to identify how many trips they are likely to make whilst interstate – we understand that it is usual to issue double the amount of vouchers to account for fact that it is impossible to be precise in this regard. There is currently no capacity to access these vouchers in an E-ticket format.

This system is at odds with the travel industry, which has both increasingly catered for the 'last minute' travel consumer (often offering reduced rates for accommodation and flights booked at short notice) and now almost exclusively offers electronic purchasing and ticketing.

Ideally we would like to see Interstate Travel operate as seamlessly as possible with the TTSS system – involving one smart card that would operate to apply the TTSS for NSW residents regardless of where they travelled under reciprocal arrangements with the other States and Territories – notwithstanding this, we would at the very least look to see interstate travel vouchers be able to be issued electronically so that people can access vouchers with a shorter turn around period.

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<sup>12</sup> Australian Government, Department of Infrastructure and Regional Development, *The Whole Journey- A guide for thinking beyond compliance to create accessible public transport journeys*, 2017, < <https://www.infrastructure.gov.au/transport/disabilities/whole-journey/guide/index.aspx>> accessed 20 May 2020, p. 14

<sup>13</sup> Darcy, S., *Anxiety to Access – Tourism Patterns and Experiences of NSW People with a Physical Disability*, Tourism NSW, 1998 < [https://www.researchgate.net/publication/235993174\\_Anxiety\\_to\\_Access\\_Tourism\\_Patterns\\_and\\_Experiences\\_of\\_New\\_South\\_Wales\\_People\\_with\\_a\\_Physical\\_Disability](https://www.researchgate.net/publication/235993174_Anxiety_to_Access_Tourism_Patterns_and_Experiences_of_New_South_Wales_People_with_a_Physical_Disability)> accessed 20 May 2020, pp.25-27

<sup>14</sup> Minister's Message in Darcy, S., *Anxiety to Access – Tourism Patterns and Experiences of NSW People with a Physical Disability*, op.cit.

<sup>15</sup> NSW Government, Transport NSW, *Taxi Transport Subsidy Scheme -Information Booklet for Applicants and Participants* < <https://transportnsw.info/document/1482/ttss-info-booklet.pdf>> accessed 20 May 2020 - Interstate travel can be done without the need for interstate travel vouchers between Albury / Wodonga, Echuca / Moama, Tweed Heads / Coolangatta & Cobram / Wahgunyah.

<sup>16</sup> Ibid., p. 19; NSW Government, Transport NSW, *Interstate Taxi Voucher Order – Taxi Transport Subsidy Scheme* < <https://www.transport.nsw.gov.au/projects/programs/point-to-point-transport/transport-disability-incentives-and-subsidies>> accessed 20 May 2020.

Another problematic aspect of the current Interstate Travel Voucher system is that vouchers cannot be used when travel is commenced within NSW.

In a practical sense, this means that a person wishing to travel by taxi from one state to another outside of the small number of identified cross border towns would need to use TTSS vouchers to the NSW border, pay with the TTSS docket, then have the taxi meter reset and pay the remainder of the trip using an interstate travel voucher. This is an unwieldy and overly complex process.

We consider that the best way to address this would be to remove interstate travel vouchers all together and to permit interstate travelers who access the TTSS (or interstate equivalent) to access their usual subsidies and caps via a universal smart system that recognises and applies different states schemes electronic system, preferably administered via an electronic card mechanism.

We note that there is already a system in place to manage interstate travel without the need for an Interstate Travel Voucher to select cross border towns and cities, and whilst it is outside the scope of this submission for us to enter into an in-depth assessment of that particular scheme, we would suggest that expansion of that model might offer a viable option to resolve the issues we have highlighted and recognise that interstate travel is an ordinary aspect of many people's lives.

**Recommendation 4: The subsidy offered on the TTSS be expanded to 75% for those in receipt of a pensioner concession card.**

Currently in NSW the TTSS offers a fare subsidy of 50% per trip capped at \$60.

We note that Government payments such as the Disability Support Pension, Jobseeker or the Aged Pension are the sole source of household income for many people with disability in NSW.

A proportion of people with physical disability have no option but to use point to point transport and only a limited number of people can access funding under the NDIS to cover their travel expenses.

*Taxi transport is close to four times more expensive than public transport*

Public transport across NSW offers a concession rate for people receiving a variety of Government pensions, including the Disability Support Pension and the Jobseeker payment. Those with a Vision Impaired Persons Travel Pass are able to access free public transport.<sup>17</sup> Comparatively, point to point transport is close to four times more expensive than public transport, even with the 50% TTSS subsidy.

Relative cost from Town Hall Station to Central Station public transport vs Point to Point

Opal card (Adult) \$3.61

Opal card (Concession rate) \$1.80

13Cabs Fare Estimate: \$6.50-7.50\*

\*This is based on 50% of the full fare estimate of between \$13-15.

Similar to public transport, there needs to be concessions for persons using point to point transport who are recipients of the Disability Support Pension and other government payments.

These concessions should be in addition to the 50% subsidy already offered under the TTSS, which we note is not means tested. We would consider that an additional 25% subsidy should be applied – this would result in a person who is in receipt of a pensioner concession card paying 50% less than someone who was able to support themselves through paid work or savings. This is the same discount as a person on a concession Opal card receives in relation to full fare.

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<sup>17</sup> Australian Government, Services Australia, *Pensioner Concession Card*, <<https://www.servicesaustralia.gov.au/individuals/services/centrelink/pensioner-concession-card>> accessed 20 May 2020.

Whilst we note that ride-share services offer more competitive pricing, we consider that the same subsidies – 50% and 75% for those with a valid pensioner concession card, up to the \$60 cap should also apply across these providers.

**Recommendation 5: Access to the interest free loan scheme, free licenses and the WATDIS be expanded to drive share providers and community transport operators.**

PDCN believes the accessible taxi interest free loans scheme and the free WAT licenses have been important strategies in increasing the number of WAT services operating in NSW.

*Whilst incentives appear to be working more WATs are needed*

We note that from December 2017 to April 2020 we have seen an increase in WAT taxi licenses of 6%, up from 937 to 1128. There has been an 8.7% increase in regional WAT licenses, up from 262 to 298.<sup>18</sup> This compares to total growth of 0.7% across the rest of the Taxi industry from 5821 standard taxi licences in December 2017 and 5864 in April 2020.<sup>19</sup>

Whilst we acknowledge that there may be a number of factors influencing the increase in WAT licences as opposed to standard taxi licences, it is suggestive that the incentives geared to offset the additional cost of purchasing or modifying a vehicle for use as a WAT are working, including in regional areas, where the lack of WATs can be a problem. Despite welcomed growth in the WAT fleet across NSW we remain concerned that even with the Government incentives, there is still a shortage of WATs for those who need them.

In 2018 within NSW there was estimated to be 451,700 people with profound or severe core activity limitation, the majority of which are aged over 65, and therefore sit outside the scope of the NDIS where a modified vehicle might be within the scope of their care plan.<sup>20</sup>

At the same time, an estimated 52,400 people with profound or severe core activity limitation and 1,004,00 people with moderate or mild core activity limitation across NSW either do not have access to any form of public transport or are unaware of any public transport within their communities.<sup>21</sup>

PDCN believes the provision of accessible point to point transport services should be prioritised despite views by some transport providers that a competitive advantage may be given to community transport operators. PDCN feels that increasing accessible services is in the best interest of individuals with disabilities who are entirely reliant on point to point transport services and live in areas where there may be zero WAT services or an extremely limited number of WATs and we note that the transition to the NDIS has resulted in the removal of substantial funding previously provided to community transport.

Accordingly, we suggest that Transport for NSW target incentives to ensure the provision of WAT services relative to the population size of communities, at a minimum of 1 WAT per 10,000 residents - opening up the scheme to other point to point transport providers is a logical step to achieving such a ratio.

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18 NSW Government, Point to Point Transport Commissioner, *Industry Statistics*, April 2020

<<https://www.pointtopoint.nsw.gov.au/industry-statistics>> accessed 20 May 2020

19 NSW government, Point to Point Transport Commissioner, *Taxi Licences – November 2017 to April 2020*

<[https://www.pointtopoint.nsw.gov.au/sites/default/files/Taxi%20Licences%20November%202017%20to%20April%202020\\_2.pdf](https://www.pointtopoint.nsw.gov.au/sites/default/files/Taxi%20Licences%20November%202017%20to%20April%202020_2.pdf)> accessed 20 May 2020

20 Data obtained from NSW data cube (44300DO001\_2018 – Table 1.1 in the Australian Bureau of Statistics Report, *Disability, Ageing and Carers, Australia: New South Wales, 2018* <<https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4430.02018?OpenDocument#Data>> accessed 20 May 2020.

21 Data obtained from NSW data cube (44300DO001\_2018 - Table 15.1 in the Australian Bureau of Statistics Report *Disability, Aging and Carers: Australia: summary of findings 2018*

<<https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4430.02018?OpenDocument#Data>> accessed 18 May 2020.

### *Opening up schemes to increase WAT vehicles across the point to point transport industry as a solution*

Opening up schemes such as the interest free loan to purchase WATs, free licencing for WATs drivers and the WATDIS to the drive share space, especially community transport, may further increase the percentage of WATs across the point to point transport industry, by encouraging more suppliers to enter into this vital niche market.

Extending access to the interest free loan scheme to community transport operators, in particular, might be an effective strategy to enable the modification of more community transport vehicles and increase access to much needed accessible services at minimal cost to passengers.

### *Standards in vehicle specifications and training in loading and unloading vehicles must be consistent across all WATs and all WAT providers should hold a WAT licence*

Whilst we are in favour of increasing the scope of operators who can access schemes geared to increase the WAT fleet, we stress that all providers of WAT services should demonstrate consistency in terms of vehicle specifications as set out under cl. 10 of the *Point to Point Transport (Taxis and Hire Vehicles) Regulations 2018 (NSW)*, (the Regulations),<sup>22</sup> and the *Wheelchair Accessible Taxis Protocol*,<sup>23</sup> as well as demonstrating competency in being able to load and unload wheelchair passengers, through compulsory training.<sup>24</sup>

All drivers of WAT vehicles should likewise be required to have a specific WAT licence.

### *All WATs to operate via an accessible, centralised booking system*

For ease of persons wishing to access wheelchair accessible vehicles, we would suggest that all WATs, both taxi and drive share, should be able to be booked through Zero2000 or an alternative centralised booking system– this would be facilitated by applying the same subsidies as are currently provided for vehicles to register under Zero200.

### *Safety of passengers must be paramount*

We understand from our members that improper fitting of restraints is an issue in the Sydney metropolitan area. This may in part be due to the higher concentration of WAT services and the larger number of trips that have not been pre booked. Incorrect loading and the improper fitting of restraints can lead to serious injuries. A percentage of individuals who utilise WAT services are non-verbal, and thus may be unable to instruct the driver on correct techniques themselves.

On the issue of training, PDCN commends the commitment of the 13Cabs training centre management in mandating retraining for drivers who have not completed a WAT job in a six month period. We consider that periodic retraining of drivers is vital to maintaining a high level of customer service and to ensure loading and strapping of wheelchairs is completed correctly and in line with industry developments and progress.

PDCN recommends that in assessing a driver's competency to offer a WAT service, a holistic approach should be taken including consideration of any feedback or complaints from passengers.

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<sup>22</sup> *Point to Point Transport (Taxi and Hire vehicles) Regulations 2017 (NSW)* cl.10

<sup>23</sup> NSW Government, Transport NSW, *Wheelchair Accessible Taxi Measurement Protocol*, 3 March 2011 <<https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/WAT-protocol-final.pdf>> accessed 20 May 2020

<sup>24</sup> *Point to Point Transport (Taxi and Hire Vehicles) Regulations*, op cit., cl 26.

We would also suggest that any vehicle that operates as a WAT should be mandated to have security cameras fitted to the vehicle, identical to the requirements set out in clause 18 of the Regulations for taxis.<sup>25</sup>

### *A rating system as a way of assessing driver performance*

To ensure appropriate standards of customer service are maintained, we would suggest the implementation of a rating system similar to those currently used by ride sharing services such as Uber, where journeys are rated using a star system with the option to provide comment on the service. We understand that some taxi companies may already be operating through platforms where it is possible to rate services, but this is not common within the industry.

The rating system could be administered through the centralised booking system following the completion of the trip and at the customer's preference via email, SMS or within the booking app. In such a system, consistently low service ratings could result in retraining or in some circumstances the removal of the driver from working WAT jobs.

Furthermore, a separate and independent external complaints system should be available. This is important to ensure passengers are able to raise issues and provide feedback with greater anonymity and without fear of retribution from services operators.

### **Recommendation 6: Whole of industry disability awareness training be rolled out and clear expected service standards in compliance with anti-discrimination legislation be mandated.**

We remain concerned about instances of discriminatory behaviour by taxi drivers (both WAT and otherwise) against passengers with physical disabilities.

We are aware of instances of cherry picking of jobs, refusals to take passengers on shorter jobs and drivers being hesitant to take jobs or discourteous when completing a job due to not receiving the WATDIS payment. This is despite the regulations requiring that drivers of WAT vehicles must accept a wheelchair pickup in preference to a hiring of a person who is not using a wheelchair. <sup>26</sup>

We need to stress that anti-discrimination legislation applies irrespective of whether a person with disability receives the TTSS or not. We would like to see the Commissioner take further action to ensure that people with physical disability are able to access point to point transport without discrimination. There is an opportunity here for the Commissioner to educate the industry of service obligations both under the *Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017* and the *Anti-discrimination Act 1977* (Cth). Ideally, we would also look to the Commission conduct whole of sector training in this regard.

At the same time, it would be useful if the Commissioner were to publish information on the Commission website about what passengers should expect in terms of conduct for point to point transport operators so that they could more readily identify, and hopefully report, misconduct within the industry.

### **Recommendation 7: The centralised booking system be provider neutral and expanded to include people with disability who are not M50.**

The centralised booking system offered through Zero200 is the most common way in which WAT services are arranged. Zero200 is run by a private taxi company. PDCN has frequently used the

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<sup>25</sup> Ibid, cl. 18.

<sup>26</sup> Ibid., cl. 65(1)

centralised booking service and our experience has been very positive with the service found to be efficient and easy to navigate.

The introduction of a centralised booking service has been important in addressing the issue of individual taxi service providers being able to 'cherry pick' their fares, choosing not to accept a fare if it is of a short distance. For instance, prior to the establishment of the central booking service PDCN often encountered difficulty in securing WAT services for shorter distances, such as the distance from our office in Glebe to Sydney Central railway station. These bookings were often not filled despite several calls to taxi operators.

Further advantages of the current centralised booking service for our members wishing to access WAT taxis is that the service will continue to call around for a WAT taxi for a passenger, saving the passenger the hassle of making numerous phone calls, that the service books the nearest available cab and that operators will give an update call if a taxi does not arrive within 20 minutes. A major advantage for our members with physical disabilities affecting speech is that the service offers the capacity for teletypewriter bookings.<sup>27</sup>

We would like to see the introduction of a provider neutral system, similar to that offered under Zero200, which facilitates bookings for M40 passengers as well as M50 passengers, since it has been our experience that many of the issues above are not unique to those with physical disabilities who use a wheelchair. The expansion of the centralised booking system would greatly enhance the capacity of our members to access point to point transport, particularly for those who rely on teletype for communication. It would also increase the availability of accessible transport services, provide healthy competition for the taxi industry and would ensure a better level of service for people with disabilities.

As part of the scheme, we would suggest that drivers of vehicles that are not WATs be able to opt into the service at no charge on the proviso that they prioritise M40 pick-ups over other jobs and that all subscriber drivers undergo mandatory disability awareness training.

PDCN also recommends the centralised booking service be expanded across NSW so individuals outside of the Sydney metropolitan area can benefit from improvements in wait times and a more convenient way of booking services. In order for such a system to successfully integrate all available point to point transport providers, variations in pricing across the market must be considered.

PDCN suggests there be transparency in pricing structures to ensure consumers have choice and understand the service being offered. This could be achieved either by call centre staff advising individuals booking transport of the fare estimation before booking the vehicle – requiring drivers to commit to a set rate, allowing individuals who are booking to nominate lowest rate available, or by requiring services to operate at a set rate or set fee range.

In the case of the latter, we would see subsidies and incentives being available to all point to point transport providers, in particular the WATDIS, as this would be essential to encourage service providers to opt into the system.

**Recommendation 8: Transport for NSW implement pricing guides for consumers across all point to point transport to ensure passengers have clear price comparison information and can make informed decisions when using point to point transport services.**

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<sup>27</sup> Zero200 Wheelchair Accessible Taxis Sydney Website <<https://www.zero200.com.au/bookings.htm>> accessed 20 May 2020

PDCN agrees with Transport for NSW that the lack of competition in regional and remote areas is a concern as it may inflate the cost of point to point transport services and make accessing services unsustainable for people with disabilities, despite subsidies. PDCN would like to see maximum prices be regulated in areas with a less competitive markets. This could be done alongside greater subsidies provided to TTSS participants who must frequently travel long distances to access services.

Under the new point to point transport regulations only rank and hail taxi services are subject to a maximum fare. The tariffs for other services are determined by service providers and a market mechanism based on supply and demand for services. When a service is booked the passenger may be offered a fare estimate. PDCN has concerns regarding how pricing will be controlled for services in a deregulated market, particularly for members on limited incomes, those who cannot otherwise access public transport and those who must travel frequently.

PDCN believes an effective approach in a deregulated fare market would be introducing measures that make comparisons between point to point transport services easier for consumers. It will be essential to ensure there is transparency in the fare structures across point to point transport services to guarantee that in a provider neutral market the consumer is able to make informed choices.

PDCN encourages Transport for NSW to implement pricing guides and promote these guides to scheme users to ensure that knowledge of what constitutes a reasonable fare will continue to protect passengers from excessively high fares, particularly in the less competitive markets found in rural and regional NSW.

**Recommendation 9: Transport for NSW provide an Opal transfer discount or additional allowance for fares that include a transfer between point to point transport and accessible public transport.**

PDCN believes additional incentives would be a positive step in encouraging customers to use a combination of point to point transport and public transport, if they can.

The importance of access and inclusion is a focus of all Government Disability Inclusion Action Plans and is highlighted in the *National Disability Strategy* (NDS). Policy Direction Four of the Strategy states ‘a public, private and community transport system that is accessible for the whole community’ is vital for people with disability to have mobility in the community and ‘underpins all aspects of life for people with a disability’<sup>28</sup>

PDCN recommends that Transport for NSW prioritise bringing all NSW transport services in accordance with the *Disability Standards for Accessible Public Transport 2002*<sup>29</sup> and meeting the goals of whole of journey accessibility, as outlined in the proposed *Transport for NSW Disability Inclusion Action Plan 2017-2020*.<sup>30</sup>

PDCN would like to see better integration of point to point transport services with regular public transport however we consider that this is not currently possible, given the fact that many public transport services remain inaccessible. Transport for NSW should bring forward the timeline for infrastructure projects that are part of the transport access program wherever possible, to increase the accessibility of the transport system and enable people with disabilities to be less reliant on point to point services.

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<sup>28</sup> Commonwealth of Australia, *National Disability Strategy (NDS) 2010- 2020*, page 32

<sup>29</sup> Disability Standards for Accessible Public Transport 2002 (Cth) < <https://www.legislation.gov.au/Details/F2005B01059>> accessed 20 May 2020

<sup>30</sup> NSW Government, Transport NSW, *Disability Inclusion Action Plan 2018-2022* < <https://future.transport.nsw.gov.au/plans/disability-inclusion-action-plan-2018-2022>> accessed 20 May 2020

PDCN also believes an incentive such as an Opal transfer discount or additional allowance for fares that are transfers would encourage people with physical disability to utilise public transport where available and accessible.

Steps to encourage individuals to take less trips on point to point transport and to utilise public transport more would reduce demands on point to point services and enable wheelchair accessible vehicles to be available for more journeys for those who need them.

In addition, PDCN believes that this further passenger subsidy is warranted due to the additional travel that may need to be taken by the person with disability to link with accessible public transport. The incentive would need to neutralise the costs incurred from the longer time spent travelling in the point to point transport service and compensate the passenger for their added travel time to make this option appealing.

## Concluding comments

Point to point transport, is, and will continue to be, a vital service for many with physical disability linking them to work, education and leisure.

The point to point transport industry has seen considerable development over the last decade resulting in greater competition and increased choice in terms of service delivery for many consumers. However, people with physical disability, particularly those who use wheelchairs, remain constrained in the choices they make around how and when they travel via point to point transport under the current taxi transport subsidy scheme – quite simply, they are being left behind.

If we could be assured that taxis consistently offered competitive pricing and high standards of service this would not be problematic - but we know that 'cherry-picking', incorrect loading and fitting of restraints in WATs, refusals to book short trips and no shows, to name but a few reported behaviors, continue to occur- leading to the question of whether other players keen to operate as equal players in the space – such as UberAssist, UberWAT and Community Transport - may provide a better travel experience, or at the very least, provide competition that would positively challenge the status quo.

At the same time, whilst the incentives provided by the Government to increase the WAT fleet appear to be working, demand still exceeds capacity, especially within regional areas. With an estimated 451,700 people with profound or severe core activity limitation across NSW and the 1.20 million people in NSW over 65 years of age projected to steady increase over the next decade, we can only anticipate that the demand for WATs and other forms of accessible point to point transport will grow.<sup>31</sup>

We want our membership to be able to enjoy the same level of choice as other users of point to point transport, to be able to travel interstate at short notice, to be able to opt for cheaper fares and to know that they will have the same standards of service delivery as any other passenger.

The challenge is in providing customer choice and allowing for a robust and competitive marketplace whilst at the same time ensuring both quality and consistency in terms of vehicle and driver safety - it is a delicate and unenviable balancing act, but one which we see as being more possible in light of the movement towards increased driver accountability under the *Point to Point Transport (Hire Vehicles and Taxis) Act 2016*.

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<sup>31</sup> Australian Bureau of Statistics, *Report 3235.0 - Population by Age and Sex, Regions of Australia, 2015 < Report 3235.0 - Population by Age and Sex, Regions of Australia, 2015>* accessed 22 May 2020 – note that this is a report from 2015.