

## Submission to the Independent Pricing and Regulatory Tribunal's *Maximum Opal fares until July 2028 Draft Report*

From Sydney University Postgraduate Representative Association

### Introduction

Sydney University Postgraduate Representative Association (SUPRA) is the representative organisation for postgraduate students at the University of Sydney. Established in 1970, SUPRA's constituency has grown to over 33,737 postgraduate students. SUPRA's casework and legal services handles over 2000 cases each year. SUPRA is governed by a democratically elected body of post-graduate students who attend the University of Sydney.

SUPRA would like to respond to IPART's Draft Recommendation 1: "That Transport for NSW extend the eligibility for Concession Opal to holders of a Commonwealth Health Care Card and/or Low Income Health Care Card." We would like to suggest that **this recommendation be expanded to include all tertiary students, including part-time and international students.**

Our recommendations in this submission are gleaned from our experience operating a casework, advocacy and advice service for postgraduate students at the University of Sydney, as well as the experience of our elected council. Based on these combined experiences, access to travel concessions is a major issue for international and part-time students, both of whom are currently excluded from the travel concession program.

### Rationale

SUPRA has been campaigning for a more equitable student concession scheme for thirty-five years, when then-NSW Premier Nick Greiner's government amended the *Transport Administration Act 1988* to allow international and part-time students to be excluded from the scheme. However, students' need for concessions has increased significantly over the past decade for three key reasons:

1. As housing costs rise, students are increasingly priced out of urban areas close to their campuses, necessitating further travel<sup>1</sup>
2. As the cost of living<sup>2</sup> (including the cost of studying<sup>3</sup>) rises, students face ever-increasing financial pressure, making it more and more difficult to absorb the cost of travel

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<sup>1</sup> For more on international student housing, see <https://www.abc.net.au/news/2023-08-20/international-student-forced-to-pay-rent-over-mental-health-care/102725454>

<sup>2</sup> See <https://www.semperfloreat.com.au/cost-of-living-crisis-addressing-student-poverty-needs-to-be-a-priority/>

<sup>3</sup> See <https://www.abc.net.au/news/2024-07-04/international-students-react-to-hike-in-student-visa-fees/104052728#>

3. Students are increasingly required to travel to and from unpaid placements, where they play a key role in sustaining our state's vital services (including hospitals, schools, and childcare facilities). Placements are often located far from a student's place of residence or study, which necessitates travel on public transport; however, international and part-time students are required to pay full fare to commute to these roles.

It is worth noting that students with disabilities who are enrolled part-time because of their disability, may be eligible for transport concessions<sup>4</sup>. However, students need to complete an administrative process which, at the time of writing, is completed by invitation on an ad-hoc basis. Please see Case Study 4 for an illustration of this.

Students' need for travel concessions has reached an all-time high. These concessions would go a long way to both alleviating the impact of the cost of living, but also towards recognition of part-time and international students as making significant contributions to the state of New South Wales economically, socially, and culturally.

## **Background**

The need for transport concessions for all students is a long-standing issue. SUPRA's campaign for transport concessions for all students has taken many forms, including our 2006 case against the then-Transport Minister<sup>5</sup>, which argued that the *NSW Transport Administration Act 1988* was in contravention of the *NSW Anti-Discrimination Act 1977*. Though the NSW Civil and Administrative Tribunal acknowledged that the *NSW Transport Administration Act 1988* was committing discrimination on the basis of nationality, a subset of race, the Act was subsequently amended to exclude it from the requirements of the *NSW Anti-Discrimination Act 1977*<sup>6</sup>. As a result, international and part-time students continue to be excluded from the transport concession scheme.

In 2023, SUPRA continued to campaign on this issue. Councillors developed a petition to the NSW Legislative Assembly. This petition attracted over 21,000 signatures<sup>7</sup>. As SUPRA's volunteers collected signatures for this petition, countless students recounted their own personal, and often heartbreaking, reasons for wanting a transport concession. Many of these were financial and structural, as explored in the case studies below. However, many students reported simply wishing to feel equal to their domestic, full-time peers, and that the denial of a travel concession felt like being a second-class student.

## **NSW Legislative Assembly Debate**

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<sup>4</sup> <https://honisoit.com/2024/05/its-really-exhausting-and-demoralising-students-express-frustration-at-difficulties-accessing-transport-concession-disability-exemptions/>

<sup>5</sup> <https://supra.net.au/fair-fares-for-part-time-and-international-students/>

<sup>6</sup> Ibid

<sup>7</sup> <https://www.parliament.nsw.gov.au/la/papers/Pages/taled-paper-details.aspx?pk=187689>

On Thursday 9<sup>th</sup> May, 2024, the NSW Legislative Assembly debated SUPRA's petition, titled *Make transport concessions available to all students*. The petition was spoken to by Member for Newtown, Ms Jenny Leong; the Member for Monaro and Minister for Skills, TAFE and Tertiary Education, Mr Steve Whan; Member for Sydney, Mr Alex Greenwich; Member for Cessnock, Mr Clayton Barr; and Member for Summer Hill and Minister for Transport, Ms Jo Haylen<sup>8</sup>.

All Members acknowledged both the important contributions international and part-time students make to NSW, as well as the extreme pressures placed on these students by increasing costs of food, housing, health care, and education. SUPRA suggests the best way to materially show this acknowledgement is to extend the transport concession scheme to all tertiary students.

Minister for Transport Jo Halen stated: *"The rationale for the approach to international student concession is that under immigration requirements, international tertiary students are required to demonstrate that they have enough funds to support both their tuition and living expenses when applying for a student visa. Part-time domestic tertiary students and students who undertake study externally or by correspondence can undertake additional employment hours while studying, but I acknowledge that the restrictions placed on the working hours of international students make that very difficult."*

We contend that the unpredictable cost of living, as well as factors that are unknown to students when they accept an offer to study in Australia, such as the location of assigned unpaid placements, render this justification unsubstantiated. International students face a host of unpredictable costs when they come to NSW to study; by offering transport concessions, we can acknowledge this uncertainty and help to manage just a small piece of it.

## **Case Studies**

### *Case Study 1: Student Carers*

Fadia is a carer for her father, who has Stage 4 brain cancer. He requires round-the-clock care, and Fadia shares this role with her mother and an in-home nurse provided by the local health district. Fadia originally enrolled in a full-time course load in her Master of Social Work, but was unable to keep up with the course work. Due to her father's unpredictable care needs, Fadia had to drop down to part-time study. Her student Opal card was then cancelled. Fadia went to her university's Student Centre, who informed her there was nothing they could do: part-time students are not eligible for a concession Opal card, and carers are not eligible for this concession either. Fadia travels from the Illawarra to attend

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<sup>8</sup> <https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-140799>

the University of Technology Sydney, and her weekly Opal fare is over \$50. She is considering dropping out of university to avoid the need to travel.

#### *Case Study 2: International Students*

Wei is an international student at the University of Sydney. When he first moved to Sydney, he lived in Ultimo, but when rent became too expensive he moved to Kogarah. He catches the train to University every day. Wei doesn't have any support from his family, and works as much as his student visa allows to pay his expenses. Wei sometimes skips classes because he does not have enough money for the train.

#### *Case Study 3: Placements*

Ashwini is a Master of Nursing student from Kerala, India. She managed to find a shared apartment in Glebe and manages her rent and other expenses well enough, though her budget is always tight. However, she was recently assigned a placement at Nepean Hospital in Penrith, and had to quit her job to free up time for her placement. She routinely reaches her \$50 per-week capped fare, and needs to visit a food bank at her university just to have enough food.

#### *Case Study 4: Disability*

Mina is a higher-degree research student with a disability. They applied for a disability plan through their university's disability services, and mentioned to their case officer that they were a part time student. Mina initially accepted they were not eligible for a travel concession, as it was never mentioned to them and their application was rejected when they tried the online portal. After several years of candidature, they were told by a fellow student that they might be eligible—they would need to fill out a form. By this time Mina had been paying full-fare for nearly three years, as their disability renders them unable to drive and the train offers a measure of independence. When Mina requested a copy of the form from their disability case officer, the case officer stated they were not sure of the process and would need to check. Mina felt so frustrated that they never followed up.