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BCA submission to review on disability standards for accessible public transport

Background

The NSW Bus industry was involved in developing the standards, and has been and is a supporter of using the standards to improve accessibility.

Bus and coach services in New South Wales are provided under both formal and informal arrangements.

The industry is committed to providing quality bus and coach services and where possible makes it a more attractive choice of travel for the community as a whole.

The industry was part of the process that led to the standards being predominantly performance-based, and felt that this was more likely to achieve improvements than a more formal prescriptive approach.

However, five years ago attempts to improve the interpretation and understanding of the standards, were generally not embraced, instead

interpretation has been left to transport providers, manufacturers, consumer groups, and the human rights and equal opportunity commission. BCA suggests that although this position has had its benefits it is worth considering if the performance-based compliance through complaints approach could be improved by the review team recommending some actions that will improve accessibility outcomes by giving clarity and minimizing the complaints process.

The review committee should determine whether this should be done by way of variations of the standards or by other means.

BCA has participated in the New South Wales government's public forums and BCA is a member of the Bus Industry Confederation who has also made a submission to this review.

Some further commonsense suggestions are as follows:

1. For bus and coach services provided under state government contracts, adequate funding should be provided to comply with the standards. This is not the case for many contracts in New South Wales. Is there a formal mechanism committing the state governments to comply with the federal legislation? This also relates to improving the understanding of what constitutes unjustifiable hardship.

2. The review of the standards should address the potential conflict that the rises with other legislation. For example:

Wheel chair spaces in buses may be unsafe for standing passengers

Wheel chair / mobility aid construction may be in breach of Australian design rules for seat strength in coaches.

0. Improved understanding and clarification of how outcomes can be achieved. This includes:
 - less restrictive consideration of direct assistance and equivalent access
 - best use of available resources
 - identifying particular mobility devices that are suitable for use on particular conveyances

Yours Sincerely,

Darryl Mellish

Executive Director

Bus & Coach Association (NSW)