



Ms Abigail Boyd, MLC
Committee Chair
Portfolio Committee No. 6 – Transport and Customer Service
Parliament of New South Wales Legislative Council

29 March 2022

Dear Ms. Boyd,

RE: Inquiry into the privatisation of bus services

The Physical Disability Council of NSW (PDCN) is the peak body representing over 1.3 million people living with physical disability 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.

PDCN appreciates the opportunity to contribute to the NSW Legislative Council's Inquiry into the Privatisation of Bus Services. Public transport is an essential service for our members. A significant proportion of people with physical disability rely on public transport as a means of participating in community life – necessary to attend work, school, recreation activities and more.

Transport NSW is committed to disability inclusion under the *Disability Inclusion Act 2014*. The operation of State-owned buses is guided by Transport NSW's *Disability Inclusion Action Plan 2018-2022* with strategic objectives around building barrier free end to end journeys, building accessibility across business processes and systems, accessible planning, the use of assistive technology, and incorporating a consumer voice in terms across the future of transport within NSW. Transport NSW is also committed to establishing the transport cluster as an employer of choice for people with disability.¹

Our interest is in ensuring that the privatisation of the metropolitan bus contracts does not impact on the broad accessibility of the metropolitan bus transport system for our members currently provided under Transport NSW's statutory commitment to disability inclusion. This includes not only the physical accessibility of buses and bus stops, but also the provision of assistive technology resources, accessible information, employment opportunities, concessions, and opportunities for consumer engagement.

PDCN notes that private bus companies have been subject to complaints to the Australian Human Rights Commission in the past, and we observe that there are presently lower rates of low-floor wheelchair accessible buses in private operator fleets versus the State Transit Authority Fleet across the metropolitan bus transport system (80.2% versus 88%).² We are aware that the requirements of the transport standards can conflict with workplace health and safety standards, as well as other

¹ Transport for NSW, *Disability Inclusion Action Plan -2018-2022*, December 2017.

² Transport for NSW, *Disability Inclusion Action Plan – 2018-2022*, December 2017, at p.9.

 02 9552 1606
1800 688 831

 admin@pdcnsw.org.au

 3/184 Glebe Point Rd
Glebe NSW 2037

 www.pdcnsw.org.au



legislative and regulatory requirements, that bus operators are obligated to meet, and that this has been raised as a concern across the industry.³

PDCN is concerned that private bus companies that are not in compliance with the standards may seek temporary exemptions from the Australian Human Rights Commission and our experience of this process is it is not unusual for temporary exemptions to be granted for up to 5 years or even for transport companies to be granted consecutive exemptions, which would severely impact on our members' equitable access to bus travel. We know of several private bus companies which have previously sought exemptions from complying with aspects of the *Disability Standards for Public Transport 2002* (DSAPT).

Another further concern for our members is that private bus companies may not be aware of, or honour, disability related transport concessions. Currently people with disability who travel across the State Transit Authority buses can have a companion travel free of charge if under the Companion Card Scheme. Those who have severe vision impairment can travel for free with a companion under the Vision Impaired Person scheme, and veterans with disability are also eligible for free travel.

Until private companies are subject to the same level of accountability for disability inclusion as Government, any moves towards the privatisation of public services are of concern to us. We would ask that the Committee recommend that any private bus companies replacing State Transit Services be required to demonstrate compliance with the DSAPT as well as commitment to ensuring that people with disability continue to have the consistency and reliability that they currently can expect when travelling on State Transit Buses.


We see the State Government has having a key role in contracting private companies that are committed to disability inclusion across all levels of operation in line with Transport NSW's Disability Inclusion Act Plan's core objective of 'accessibility for all, no exceptions.'⁴

PDCN would welcome further opportunity to discuss the concerns and priorities of our members with the Committee.

Please contact our CEO, Ms Serena Ovens, serena.ovens@pdcnsw.org.au or Policy Manager, Ms Hayley Stone, hayley.stone@pdcnsw.org.au, for any questions or queries.

³ Australian Government, Department of Infrastructure, Transport, Regional Development and Communications, *Third Review of the Disability Standards for Accessible Public Transport 2002 (Transport Standards)*, November 2021, at p 45.

⁴ Transport for NSW, *Disability Inclusion Action Plan 2018-2022*, December 2017, at p.4.

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