

SHANE RADBURN

19 November 2012.

The Commissioner
Human Rights and Equal Opportunity Commission
P.O. Box 5218
Sydney NSW 2001

RE: Application for Exemption:-

DDA Compliance – Public Transport.

Dear Sir,

I refer to the Disability Discrimination ACT 1992 and its purpose in eliminating discrimination “as far as possible”, against people with disabilities.

Under the ACT and relevant standards, public transport services (scheduled passenger services) are to be 55% compliant with accessible vehicles by 31 December 2012.

I operate two (2) contracts for Transport for NSW

- Contract A type service which is a school bus servicing Captains Flat Primary School and a
- Contract B type service which is a scheduled timetabled public passenger service from Captains Flat to Queanbeyan one day per week.

I use the same vehicle on both services as the public passenger service operators at 9am (after school has commenced) and returns prior to schools finishing.

The Contract A service crosses the Molonglo River using a bridge engineered to a 5 tonne capacity. My current vehicle is 4.5 tonnes, therefore has no concerns with using the bridge. My research into updating my vehicle to be DDA compliant (including wheelchair accessibility) and also satisfying the load capacity of my contract A service increases the weight of my vehicle over the 5 tonne limit of the bridge.

I have been negotiating with Palerang Council for some time to have improvements done to the bridge to increase the load bearing capacity however they have given no indication as to when this may happen. To divert around the bridge would add an additional 80 kilometres to the school bus service which is unacceptable to the students and Transport for NSW. To increase my fleet by adding another bus to satisfy the DDA compliance would add unjustifiable hardship to the business and render the business unviable.

I seek an exemption/extension to complying to the DDA requirements until such times as the road infrastructure has improved to allow heavier vehicles access to the bridge over the Molonglo River.

Yours Truly



Shane Radburn.