

Vision Australia Ltd

ABN 67 108 391 831

454 Glenferrie Road, Kooyong VIC 3144

Phone: 1300 84 74 66 Fax: 1300 847 329

Email: info@visionaustralia.org



visionaustralia.org

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The President
Australian Human Rights Commission

Dear President

Vision Australia writes in reference to the Application for a Temporary Exemption from S.2.1 of the Disability Standards for Accessible Public Transport ("the Standards") made by Transport for NSW in relation to the Birchgrove Ferry Wharf ("the Wharf").

On the basis of expert advice we have received, we are satisfied that in key respects the Wharf and adjacent area fail to comply with the Standards and, as such, it constitutes a significant risk to the safety, amenity and convenience of people who are blind or have low vision, and other people with a disability who need or wish to use the Wharf.

The Application refers to the need for further discussions with the Inner West Council, and consideration of alternative options, but offers no remediation plan or even suggestions as to how those discussions and considerations will result in improvements in the safety and accessibility of the Wharf to people with a disability. It is simply not credible that it will require five years for discussions to occur and for alternatives to be considered.

The suspension of the right of a person with a disability to lodge a complaint under the DDA or an associated Disability Standard is a serious matter, and should only be considered when it is clear that the medium- to long-term benefits of such suspension far outweigh the temporary, short-term detriment that inevitably results when a fundamental right is forgone. Moreover, The granting of a Temporary Exemption must be shown to further the beneficial Objects of the DDA. The Application from Transport for NSW fails to demonstrate any medium-

to long-term benefits to people with a disability that would accrue from the granting of a Temporary Exemption, and it also fails to show that such an Exemption would be consistent with the beneficial Objects of the DDA.

We therefore strongly recommend that the application be denied.

Kind regards,



Karen Knight,
General Manager, Advocacy & Engagement.
Vision Australia.