

Objection by William Thomas Simpson to an Application for Temporary Exemptions under the Disability Standards for Accessible Public Transport 2002 for the New Generation Rollingstock Project by Queensland Government.

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1. Introduction

A joint application for temporary exemptions from the Disability Standards for Accessible Public Transport 2002 (DSAPT) by the State of Queensland (acting through the Department of Transport and Main Roads (TMR)) and Queensland Rail (QR) for the New Generation Rollingstock (NGR) Project has been submitted to the Australian Human Rights Commission (AHRC). I am concerned as to the circumstances that led to this application for temporary exemption being raised.

The whole process of procurement through to the delivery of these flawed trains beggars belief. I am appalled at the way TMR have behaved through the whole process. The first I heard of the new rolling stock was when the contract based on the tender specification was appointed to an Indian Organisation because their tendered price was the most attractive to the government. When the flaws of the design started to surface there was much finger pointing at the previous LNP government as they had signed off on the contract.

The fact is that some person in QR/TMR had supplied the specifications in the Tender documentation process, and little to no consultation was made with disability sector organisations. Now the Queensland Government has the audacity to request the AHRC for temporary exemption of the DSAPT on brand new trains.

I understand it was always intended that the NGR fleet would contribute significantly to this mass transit demand of the Commonwealth Games, in providing accessible mass transport between Brisbane and the Gold Coast. The ineptitude in the design and arrogance displayed by TMR has now been exposed by the upcoming Commonwealth Games.

Even if the NGRs are in operation for the Games they would provide a discriminatory service to competitors and people with disabilities who are passengers. I believe that the discriminatory nature of the service provided by the current NGR design, and would recommend that they should not enter service until the discriminatory issues of the train's design are fixed.

2. Issues

- **Procurement Process**

The Queensland Government did not include persons with disabilities in consultation until 2014, and this was after the design of the train's structure was finalised.

At no time pre-procurement was any comment sought from, or dialogue undertaken with, the disability sector! I am led to believe that disability organisations first viewed a mock-up of the NGR a single 'dummy' carriage in August 2014. By this time the complaints of discriminatory design were futile as the design had been finalised and the contract awarded.

The NGR train was procured in December 2013 to the following technical specifications:

- (i) Single deck, electric train to operate on the South East Queensland suburban and interurban narrow-gauge rail network
- (ii) Six narrow body cars per train, with a train crew/drivers cab at each end (147 metres long)
 - (A) Two accessible cars (known as the MA and MB cars in the middle of the six-car set)
 - (B) Twelve allocated spaces, six in each accessible car
 - (C) One unisex accessible toilet module in the MB car
 - (D) Four priority seats in each car

There were only two consultation meetings held by the QLD Government and the representatives of Disability Sector Organisations and that was at a mock-up portion of an NGR in August 2014 and March 2015. I believe these sessions were nothing more than "lip service" to the sector as the process was held post procurement when the NGR design had already been signed off!

- **Lag time to address issues**

The NGR train was procured in December 2013 and the Queensland Government had four years to consult with the disability sector to address the numerous issues that people with disabilities will face in utilizing the current NGR model carriages.

I find it amazing that the Government can attempt to bring a service purported to cost \$4 Billion to the public including those people with limited mobility, that is so fundamentally flawed. Rather than promote the rights of persons with a disability, the government have knowingly disregarded those rights.

From what I have been advised the government has ignored calls for over two years from Disability sector organisations to change the NGR and make them more accessible. During this time the Minister for Transport has had a standard response on the NGR being more accessible: 'NGR design changes are not possible as we are under contract and the cost of change would be prohibitive'

Since procurement, four years have lapsed and now the government has lodged an exemption application based on the urgency for NGR inclusion for the Commonwealth Games.

It must be noted however, that the Director General (DG) of TMR commented during a Disability Stakeholder meeting with the Deputy Premier, the DG and QR CEO that QR has a Plan B for Commonwealth Games train arrangements that does not depend on the NGR being available. This comment was repeated by the DG at a QR Disability Stakeholder meeting on June 27, 2017!

The request for exemption sounds very hypercritical to me and moreover all the issues that now need addressing could have been addressed and rectifications commenced two years ago!

- **Location of Guard compartment**

What is of major concern to me is the location of the guard in Car 6 rather than mid train as is the current. This has severe impact on people with limited mobility such as myself. The isolation of the guard by 70 m from the mid platform assisted boarding point will diminish service levels for people who require assistance to board or disembark especially on unstaffed platforms.

In my situation, I utilize Cannon Hill Station to travel across the QR network. Because of the extended length of the NGR, the train will now not only extend past the end of the station but will also block the railway crossing on Barrack Road (as shown below).



This would mean in peak hour the guard would not be able to move through the carriage to assist people boarding or disembarking the train, as the travelling public would restrict his passage. So he would have to climb down onto the track, cross over Barrack road the move along 70 metres from his compartment to the 3rd or 4th carriage where people with mobility issues access the train. Totally impractical!!

The NGR location of the Guard at the rear of the train 70 m from the mid platform assisted boarding point will diminish service levels for people who require assistance to board or disembark, especially on unstaffed platforms.

On unstaffed platforms customers who require boarding or disembarking assistance will be overlooked or forgotten, left on the train or left behind on the platform. This has been an issue with the current rolling stock at QR. Imagine the increase of this situation if the Guard is not at car 3 or 4!

- Proposed work around and cost to keep Guard at end of train

I am very concerned that the Governments proposed workaround is based on employing two Customer Service Officers (CSO) to assist people with disabilities to board and disembark trains on all the stations on the QR Metro and interurban stations. Based on the information I have received each CSO will be paid \$85,000 per annum.

Given that QR station at Cannon Hill’s operation for Outbound trains Monday to Friday commences at 0512 hours and concludes at 0012 hours, the inbound service commences at 0516 hours and concludes at 0016hrs. I would calculate QR would require three shifts of CSO to cater for the current schedule of trains. See Link:

<http://www.railmaps.com.au/routedetails.php?RouteSelect=60&traveldate=2018-01-15&tstyle=>

Based on the above information I would calculate the cost to service people with disabilities to be as follows:

6 X CSO per station	\$512,000pa
Multiply station staff costs by say 150 stations	\$76,500,000pa
Multiply 150 stations costs by 30 (30 year life of train)	\$2,295,000,000.

So, it would appear the workaround to leave the guards compartment at the rear of the train will cost over \$2.295 Billion this is over half of the cost of the total purchase price of the NGR!

Therefore, only a design solution can overcome the boarding assistance dilemma created by the guard’s compartment being located 70 m from the customer waiting at the assisted boarding point of an unstaffed platform. This is because:

With the 30+ years life of the NGR trains, there is no certainty that Treasury / TMR / QR will retain commitment to ongoing CSO platform staffing arrangements. The Deputy Premier (Transport Minister) admitted she could not commit future governments to fund the ongoing platform based boarding assistance promised by TMR and QR.

- **Onboard Toilet**

I am amazed that given the manufacturer Bombardier were the successful tenderer for the NGR why didn't TMR & QR during its contract negotiations request alternative toilet configurations to cater for accessible toilets, given Bombardier supply trains worldwide.

Bombardier manufacture Regional trains for Germany's DB rail network. Below are pictures of the accessible toilets on the DB regional trains taken in 2011:

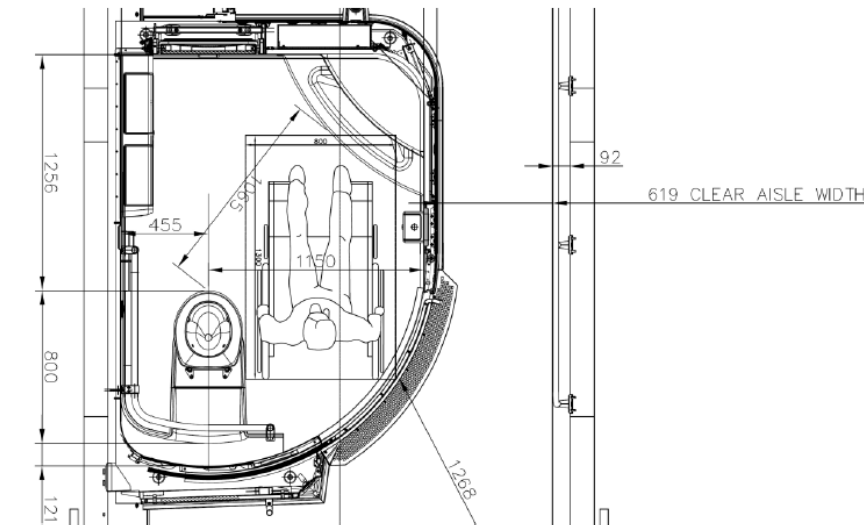


As you can see the German trains toilets above are worlds away from what were proposed below:

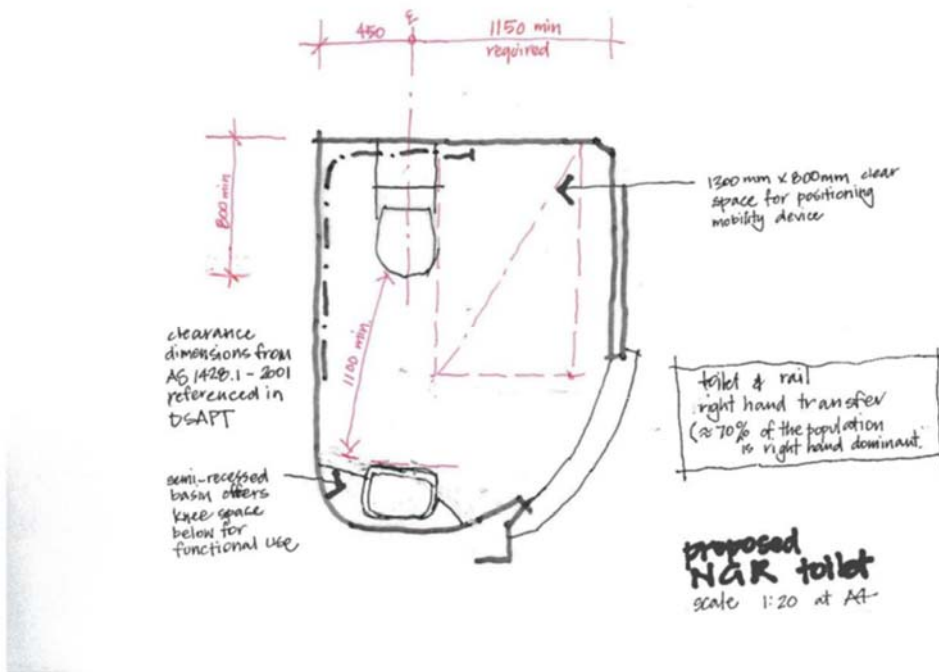


Now after months of negotiations the government has accepted the suggestions from the QR Accessibility Reference Group (ARG) TMR has finally accepted ARG's design and has offered to alter the toilet module to achieve compliance (see below).

Existing NRG Toilet



ARG proposed Solution



The fact that the government has requested three years to retro fit the NRG that have been delivered, is nothing short of flabbergasting and should be made to be accountable for putting the travelling public in this untannable position.

- **How many NGRs will be commissioned for service before Commonwealth Games**

An independent report has shown at best there will be only six NRG available for the Commonwealth Games.! So why is the Government requesting a three years Exemption from the AHRC?

3. Conclusion

- **Recommendation**

Based on the previous pages I find it difficult to believe a government has gone to so much effort to avoid the fact that one or more of their departments have erred in the procurement and delivery of New Generation Rollingstock for QR and the population of South East Queensland.

The process of applying for this exemption to AHRC has wasted not only my time, but those Disability Sector Organisations and moreover the time of you the commissioners, all of whose time can be better invested in improving the lives and integration of people with disabilities to society.

I would strongly request that the AHRC denies the Queensland Government's request for exemption!

I would further request that your committee instruct the Queensland Government to fix all identified issues on the NGR before they are put into service.

- **About the writer**

William (AKA Bill) Thomas Simpson MBA, GAICD

Bill has been involved in consulting assignments with the Local Government Association of Queensland and many Councils addressing Technology Solutions and the issues associated. He was the recipient of the Australian Computer Society, Queensland's Business Professional of the Year award in 2005 for his contribution to the development of Local Government Software Systems.

Following a motorcycle accident on Anzac Day 2009 in which he sustained a Spinal Cord Injury, Bill is now an incomplete Paraplegic. He spent many months in the Spinal Injury Unit at PA Hospital. Living with a disability himself, he understands many of the needs and requirements of people living with disabilities.

Now an advocate for people living with disabilities, Bill is someone with the will and energy to make a difference. Having undertaken numerous overseas trips since sustaining his injury, Bill has seen how other countries and their communities cater for people with disabilities.

In Australia Bill has worked with Councils, Hotels and Airlines to Identify and rectify accessibility issues.

- **Contact Details**

In the event that the Commission may require additional information from me, my contact details are as follows:

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