

**Department of Transport and Main Roads and Queensland Rail  
Meeting Brief  
MBN20794**

**To:** Minister for Transport and Main Roads

<p><b>SUBJECT:</b> NEW GENERATION ROLLINGSTOCK UPDATE – ACCESSIBILITY AND DEPLOYMENT</p> <p><b>Meeting details:</b> Meeting to provide an update to the Minister regarding retrofit work, temporary exemption, formal complaint, deployment and the business operating model</p> <p><b>Date/time:</b> Thursday 8 February 2018, 9:00 am -10:00 am</p> <p><b>Attendees:</b>          Mark Bailey – Minister for Transport and Main Roads          Tam van Alphen – Chief of Staff          Emily Brogan – Senior Policy Advisor          Ian Hutcheon – Department of the Premier and Cabinet          Mark Bellaver – Treasury          Neil Scales – Director-General, TMR          Simon Cook – NGR General Manager, TMR          Nick Easy – Chief Executive Officer, Queensland Rail          Nick King – Executive General Manager Citytrain, Queensland Rail          Laurie Cameron – Senior Manager NGR, Queensland Rail          Zoe Scott – Senior Manager Corporate and Customer Relations, Queensland Rail          Natalie Billings – Team lead, Queensland Rail</p>	<p><b>Urgent</b>          Meeting to be held on Thursday 8 February 2018.</p>
<p><b>Minister’s comments:</b></p>	

**Summary**

- The objective of this brief is to provide an update to you regarding the New Generation Rollingstock (NGR) project, specifically accessibility and deployment, in advance of the scheduled meeting.

<b>Action Officer:</b> Zoe Scott Senior Manager, QR Tel: <input type="text" value="Not Relevant"/> Date: 7 February 2018	<b>Action Officer:</b> Stephanie Williams Manager, NGR Tel: 30660 7077 Date: 7 February 2018	<b>Endorsed by:</b> Simon Cook General Manager, NGR Tel: <input type="text" value="Not Relevant"/> Date: 7 February 2018	<b>Endorsed by: DDG</b> Bill Lansbury A/Deputy Director- General (IMD) Tel: 3066 7118 Date: Bypassed	<b>Endorsed by: DG</b> Neil Scales Director-General Tel: 3066 7316 Date:
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## Details of the Meeting

- You are meeting with the Department of Transport and Main Roads (TMR) and Queensland Rail to discuss the NGR project, including issues around accessibility,

Not Relevant

- The meeting will take place at 9:00 am to 10:00 am on Thursday 8 February 2018 at your Boardroom, Level 35, 1 William Street.

- Departmental representatives to attend the meeting with you are:

- Mr Neil Scales – Director-General, TMR
- Mr Simon Cook – NGR General Manager, TMR
- Mr Nick Easy – Chief Executive Officer, Queensland Rail
- Mr Nick King – Executive General Manager Citytrain, Queensland Rail
- Mr Laurie Cameron – Senior Manager NGR, Queensland Rail
- Ms Zoe Scott – Senior Manager Corporate and Customer Relations, Queensland Rail
- Ms Natalie Billings – Team lead, Queensland Rail

- The primary purpose of the meeting is to provide you with an update regarding the NGR project, temporary exemption application, compliant, rectification work, Not Relevant

## Background

- There are currently 25 NGR trains in Queensland.
- Seven of these trains are currently available for timetabling in passenger service – six in service with one stabled and/or under maintenance.
- In its current configuration, the NGR train does not comply with the *Disability Discrimination Act 1992 (Cth)* (DDA) and the *Disability Standards for Accessible Public Transport 2002* (DSAPT).

Part Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

- As the re-design and modification work will take some time (up to three years):
  - TMR and Queensland Rail have submitted a joint application to the Australian Human Rights Commission (AHRC) for a temporary exemption from specific parts of the DDA and DSAPT while the work is carried out – this process is still underway
  - NGR trains have entered passenger service in their current configuration.

## Issues and Suggested Approach

### Temporary exemption application

- In September 2017, TMR and Queensland Rail submitted a joint temporary exemption application to the (AHRC) for the NGR train's non-compliances with the DDA and DSAPT.
- In December 2017, the AHRC called for public responses regarding whether the application should be granted.
- Twenty public submissions were received with four supporting a temporary exemption and 16 not.

- TMR and Queensland Rail are reviewing the public submissions and will respond to the AHRC by Friday 9 February 2018. The response will focus on comments relevant to the temporary exemption application and broader comments (time permitting).
- The AHRC will advise of timeframes and next steps after the response is submitted.

#### Complaint

- In December 2017, TMR and Queensland Rail were notified by the AHRC that a formal complaint had been made regarding the design and operation of the NGR trains.
- TMR and Queensland Rail provided a written response to the complaint on Monday 5 February 2018.
- This response will be shared with the complainant, who will also be given an opportunity to respond.
- The AHRC will advise of timeframes and process for conciliation after they have received the advice from the complainant regarding their response. It is expected that the conciliation will be face-to-face and held in Brisbane.

#### Rectification work

Part Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

Part Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

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Schedule 3, Item 8 - Breach of confidence

- After the pricing has been received and evaluated, the NGR project will engage with key Government/Ministerial stakeholders to confirm the preferred approach.

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Schedule 4, Part 4, Item 7(c)(ii) - Adverse effect on commercial affairs

Not Relevant

Not Relevant

### **Financial Implications**

#### Rectification work

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Part Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

### **Consultation with Stakeholders**

#### Rectification work

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Schedule 4, Part 4, Item 7(c)(ii) - Adverse effect on commercial affairs

Not Relevant

### **Employment**

#### Rectification work

- The modification work is proposed to be carried out at Downer EDI's facility in Maryborough, which may sustain existing, or create new employment opportunities.

### **Election Commitments**

#### Rectification work

- In November 2017, the government made an election commitment to carry-out the modification work at Downer EDI's facility in Maryborough.

**BACKGROUND:**

- New Generation Rollingstock (NGR) train accessibility
  - There are 15 NGR trains in Queensland – six of which are currently undergoing on-track testing.
  - The NGR train differs from the existing Queensland Rail train fleet as it is a single six-car train with a driver cab at each end (rather than a three-car train with a driver cab at each end).
  - The disability sector has raised some concerns regarding the accessibility of the NGR train's design and how it will be operated during passenger service. These concerns include:
    - Compliance and functionality of the train's on-board toilet module
    - Access between the two middle cars where the allocated spaces are located, specifically through the aisle adjacent to the on-board toilet
    - Location of the guard and Queensland Rail's business operating model.

**KEY DISCUSSION POINTS:****1. New Generation Rollingstock (NGR) train accessibility**

- The Department of Transport and Main Roads (TMR) and Queensland Rail continue to engage and work with the disability sector, through the Queensland Rail Accessibility Reference Group (ARG), to address concerns raised about the NGR train's accessibility.
- A commitment has been made to review the design of the NGR train and where possible, make it even more accessible for customers, within the limitations of the narrow gauge network.
- As part of this commitment, TMR and Queensland Rail are developing and thoroughly assessing a number of options, some of which include the re-design of NGR train elements.
- These options are currently being explored in consultation with the Queensland Rail ARG.
- No decisions have been made regarding these options, their cost or implementation timeframes at this stage – TMR are expected to present a *Final NGR Accessibility Options Paper* to Government/Cabinet for decision in September 2017.
- Changes made to the design of the NGR train to maximise accessibility are not expected to delay first passenger service or their use during the Commonwealth Games.

**REGISTERED LOBBYIST:** Is the meeting with a registered lobbyist?  Yes  No

If yes, please include details. [Remove this sentence if the meeting is not with a professional lobbyist e.g. member of the public]

Author details: Stephanie Williams Position: Comms/Eng Mgr Telephone: 3066 7077 Date: 31 July 2017	Endorsed by: Miles Vass Position: DDG IMD Telephone: 3066 7118 Date: 1 August 2017	Endorsed by: Neil Scales Director-General Telephone: 3066 7316 Date: ___/___/___	Noted by: Hon. Jackie Trad MP Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning Date: ___/___/___
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<b>TMR – MINISTER FOR TRANSPORT MEETING BRIEF</b>	Date: 28 June 2018
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**BACKGROUND:**

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Schedule 3, Item 8 - Breach of confidence

**Attendees:**

- The Honourable Jackie Trad MP: Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning
- Mark Bellaver: Policy Advisor, Office of the Deputy Premier
- Neil Scales: Director-General, Department of Transport and Main Roads (TMR)
- Miles Vass: Deputy Director-General, Infrastructure Management and Delivery, TMR
- Simon Cook: General Manager (NGR), TMR
- Andrew Dudgeon: Managing Director, Bombardier Transportation Australia (biography provided in **Attachment 1**)
- Olivier Brousse: CEO, John Laing (biography provided in **Attachment 1**)
- Tom Hirata: Managing Director, Itochu Australia (biography provided in **Attachment 1**)

**KEY DISCUSSION POINTS:**

[Redacted]

Schedule 4, Part 4, Item 7(1)(c) - Adverse effect on commercial affairs

[Redacted]

Schedule 3, Item 8 - Breach of confidence

[Redacted]

Schedule 4, Part 4, Item 7(1)(c) - Adverse effect on commercial affairs

**REGISTERED LOBBYIST:** Is the meeting with a registered lobbyist? No

Author details: Stephanie Williams Position: Comm/Eng Manager Telephone: 3066 7077 Date: 05/07/17	Endorsed by: Simon Cook Position: General Manager NGR Telephone: <span style="border: 1px solid black; padding: 1px;">Not Relevant</span> Date: 05/07/17	Endorsed by: Mr Neil Scales Position: Director-General Telephone: 3066 7316 Date: ___/___/___	Noted by: Hon. Jackie Trad MP Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning Date: ___/___/___
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**Attachment 1 – Biographies (provided by Qtectic)**

- Andrew Dudgeon
  - Andrew Dudgeon is the Managing Director of Bombardier Transportation Australia having joined the company in June 2016. Previously Andrew was a Partner with the leading Executive Search Firm, Heidrick & Struggles and led the global aerospace and defence practice out of the New York City office and prior to this, served as Chief Executive Officer of VAS Aero Services, LLC from April 2012. Mr. Dudgeon served as Regional Director and Chief Executive Officer for Australasia at Rolls-Royce. Prior to joining Rolls-Royce, he was a senior executive at Qantas Airways, responsible for seeking out business development initiatives and third party opportunities for Qantas Engineering and Aviation Services. He previously held a number of senior command appointments within the Australian Defence Force rising to the Rank of Brigadier. During his Military career he held several senior leadership roles within the Defence Materiel Organisation (now CASG), saw operational service in the Middle East and Afghanistan, flew a wide range of aircraft and helicopters and was appointed a Member of the Order of Australia in 2007 for exceptional service to Australian Defence Force Aviation. He is a registered Master Project Director with the Australian Institute of Project Management and a Fellow of the Royal Aeronautical Society. Mr. Dudgeon holds a Masters Degree in Technology and Management from Cranfield University in the United Kingdom.
- Olivier Brousse EP, ENPC
  - Olivier joined John Laing in March 2014 as Chief Executive Officer. Following graduation from École Polytechnique and École Nationale des Ponts et Chaussées in France, he became Commercial Director of Unic Systems and then Chief of Staff to the Chairman and CEO of Compagnie Générale des Eaux, both in France. In 1998, he moved to London as CEO of Connex South Eastern and then joined Veolia, first as CEO of Veolia Transportation Inc. in Washington DC and then as Deputy CEO of Veolia Transport Group, responsible for French and US businesses. From 2008 to 2014, he served as CEO and then Executive Chairman of Saur SA in France. In 2016, he was awarded the Légion d'Honneur by the French President François Hollande. Age 52.
- Tom (Tomoyuki) Hirata
  - With over 30 years of experience in power generation and infrastructure industries, Tom Hirata has demonstrated strong leadership skills and uncompromising integrity with ability to develop and implement strategy toward successful growth. Tom has served as Managing Director of Itochu Australia since April 2017 and has served on a wide range of projects for Itochu since 1987. Throughout this time Tom has been a member of various boards delivering large infrastructure projects including, in Australia, the Victorian desalination project, tenure on NGR boards; waste, toll road and bridge projects in Europe and the CIS (former Commonwealth of Independent States/Russia) (2006-2010); and Director of Power Projects in the United States (1999-2006). Mr Hirata is fluent in English and Japanese.



Schedule 4, Part 4, Item 7(1)(c) - Adverse effect on commercial affairs

Accessibility Options Assessment and Selection process

The Accessibility Options Assessment and Selection process is well underway.

TMR met with the Queensland Rail Accessibility Reference Group (ARG) on Friday 18 August 2017 to present and discuss the Preliminary Options Report.

The Preliminary Options Report provides an initial 'desktop' assessment of a suite of design options that aim to maximise the compliance and functionality of the NGR train.

The Queensland Rail ARG provided feedback on the Preliminary Options Report on Friday 1 September 2017. This feedback is being considered and a final assessment is being undertaken for inclusion in the Final Options Report.

Part Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

**KEY ISSUES:**

Schedule 4, Part 4, Item 7(1)(c) - Adverse effect on commercial affairs

Schedule 4, Part 4, Item 7(1)(c) - Adverse effect on commercial affairs

Exemption application

There is a risk that the existing NGR train design is not compliant with DSAPT, a standard made under the *Disability Discrimination Act 1992* (Cth) (DDA).

Under the DDA, the Australian Human Rights Commission (AHRC) has the power to grant temporary exemptions from certain provisions of the Act.

Part Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

Schedule 4, Part 4, Item 7(1)(c) - Adverse effect on commercial affairs

TMR is commencing discussions with AHRC now to expedite the process and determine the likelihood of success.

Not Relevant

**ELECTION COMMITMENT(S):** This matter does not relate to an election commitment

**RESULTS OF CONSULTATION:** No consultation was undertaken

**RIGHT TO INFORMATION:** No

**MEDIA OPPORTUNITY:** No