

11th March 2018

The Commissioners Australian Human Rights Commission
GPO Box 5218
SYDNEY NSW 2001 Email: legal@humanrights.gov.au

Dear Commissioners,

Thank you for the opportunity to respond to the recent
**NOTICE OF PRELIMINARY VIEW ON JOINT APPLICATION FOR
TEMPORARY EXEMPTIONS: STATE OF QUEENSLAND (ACTING
THROUGH THE DEPARTMENT OF TRANSPORT AND MAIN ROADS)
AND QUEENSLAND RAIL**

We supported the granting of an exemption till the conclusion of the Commonwealth Games, with any further extension of the exemption being subject to a proper, detailed, fully costed and contractually secure rectification plan being brought forward. In view of the strong veracity of the public submissions and the Commissions preliminary findings we accept the Commissions preliminary findings. The lack of a detailed rectification process has been highlighted by the Commission (paragraph 9.26) and is of great concern to us.

Additionally we recognise the fact that should an exemption be granted this may close the door to complaints under the DDA (paragraph 8.9).


It is clear to us that the State of Queensland will continue to operate the non-compliant NGR trains with or without an exemption.

We have been calling for a formal Commission of Inquiry into all aspects of this NGR project. It is difficult to comprehend how the State of Queensland has procured non-compliant new trains, and has not yet rectified the non-compliance. The entire project needs an open public forensic examination, so that the mistakes are never repeated.

We also note and support the Commission's warning that rolling DDA exemptions cannot continue for ever and steps must be made now by transport authorities to reach overall network compliance by 2022.

Yours faithfully

Robert Dow
Administration


RAIL Back On Track <https://backontrack.org>
