

Regulator Performance Framework 2022–23

Department of Transport and Main Roads

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Executive Summary

The Queensland Government's Regulator Performance Framework requires Queensland Government agencies who deliver regulatory functions to report annually on their performance against five model practices, with a focus on making sure that the policy objectives of regulation are achieved while balancing any regulatory burden on business, including small business.

The Department of Transport and Main Roads (TMR) has a vision and purpose of creating a single integrated network accessible to everyone. TMR is responsible for planning, managing and delivering an integrated transport network across road, rail, air and sea for Queensland.

TMR moves and connects people, places, goods, and services safely, efficiently, and effectively across Queensland. Machinery-of-government changes, effective 18 May 2023, saw TMR welcome the Queensland Government Customer and Digital Group. This has strengthened TMR's role as a department committed to improving the lives of Queenslanders by increasing digital inclusion and supporting a thriving digital economy.

TMR administers a large suite of legislation (see Appendix 1) which the majority relate to current ministerial responsibility including:

- Air Services
- Busways
- Land Transport and Safety
- Main Roads
- Marine Infrastructure – Project Delivery Maritime
- Passenger Transport
- Personalised Transport
- Ports
- Railways
- Road Safety.

The primary intent of the transport suite of legislation is to improve the economic, trade and regional development performance of Queensland and the quality of life of Queenslanders, by achieving overall transport effectiveness and efficiency through strategic planning and management of transport resources.

This overall objective is supported and delivered with legislation that establishes frameworks for planning and coordination, road safety, marine safety, marine pollution, passenger transport, waterways management, rail safety, aviation and transport infrastructure.

To achieve regulatory settings that are proportionate to risk and avoid unnecessary burden, TMR develops regulation that:

- is evidence based using statistical data and other evidence;
- is based on research and considered analysis; and
- is developed in consultation with applicable government stakeholders, road user groups and transport industries.

Rigorous policy analysis is undertaken to fully identify all policy options, prior to advocating for and progressing any legislative amendment. The level of analysis undertaken by TMR is commensurate with the complexity of the problems requiring resolution and includes systematic analysis of potential impacts on stakeholders. This includes the consideration of any potential impacts of human rights that may arise from the regulatory activity and the inclusion of appropriate safeguards to minimise these impacts. All amendments are supported and informed by thorough stakeholder consultation and, where possible, data analysis.

A wide range of activities are undertaken that are intended to support comprehensive and meaningful engagement with stakeholders which assists them to understand regulatory compliance requirements. Formal mechanisms include forums, industry groups, and national transport bodies covering both general transport matters and dedicated projects. Formal consultation plans are developed as part of all proposed legislative amendments.

This report is one example of how TMR ensures that its regulatory activity is appropriate and balanced and contributes to the five model practices of the Regulator Performance Framework.

Model Practices

Ensure regulatory activity is proportionate to risk and minimises unnecessary input

Passenger Transport

Maximum taxi fare increase

TMR has developed a new cost-based model as the basis for annual consideration of maximum taxi fare increases in Queensland and delivered an increase in maximum taxi fares of 8.4 per cent with effect from 1 July 2023. TMR regulates taxi fares for rank and hail taxi services and for booked services provided to Taxi Subsidy Scheme members or those using a wheelchair accessible taxi to protect vulnerable customers. It is important that maximum fares are regularly reviewed to ensure they continue to balance appropriate customer protections with the viability of providing a service so that services continue to be available and reliable for passengers.

The development of a cost model for maximum taxi fare reviews ensures that fares are adjusted in line with changes to the cost of providing a taxi service. The increase in maximum taxi fares in 2023 took into account significant cost increases in providing a taxi service.

Translink's revenue protection

To ensure Translink's revenue protection activities are proportionate to risk and minimise the regulatory burden:

- these activities are planned based on fare evasion data to ensure deployments of Senior Network Officers are set to target the areas on the passenger transport network with the highest levels of fare evasion to minimise unnecessary inconvenience to compliant customers;
- members of the public detected committing offences are initially issued with a warning notice, with Translink taking the opportunity to educate before issuing penalty notices for later offences; and
- members of the public can write to Queensland Revenue Office's Fines and Investigation team to request a review of all enforcement actions as an alternate option to undertaking the time and cost of court action.

Port Overlays

The preparation of port overlays (the regulatory instrument that implements a Master Plan over a master planned area) aligns with this model practice by:

- operating as part of the broader regulatory planning framework for priority ports;
- adopting an evidence-based approach that considers a wide variety of matters and is used to inform decision making; and
- adopting a regulation by exception approach where new regulation is only proposed where gaps are identified in the existing regulatory provisions when applying to develop within a master planned area, recognising that existing planning and regulatory frameworks across all levels of government, already provide for the comprehensive management of environmental impacts.

A draft Port Overlay is released alongside the Master Plan so that the community and other stakeholders can consider the potential regulatory effects, prior to finalisation. Having the draft Master Plan and draft Port Overlay out for public consultation concurrently, ensures that the overlay will come into effect as soon as practicable after the Master Plan is made.

The preparation of port overlays includes a review by independent planning and legal experts, and a review conducted by an independent environmental advisory panel. Feedback from stakeholders received during consultation is used to inform the development of provisions that will have regulatory effect when finalised.

The final overlays for the priority ports of Townsville and Gladstone were released in August 2020. The draft port overlays for the priority ports of Hay Point/Mackay and Abbot Point were released for consultation from October 2022 to January 2023, and submissions received during the consultation process were considered in the finalisation of the overlays.

Outside of the priority port areas, TMR continues to investigate proposals to declare new ports under the *Transport Infrastructure Act 1994* to support mining developments for projects that are currently undergoing Environmental Impact Statement processes.

Rail Accommodation Works

Amendments were made to the *Transport Infrastructure Act 1994* to clarify the process by which TMR can access private land to make good, impacts from construction, known as accommodation works for rail infrastructure projects. Examples of accommodation works include reinstating fencing, gardens or driveways or reconnecting services. The amendments clarify notification and consultation requirements for landowners in a

streamlined process and replace the need to negotiate access agreements with each landowner. The amendments provide greater certainty and deliver cost and time savings for landowners and TMR in delivering accommodation works to deal with the construction impacts of projects.

Personal Mobility Devices (PMDs)

The Queensland Road Rules (QRR) related to Personal Mobility Devices (PMDs), such as e-scooters, were amended in November 2022, to allow the use of PMDs on certain roads and bicycle lanes and to increase helmet options which reduced the regulatory burden while supporting safety. Proportionate amendments were also made to encourage the safe use of PMDs to increase fines and introduce requirements for warning devices on PMDs such as bells or horns to warn other footpaths users of their approach.

B-Triple Road Trains

In September 2022, the QRR were amended to clarify that B-triple road trains (see Figure 1) are able to operate at 100 km/hr which minimises unnecessary regulatory burden. This change was supported by advice from the National Heavy Vehicle Regulator (the Regulator) that a B-triple is safe operating at higher speeds compared to other kinds of road trains including up to 100 km/h. This is due to the vehicle couplings exhibiting greater stability against rollover while providing improvements in high-speed performance than other coupling types. While B-triples were operating at 100 km/h under a national notice issued by the Regulator in 2018, the amendments to the QRR in September 2022 made it explicitly clear that 100 km/h is permitted.



(Figure 1 – a B-triple road train)

Reduced Learner Licence Fee

On 1 March 2023, the fee to obtain a learner licence was reduced to \$75 from \$186.55. The significant reduction in the learner licence fee was designed to assist Queenslanders with cost-of-living pressures. Having a driver licence provides access to employment,

education and community services, particularly for young people. Despite the reduction in the fee, there was no change to three-year learner licence term. The three-year term provides time and flexibility for learner licence holders to complete the required 100 hours of supervised on-road driving and develop their driving knowledge and skills to progress to a provisional licence.

Consult and engage meaningfully with stakeholders

Passenger Transport

Accessibility Reference Group

TMR's Accessibility Reference Group meets five times each calendar year and provides a forum for government, industry, and representatives from the disability sector to discuss concerns relating to the accessibility of the public transport network for people with disability.

The Accessibility Reference Group met in July, September and November 2022 and again in February and May 2023. Key topics discussed at these meetings included:

- *Creating Better Connections for Queenslanders* – a 10-year plan for Queensland passenger transport (available at: <https://translink.com.au/about-translink/projects-and-initiatives/creating-better-connections>);
- Gold Coast Light Rail (GCLR);
- Logan and Gold Coast Faster Rail (available at: <https://www.tmr.qld.gov.au/projects/logan-and-gold-coast-faster-rail>);
- Gateway Motorway and Bruce Highway Upgrade project;
- *Interim Disability Action Plan 2023–2024* (available at <https://www.tmr.qld.gov.au/travel-and-transport/disability-access-and-mobility/disability-action-plan>);
- Digital driver licence project;
- Cashless ticketing;
- Information about accessibility of public transport infrastructure;
- Legibility of new rail and transit information;
- Minister's Roundtable with the taxi industry and disability sector;
- Queensland Accessible Transport Advisory Committee; and
- update on the Disability Standards for Accessible Public Transport 2002 Modernisation project.

Personalised Transport Industry Insights and Delivery Group

Following completion of the Queensland Government's Personalised Transport Reform program, TMR established a new industry reference group, the Insights and Delivery Group, to continue engagement with key personalised transport industry stakeholders. The group includes membership from the taxi, limousine, and ride-booking industries. It has met four times since July 2022 and continues to meet every four months. The purpose of the group is to:

- provide advice about and investigate emerging issues affecting the personalised transport industry and its service delivery;

- collaborate on developing industry-led solutions to issues and challenges in the industry to support beneficial customer outcomes;
- share best practice approaches to issues that have been adopted within the industry; and
- provide feedback and constructive input on regulatory proposals being considered by TMR.

The group has discussed a wide range of issues affecting the personalised transport sector, including the ongoing review of taxi licensing, driver fatigue, regulatory compliance and driver training and education. This is an important engagement forum to ensure that TMR and the personalised transport industry can share key information and collaborate in identifying and resolving issues arising in the sector.

Accessible Taxi Services Working Group

In February 2023, the Honourable Mark Bailey MP, the then Minister for Transport and Main Roads, hosted a roundtable with customers with disability, disability advocates, and the taxi industry to discuss concerns around current taxi service levels for passengers with disability, customer needs, and to identify opportunities for the taxi industry to ensure they are prioritising accessible services. TMR has subsequently established an Accessible Taxi Services Working Group to continue to meet regularly with participants from the roundtable representing the taxi industry and people with disability. The group is working together to collaboratively agree and deliver an action plan to improve accessible taxi services for people with disability and to improve communication between these sectors in the following key areas:

- driver training and education;
- driver incentives;
- booking systems and communication;
- regulatory requirements; and
- supply of wheelchair accessible taxis.

Queensland Bus Safety Forum

The Queensland Bus Safety Forum meets three times each year to provide opportunities for its members to consider and discuss bus driver and bus passenger transport safety related issues. Membership of the forum includes industry body representatives, bus drivers, academics, and representatives of government agencies. The focus areas for the forum are:

- delivering safe services for customers;
- sharing industry best practice to manage bus safety risk for service delivery partners and staff;
- compliance and enforcement; and
- education and awareness.

The forum met in October 2022 and March 2023 to discuss:

- the new mandate for driver barriers in all new urban buses;
- best practice for safety risk assessment;

- de-escalation training for bus drivers;
- network officers and revenue protection practice;
- code of conduct and step-up education in schools;
- cashless public transport; and
- incident reporting.

General stakeholder engagement practices

Meaningful stakeholder engagement and consultation is integral to Translink's regulatory activities. For example, the GCLR team has a comprehensive governance framework in place which ensures that either party (whether Translink or the operator) can raise issues and that those issues are dealt with in a timely manner. The governance framework includes three levels of state/operator interfaces and the additional stages of the GCLR Project are overseen by an internal departmental supervisory board.

As a further example, Translink's Passenger Transport Contracts (PTC) section works closely with delivery partners in relation to the contractual framework. On occasion, PTC is the conduit to provide information to delivery partners at the request of other areas within TMR who are responsible to consult and engage on the regulatory framework. Should any amendments to regulations require contractual amendments, PTC would then negotiate with delivery partners to ensure that any required contractual documentation is amended as required (including the Operations Manual).

The Commercial Partnerships Team within Translink engage heavily with external stakeholders in relation to the Aviation Service Contracts, the Transport for Brisbane Service Contract, the Zero Emission Bus Program and various procurements. These stakeholders include:

- metropolitan and regional councils;
- service delivery partners;
- industry and advocacy groups;
- organisations in the public transport procurement supply chain (manufacturers, financial institutions);
- passengers; and
- other state and federal government departments.

Examples of these engagements include:

- annual Community Consultative Forums related to the Aviation Service Contracts;
- joint working groups and meetings between Translink and Transport for Brisbane;
- industry engagement sessions as part of the Zero Emission Bus Program; and
- interjurisdictional working groups on matters such as the Aviation White Paper.

Translink's Revenue Protection

Translink's revenue protection activities also provide examples where meaningful stakeholder engagement and consultation is undertaken as:

- Translink's Operations team regularly meets with other agencies including Queensland Police Service (QPS), Queensland Rail enforcement and interstate jurisdictions responsible for enforcement of passenger transport legislation;
- Translink has engaged in a joint training program with QPS to ensure that contemporary methodologies are utilised when conducting enforcement activities;
- Translink conducts multiple joint deployments and operations with all regulatory agencies responsible for enforcement of passenger transport legislation; and
- Translink engages with schools and community groups through educational programs to ensure opportunities for a two-way flow of information including feedback on how revenue protection is managed by Translink.

A guideline on port master planning outlining requirements for consultation and engagement has been published and is publicly available at <https://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Sustainable-port-development-and-operation/Master-planning-for-priority-ports>.

Active Transport

TMR engages proactively with representative organisations and the Queensland community in relation to active transport policy and infrastructure delivery. Examples include:

- The stakeholder engagement forums and summits held to shape Queensland Government strategy development for the *Queensland Cycling Strategy 2017–2027* and *Queensland Walking Strategy 2019–2029* and supporting two-year action plans.
- Action plans for cycling (2020-2022 and 2023-2025) and walking (2022-2024) have been developed with input from community groups, representative organisations, local government and other Queensland Government agencies in the health, tourism, education, planning, policing and emergency service sectors with the most recent forums and workshops held in November through December 2022;
- TMR hosts the Ministerial Queensland Cycling Advisory Group which meets regularly to guide the development, implementation and monitoring of the *Queensland Cycling Strategy 2017–2027*. Members are drawn from bicycle user groups and peak bodies, motoring organisations, the QPS and academia and six-monthly meetings are used to seek input on delivery priorities and directions;
- TMR participates in active transport advisory committees hosted by local governments such as the Brisbane, Sunshine Coast and Redlands Coast active transport advisory committees;

- TMR provides funding to the peak bodies for cycling and walking—Bicycle Queensland and Queensland Walks—to support their work in encouraging, promoting, and advocating for better conditions for people walking and riding bikes; and
- Through TMR's support of Queensland Walks, the Queensland Walking Alliance has been established. The Alliance aims to get more people walking everyday by providing a central voice for walking and walkability in Queensland, and by advocating to all levels of government and practitioners for better walking facilities, better investment and more walking every day.

The *Queensland Cycling Strategy 2017–2027* is publicly available at <https://www.tmr.qld.gov.au/travel-and-transport/Cycling/Cycling-strategies>. The *Queensland Walking Strategy 2019–2029* is publicly available at <https://www.tmr.qld.gov.au/travel-and-transport/pedestrians-and-walking/queensland-walking-strategy>

PMDs

In November 2021, the Honourable Mark Bailey MP, the then Minister for Transport and Main Roads hosted a stakeholder forum with stakeholders including local councils, health organisations, the QPS, PMD riders and industry, and road safety advocates including pedestrian, disability and bicycle advocates. Further focus group meetings took place in January 2022 with the PMD industry and pedestrian and disability advocates.

TMR has also established two stakeholder reference groups in relation to PMDs and other forms of e-mobility. The PMD Safety Reference Group and e-Mobility Parking Working Group both have broad membership from across government and industry and have been critical in the progression of ongoing PMD reforms in Queensland.

This extensive consultation process informed the development of the QRR amendments for PMDs that commenced in November 2022.

Move Over, Slow Down Laws

In September 2022, road rules generally known as move over, slow down (MOSLO) laws were introduced. They establish requirements for drivers when passing parked Emergency Response Vehicles (ERV) displaying flashing warning lights and when passing emergency response workers and associated persons at the incident site. When passing an ERV, the MOSLO laws require a driver to pass at a safe distance and speed, moving over and slowing down if necessary.

Introduction of the MOSLO laws followed extensive consultation including with the NHVR, Austroads, the Local Government Association of Queensland, the RACQ, the Safer Australian Roads and Highways Group, the Queensland Trucking Association, the Traffic Management Association of Australia, the Civil Contractors Federation Queensland, Together Queensland, the Rail Tram and Bus Union, Transurban Queensland and the United Workers Union Queensland.

National Scheme and Model Legislation

TMR administers Queensland's national scheme transport legislation, including, the Heavy Vehicle National Law, the Rail Safety National Law, and model legislation related to road rules, vehicle standards, vehicle registration and dangerous goods. TMR ensures Queensland's national scheme legislation is kept up to date to maintain national consistency for businesses operating across jurisdictions.

During 2022–23, TMR actively participated in several groups involved in developing or maintaining nationally consistent approaches to transport regulation. TMR's involvement in national forums ensures Queensland's legislation and practices are current and issues impacting Queensland business are considered when a national position is developed. TMR is also an active participant in the national Infrastructure and Transport Senior Officials' Committee which is responsible for the development and progression of strategic transport reforms across all states and territories.

Public Marine Facilities Regulation

In September 2021, Maritime Safety Queensland (MSQ) conducted initial consultation with the 20 Boat Harbour Controllers and Tenants to understand the relevance of approvals and practices in the Transport Infrastructure (Public Marine Facilities) Regulation 2011. A survey asked for advice on the relevance of the Regulation, its approvals, and requested information on any suggested changes. MSQ used this information to inform changes to the rewrite of the Regulation in 2023. In January 2023, MSQ conducted a month-long consultation regarding proposed amendments with the public and industry stakeholders. This allowed anyone potentially impacted by the changes to detail any concerns regarding the amendments for MSQ's consideration and response.

Provide appropriate information and support to assist compliance

Passenger Transport

Information sources to assist compliance

Translink Customer Liaison Officers, Busway Safety Officers, and Senior Network Officers are on the ground with our customers actively supporting them with service information and ensuring safety and ticketing compliance.

Translink's revenue protection team issue warning notices to first time offenders and use this as an educational tool so that passengers can understand requirements when using the public transport network.

The Fines and Investigation unit is available to adjudicate on appeals from members of the public if they feel they have been punished unfairly. This provides a mechanism for members of the public to have matters reviewed without requiring court intervention as well as an opportunity to be informed on any matters across the public transport network.

Information about compliance with the Taxi Subsidy Scheme and Lift Payment Scheme, policy, and regulation is communicated to the taxi industry through regular newsletters.

PMDs

Implementation of changes to the road rules for PMDs was accompanied by a comprehensive communications campaign to achieve a high-level of awareness among Queenslanders about the new rules. The campaign featured, social media, outdoor billboards, printed materials, multiple media events, and online educational videos. Key stakeholders also shared communication materials relating to the law changes to their audiences and customers. In addition, changes were made to PrepL, TMR's online learner education and assessment platform, to ensure new drivers are educated about sharing the road safely with PMDs.

Move Over, Slow Down Laws

The implementation of MOSLO laws was accompanied by a significant communications campaign including high-profile outdoor billboards, social media and media events. Key stakeholders also shared communication materials relating to the new laws to their audiences and customers. In addition, changes were made to PrepL, TMR's online learner education and assessment platform, to ensure new drivers are educated about MOSLO laws.

Increased penalties for high-risk offences

On 1 July 2022, TMR introduced new increased penalties for certain high-risk driving offences. This included speeding, failing to wear a seatbelt and running red lights. Implementation of these increased penalties was accompanied by a comprehensive communications campaign to achieve a high-level of awareness among Queenslanders about the new penalties and curb high-risk driving behaviours. This featured advertising across television, radio, online and outdoor billboards.

TMR also developed targeted communications at first nations and culturally and linguistically diverse Queenslanders.

Commit to continuous improvement

Passenger Transport

Review of the Transport Operations (Passenger Transport) Standard 2010

TMR is currently reviewing the Transport Operations (Passenger Transport) Standard 2010 (the PT Standard) as part of its scheduled statutory expiry. The review of the PT Standard is intended to ensure it has continuing relevance to the economic, social, and general wellbeing of Queenslanders.

Many provisions of the PT Standard are technical in nature (for example, in relation to vehicle standards) and require expertise and detailed policy consideration to ensure appropriate standards are maintained.

The review of the PT Standard will consider whether the legislation is still required, is effective and efficient and whether any proposed actions are likely to have adverse impacts on stakeholders. A discussion paper seeking public and industry comment on the proposed approach to manage the safety and customer service matters currently contained in the PT Standard will also be part of the review process.

Legislation changes to support Creating Better Connections for Queenslanders – a 10-year plan for passenger transport in Queensland

TMR has been reviewing passenger transport legislation to determine its effectiveness, explore opportunities to improve passenger safety and accessibility to create a more modern and consistent regulatory framework.

In October 2022, TMR released a discussion paper for public consultation to seek stakeholder feedback about how elements of passenger transport legislation could be shaped to support our priorities for reliable and safer services, responsiveness to changing community needs and seamless end to end journeys.

To support TMR's vision of creating a single, integrated passenger transport system accessible to everyone and the 10-year plan for passenger transport in Queensland, the discussion paper presented options and proposals that aimed to:

- clarify further how services are classified, and which authorisations and requirements apply;
- apply more consistent safety requirements across services; and
- encourage more market innovation in service provision.

A total of 76 submissions and over 840 unique responses to published questions from industry stakeholders were received via email, written documents and online via the Get Involved portal. As a result of this feedback, amendments are currently being progressed

to the *Transport Operations (Passenger Transport) Act 1994*, to introduce a general safety duty requirement for all road-based passenger transport services in Queensland. Subject to government priorities, the amendments are anticipated to take effect in 2025 and will be supported by a comprehensive communications package for industry stakeholders.

Translink's public face – Customer Liaison Officers, Busway Safety Officers, and Senior Network Officers

As part of staff induction processes, officers are trained in and receive documentation around safe working practices and procedures, including:

- standard operating procedures to provide detailed information to assist staff on their shift ensuring the safety of themselves and network customers;
- shift instructions provided to staff particularly for locations with service changes or for focus areas including Cultural Centre and Queens Street Busway stations templates;
- situational awareness training for the Busway team as part of ongoing personal safety training, reviewed and improved yearly and signed off by the team;
- reporting protocols for conflict escalation points with Busways Operation Centre, the QPS and duty managers;
- access information to Employee Assistance Services; and
- the Code of Conduct and how it relates to staff and their roles.

Departmental employees have been trained in disability awareness to assist staff in identifying accessibility issues and situations and how to assist in the best possible way when assisting passengers with specific needs.

Fare infringement data is regularly reviewed and used to inform approaches to enforcement based on risk, technological innovations and effectiveness in achieving outcomes.

Enforcement of offences is prioritised based on risk to and impact on the community, for example, high-risk behavioural issues or repeat/high rates of fare evasion.

Translink conducts regular reviews of incidents captured by authorised officers using body worn cameras on the network and, as a part of that process, conduct quality assurance on a percentage of randomly selected interactions for continuous improvement purposes.

Yearly reviews of standard operating procedures are conducted for Busway and GCLR officers involved in enforcement activities.

Yearly consultative reviews of the current senior staff training are conducted jointly with QPS to ensure standards and methodologies are best practice.

Translink Busway Operations unit undertakes a regular risk review of busway processes through exercising its Business Continuity Plan.

Busway Safety Officers receive training in legislative and regulatory requirements and powers to undertake their role.

Translink's Revenue Protection team has created a training, risk and assurance team which has responsibility for ensuring training is contemporary and meets legislative and policy requirements. Additionally, that team is also responsible for auditing regulatory functions to ensure policy and legislation has been adhered to.

Personable Mobility Devices (PMDs)

In June 2022, TMR released the *Personal Mobility Device Safety Action Plan*. The plan features 18 actions aimed at improving safety for PMD riders and the general community. Actions cover regulation, education, consultation, advocacy, enforcement, research and infrastructure. The plan represents an ongoing commitment by TMR to continuous improvement in the way PMDs are managed in Queensland. Queensland's approach is recognised as nation leading across Australia.

Digital licence

In November 2022, to safeguard Queensland drivers' licences, a two-factor verification system was implemented which added an additional unique card number to driver licences. In April 2023, the Queensland Digital Licence entered a new trial phase with the trial being extended to Townsville. Following the successful pilot, the Digital Licence was released statewide in early November 2023.

Be transparent and accountable in actions

Administrative decisions under transport law are generally reviewable internally and/or by the Queensland Civil and Administrative Tribunal. TMR communicates to stakeholders about processes and timeframes related to decisions as well as the reasons for decisions.

A range of information about regulatory activities is published through the Queensland Government Open Data Portal. This includes information about road crashes, traffic infringements issued, vehicle inspections performed, vehicle and vessel registration statistics and driver licensing statistics.

Passenger Transport

Personalised transport services

TMR publishes industry information for limousine, taxi and ride-booking operators so that the regulatory frameworks are transparent. This website publication sets out relevant detailed information including:

- authorisations and safety requirements;
- driver requirements; and
- vehicle requirements.

The open data portal includes a dataset containing Queensland's limousine and taxi service licence transfer values and locations since 2008.

TMR publishes advice about application processing times to assist industry. This information includes advice that applications to renew a booking entity authorisation may take up to 20 days to process and therefore should be lodged sufficiently in advance of expiry, and that an application for a booked hire service licence can take between five and 20 business days to process. This public information helps industry plan and prepare for key activities.

Regulation notices are provided to persons affected by a decision to suspend, amend or cancel an authorisation or licence under passenger transport legislation. Regulation notices must set out the reasons for a decision and give a person an opportunity to show cause in relation to the decision before the final decision is made.

Regulation notices also outline a person's rights in relation to an internal review or external review through the Queensland Civil and Administrative Tribunal.

Regulation notices are also issued by TMR's Taxi Subsidy Scheme unit as part of the membership assessment process, where an applicant has been assessed as not meeting eligibility criteria for membership.

Translink is undertaking a review of the Regulation Notices issued to Taxi Subsidy Scheme applicants, where an applicant has been assessed as not meeting eligibility criteria for membership. The review aims to make the content clear and concise to improve comprehension by a wider audience and to support the customer to take appropriate action to re-submit an application.

Safety and Security

The Queensland Revenue Office manages the Fines and Investigation unit which adjudicates on appeals from members of the public if they feel they have been treated unfairly. This provides a mechanism for members of the public to have matters reviewed without requiring court intervention.

Penalty infringement notices and warning notices are tracked and reported quarterly through the Translink PT Performance dashboard on the Translink website. Actions conducted by Translink Senior Network officers are subject to random review and audit for compliance with legislation, policy, and procedures.

Port Master Planning

The *Sustainable Ports Planning Act 2015* provides certainty and transparency of process for stakeholders. This includes a requirement that a formal public consultation process be conducted during the preparation of port master plans and overlays. It also requires that relevant local government and port authorities are included when preparing port master plans and overlays.

In addition to mandatory formal public consultation, when developing master plans and port overlays TMR:

- works closely with port authorities, local governments, state government agencies and other key stakeholders including industry, traditional owners, community and environmental groups;
- makes timely information about priority port master planning processes and activities available subject to privacy/confidentiality restrictions; and
- seeks public submissions at key points of the master planning and port overlay making processes.

A guideline on port master planning outlining requirements for consultation and engagement has been published and is publicly available at <https://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Sustainable-port-development-and-operation/Master-planning-for-priority-ports>.

Reports on the outcomes of public consultation processes for draft port overlays for the priority ports of Townsville and Gladstone were published online in August 2020. The

outcomes of the public consultation processes for the draft port overlays for the priority ports of Hay Point/Mackay and Abbot Point will be published in early 2024.

Port Master planning documentation, including information used to inform master planning, is provided on TMR's website:

- Master planning for the priority Port of Gladstone:
<https://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Sustainable-port-development-and-operation/Master-planning-for-priority-ports/Master-planning-for-the-priority-Port-of-Gladstone>
- Master planning for the priority Port of Townsville:
<https://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Sustainable-port-development-and-operation/Master-planning-for-priority-ports/Master-planning-for-the-priority-Port-of-Townsville>
- Master planning for the priority Port of Hay Point/Mackay:
<https://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Sustainable-port-development-and-operation/Master-planning-for-priority-ports/Master-planning-for-the-priority-Port-of-Hay-Point-Mackay>
- Master planning for the priority Port of Abbot Point:
<https://www.tmr.qld.gov.au/business-industry/transport-sectors/ports/sustainable-port-development-and-operation/master-planning-for-priority-ports/master-planning-for-the-priority-port-of-abbot-point>

Appendix 1 – Portfolio legislation

Acts, Regulations and Standards in effect as at December 2023

Air Navigation Act 1937

Century Zinc Project Act 1997 (ss 5(2) – (7), 11, 12, 13)

Civil Aviation (Carriers' Liability) Act 1964

Cross River Rail Delivery Authority Act 2016

Cross River Rail Delivery Authority Regulation 2019

Gold Coast Waterways Authority Act 2012

Gold Cost Waterways Authority Regulation 2022

Heavy Vehicle National Law Act 2012

Heavy Vehicle (Fatigue Management) National Regulation

Heavy Vehicle (General) National Regulation

Heavy Vehicle (Mass, Dimension and Loading) National Regulation

Heavy Vehicle National Law Regulation 2014

Heavy Vehicle (Registration) National Regulation

Maritime Safety Queensland Act 2002

Photo Identification Card Act 2008

Photo Identification Card Regulation 2019

Queensland Rail Transit Authority Act 2013

Rail Safety National Law (Queensland) Act 2017

Rail Safety National Law Regulations 2012

Rail Safety National Law (Queensland) Regulation 2017

State Transport Act 1938

State Transport (People Movers) Act 1989

Sustainable Ports Development Act 2015

Sustainable Ports Development Regulation 2018

Thiess Peabody Mitsui Coal Pty. Ltd Agreements Act 1965 (except to the extent administered by the Treasurer and Minister for Trade and Investment; and the Minister for Resources)

Tow Truck Act 1973

Tow Truck Regulation 2009

Transport Infrastructure Act 1994

Transport Infrastructure (Dangerous Goods by Rail) Regulation 2018

Transport Infrastructure (Ports) Regulation 2016

Transport Infrastructure (Public Marine Facilities) Regulation 2011

Transport Infrastructure (State-controlled Roads) Regulation 2017

Transport Infrastructure (Waterways Management) Regulation 2012

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