



Regulator Performance Framework 2021-22

Department of Transport and Main Roads

December 2022

Creative Commons information

© State of Queensland (Department of Transport and Main Roads) 2015



<http://creativecommons.org/licenses/by/4.0/>

This work is licensed under a Creative Commons Attribution 4.0 Licence. You are free to copy, communicate and adapt the work, as long as you attribute the authors.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if its recognised as the owner of the copyright and this material remains unaltered.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 13 14 50 and ask them to telephone the Queensland Department of Transport and Main Roads on 13 74 68.

Disclaimer: While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Contents

Executive Summary	1
Model Practices	2
1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden	2
2. Consult and engage meaningfully with stakeholders	5
3. Provide appropriate information and support to assist compliance	10
4. Commit to continuous improvement	12
5. Be transparent and accountable in actions	13

Executive Summary

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

To achieve the vision and purpose TMR administers a large suite of legislation (Appendix 1). 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 resources¹.

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, participation in transport related industries, 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 facts;
- based on research and considered analysis; and
- developed in consultation with applicable stakeholders including road user groups, transport industries and government agencies.

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. Formal mechanisms include forums, industry groups, and national transport bodies covering both general transport matters and dedicated projects.

The Regulator Performance Framework in *The Queensland Government Guide to Better Regulation* outlines model practices designed to support regulators achieve policy objectives while reducing the regulatory burden. In the spirit of transparency and accountability, Queensland Government regulators whose regulatory activities impact business are required to publicly report annually on their regulatory performance².

This report provides examples of how TMR ensures that its regulatory activity is appropriate and balanced and applies the five model practices of the Regulator Performance Framework.

¹ Section 2, Objectives *Transport Planning and Coordination Act 1992*

² Part 5, *The Queensland Guide to Better Regulation*: [guide-to-better-regulation.pdf \(treasury.qld.gov.au\)](https://www.treasury.qld.gov.au/guide-to-better-regulation.pdf)

Model Practices

1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden

Passenger transport

Extension of peak demand arrangements and change to substitute vehicle authority

The Queensland Government has recently amended the *Transport Operations (Passenger Transport) Regulation 2018* to enable the taxi industry to continue using substitute vehicles during periods of peak demand for a further two years, until 30 September 2024.

Peak demand arrangements support the taxi industry to meet customer demand and provide a suitable level of service during peak patronage periods. This amendment will enable authorised booking entities to extend their current peak demand management plans if needed to continue to use their authorised substitute vehicles to supplement their fleet during approved periods of peak demand.

In addition, TMR has reviewed and amended its substitute vehicle authority policy. This policy is in place to ensure the continuation of taxi services across Queensland, allowing a substitute vehicle to be used in place of a licensed taxi in the event the latter is unavailable for certain reasons. Recent amendments to the policy extend the permissible reasons for the issue of a substitute vehicle authority to include when the licensed vehicle is undergoing vehicle maintenance or inspection or being replaced with another vehicle.

Both of these changes ensure that continued regulatory activity in relation to peak demand and substitute vehicle authorities for the taxi industry are proportionate.

Repeal of the Personalised Transport Ombudsman Act 2019

The *Personalised Transport Ombudsman Act 2019* was repealed in September 2021 to ensure that a Personalised Transport Ombudsman was not appointed, and the Office of the Personalised Transport Ombudsman was not established.

The repeal of the *Personalised Transport Ombudsman Act 2019* reduced unnecessary government expenditure and ensured no unnecessary regulatory burden is placed on the personalised transport industry while the sector recovers from the impacts of the COVID-19 pandemic.

In a review of the *Personalised Transport Ombudsman Act 2019*, TMR identified that appropriate mechanisms already exist to effectively deal with disputes in the personalised transport industry, including customer complaint lines and existing services provided by other State and Commonwealth agencies and bodies, including Workplace Health and Safety Queensland, the Fair Work Ombudsman or Fair Work Commission, the Office of Fair Trading, the Australian Competition and Consumer Commission and the Australian Taxation Office.

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 so deployments of Senior Network Officers are set in accordance with the highest levels of fare evasion detected on the passenger transport network 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) during 2021-2022 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 peer 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. This careful scrutiny and, where possible, addressing issues raised in consultation, ensures that any regulatory burden is minimised.

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 were introduced into Parliament in May 2022 to 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.

Road safety

Camera enforcement of mobile phone and seat belt offences

Following legislative amendments through the *Transport and Other Legislation (Road Safety Technology and Other Matters) Amendment Act 2020*, a successful trial of the technology and a public education period, the enforcement of mobile phone and seatbelt offences using camera technology commenced on 1 November 2021.

Non-compliance with the mobile phone and seatbelt requirements has been the cause of significant road trauma. In 2021, 23 people lost their lives and a further 1621 people were hospitalised as a result of distracted driving. In addition, in 2021,

38 vehicle occupants lost their lives on Queensland roads in crashes where they were not wearing a seatbelt. A further 205 unrestrained vehicle occupants were hospitalised following road crashes.

The reform was backed by a successful trial that proved the viability of using camera systems with artificial intelligence software to detect mobile and seatbelt driving offences. During the trial, more than 15,000 mobile phone offences, and more than 2,200 seatbelt offences were detected.

Drink driving reforms – interlocks and education programs

Legislation introducing a suite of drink driving reforms commenced on 10 September 2021. These reforms introduced education programs for drink driving offenders and made enhancements to the [Alcohol Ignition Interlock Program](#) (AIIP). These reforms were based on evidence that drink driving continues to be a significant contributor to road trauma.

A vehicle fitted with an alcohol ignition interlock will not start if alcohol is detected on a person's breath. AIIP enhancements include a new requirement for mid-range drink drivers to participate in the program and a shift to a performance-based model, where participants need to demonstrate they have separated drinking from driving to complete the program. Previously this was a time-based model. Also, if a candidate chooses not to participate in the AIIP they will need to sit out of the licensing system for five years (previously two years).

The AIIP is a measured and proportionate approach to regulation as it enables drivers convicted of drink driving offences to return to driving while developing positive behaviours and protecting the community.

A new evidence-based online learning requirement has been introduced for first-time offenders, designed to influence behaviour change and a separation of drinking from driving. For repeat offenders, a new targeted face-to-face multi-session education program has been introduced.

Graduated driver licensing system

Queensland has a graduated driver licensing system to help reduce fatalities on the roads, particularly among young drivers. The aim of the system is to encourage safer, more proficient drivers, allowing novice drivers to gain more experience and improve their driving skills before they can progress to a higher type or class of licence.

Research suggests that young drivers and riders, aged 16 to 24 years, are 60% more likely to be involved in a serious crash than licensed mature adult drivers and riders, aged 25 to 59 years. The graduated licensing scheme recognises the need to balance the risks for young drivers whilst not creating unnecessary burdens or impediments to getting a higher type or class of licence.

The system recognises different requirements for customers in rural and regional areas. A positive example of the system can be demonstrated through, an offline version of the car hazard perception test being delivered by the Indigenous Driver Licensing Unit during visits to remote indigenous communities.

Camera Detected Offence Program – Use of revenue

Amendments to section 117 of the *Transport Operations (Road Use Management) Act 1995*, which controls the use of revenue collected from camera-detected offence penalties, were introduced into the Queensland Parliament in May 2022. Following passage of the legislation, the amendments commenced on 7 September 2022.

The amendments clarify how financial penalties collected for camera-detected offences can be spent on road safety initiatives and allow for an expanded road safety response in alignment with the new *Queensland Road Safety Strategy 2022 – 2031*. This includes supporting proactive research and innovative new approaches to address complex problems, and for both limited term and ongoing programs. For the delivery of safer state-controlled road infrastructure, a risk assessment methodology is used so that funds may also be used to proactively prevent crashes where analysis shows a serious crash risk exists.

Increasing the range of allowable Motorised Mobility Devices (MMDs)

MMDs allow people who have reduced mobility to access essential services and employment, to socialise and to participate in the community generally.

There are two distinct types of MMD:

- *Mobility scooters* that are often used by older people or people who have a permanent or long-term physical limitation yet have sufficient mobility to walk short distances; and

- *Motorised wheelchairs* that are designed to carry people with greater mobility needs. Users usually have a permanent disability, resulting in an inability to walk, and commonly require assistance to get in and out of the wheelchair.

The National Transport Commission developed changes to the national model legislation, the Australian Road Rules, to remove regulatory restrictions for MMD users and to make the existing legislative framework simpler and more consistent.

The Transport Legislation (Road Safety and Other Matters) Amendment Bill 2022 was introduced to Parliament on 26 May 2022, and included the national changes to:

- recognise motorised wheelchairs and mobility scooters as separate devices, collectively referred to as MMDs;
- remove mass limits for motorised wheelchairs and increase the maximum unladen mass for mobility scooters from 150kg to 170kg;
- ensure MMD operators are consistently classed as pedestrians under the Queensland Road Rules and other transport legislation; and
- introduce a maximum speed capability of 15km/h for MMDs to ensure a broader range of devices can be used, while maintaining the existing 10km/h speed limit when travelling on a public path.

These changes commenced in September 2022 and mean MMD users in Queensland are now able to utilise a device that is most suitable to their needs.

2. Consult and engage meaningfully with stakeholders

Infrastructure projects

TMR undertakes consultation with the community, local businesses and industry at each stage of the delivery of infrastructure projects. TMR uses a range of methods to consult and engage with stakeholders including face to face meetings, online surveys and community meetings.

TMR also has a Cultural Heritage Organisational Policy and Cultural Heritage Process Manual to provide direction for:

- statutory obligations;
- engagement with Aboriginal and Torres Strait Islander peoples and other heritage interest groups;
- roles and responsibilities;
- managing projects by incorporating processes for Aboriginal and Torres Strait Islander cultural heritage into project management;
- entering agreements with Aboriginal and Torres Strait Islander parties; and
- a range of templates for use in development projects.

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 2021 and again in February and May 2022. Key issues discussed at these meetings included:

- [Creating Better Connections for Queenslanders – a 10-year plan for Queensland passenger transport](#);
- Gold Coast Light Rail (GCLR);
- [Logan to Gold Coast Faster Rail](#);
- Nambour / Landsborough Park n Ride;
- Personal mobility device safety;
- [Disability Action Plan 2018-2022](#) – mid-term review;
- alternative transport procurement;
- [Demand responsive transport](#);
- Queensland Accessible Transport Advisory Committee; and
- [Disability Standards for Accessible Public Transport 2002 Modernisation Project](#).

Personalised Transport Horizon

Stage three of the [Queensland Government's Personalised Transport Reform](#) program has been completed. This stage involved the ongoing monitoring and evaluation of the reforms to ensure they deliver the best outcomes for customers and industry and achieved the objectives of enabling a modern, safe, affordable and accountable personalised transport industry for all Queenslanders. In April 2022, the Department of Transport and Main Roads published the report [Queensland's Personalised Transport Horizon, Stage Three: Monitoring and Evaluation Report](#). Engagement with industry stakeholders and passengers was an important activity during stage three, through Personalised Transport Industry Reference Group workshops, which identified priority areas for further consideration and investigation, and annual customer and industry surveys and focus groups.

Personalised Transport Industry Insights and Delivery Group

Following completion of the Queensland Government's Personalised Transport Reform program, the Department of Transport and Main Roads (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. 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 met for the first time in July 2022 and discussed the governance of the group, a review of taxi licensing, driver fatigue and regulatory settings in contemporary passenger transport markets. It established a sub-group of taxi stakeholders to provide input into the review of the taxi licensing framework, which held its first meeting in September 2022.

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 June 2022 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; and
- revenue protection practice.

Members were invited to identify priority issues for future forums. The focus for the October 2022 Forum was on student behaviour on public transport.

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 GCLR project is 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, then PTC would negotiate with delivery partners to ensure that any required contractual documentation is amended as required (including the Operations Manual).

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, Queensland Rail enforcement and interstate jurisdictions responsible for enforcement of passenger transport legislation;
- Translink has engaged in a joint training program with Queensland Police Service to ensure that contemporary methodologies are utilised when conducting enforcement activities; and
- Translink conducts multiple joint deployments and operations with all regulatory agencies responsible for enforcement of passenger transport legislation.

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 2021-2022, 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.

Since 2019, TMR has partnered with the Commonwealth Government to co-lead the National Accessible Transport Taskforce (the Taskforce) to reform the *Disability Standards for Accessible Public Transport 2002* (Transport Standards). The Taskforce, consisting of subject matter experts, and representatives from state and territory jurisdictions, Australian Government agencies, the disability sector and transport industry, has developed proposals to reform the Transport

Standards to ensure they remain efficient and effective, are fit for purpose and meet the current and emerging needs of Australian society.

In 2021, TMR led the Taskforce in developing 54 proposed areas for reform addressing issues across the entire transport journey. These areas of reform were released for community feedback through a consultation regulation impact statement in March to August 2022, to further understand community expectations regarding accessible public transport and test options for reform. The Commonwealth Government will review submissions and community insights to develop a decision regulation impact statement, for consideration by ministers in early to mid-2023. Further information about the reform of the Transport Standards, including public submissions to the consultation regulation impacts statement, is available on the Australian government's website: www://infrastructure.gov.au/infrastructure-transport-vehicles/transport-accessibility

Maritime safety and pollution

TMR, through Maritime Safety Queensland (MSQ), ensures that the State's marine and ship-sourced pollution legislation is relevant and maintained. MSQ regularly engages with its key stakeholder groups such as the Queensland Recreational Boating Committee and the Boating Industry Association to inform Queensland's legislation and policies. MSQ has established the Queensland Maritime Committee, comprising marine industry stakeholders, to conduct regular consultation. MSQ also engages with the Queensland Ports Association to discuss challenges and impacts of activities affecting the ports and the maritime industry. On a national level, MSQ consults with other national, State and Territory marine agencies and participates in regular national forums such as the Australian Recreational Boating Safety Council and the Australian and New Zealand Boating Education Group. MSQ's participation and involvement in national committees and groups ensures Queensland's policy positions, laws and impacts are considered in national approaches.

Port master plans

The *Sustainable Ports Development Act 2015* requires that 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 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.

An updated guideline on port master planning outlining requirements for consultation and engagement has been published and is publicly available at [Mast planning for priority port](#)

Active transport

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

- Stakeholder engagement forums or summits were held to shape Queensland Government strategy development for the *Queensland Cycling Strategy 2017-2027* and *Queensland Walking Strategy 2019-2029*.

- Both strategies are supported by two-year action plans which are 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.
- 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 Queensland Police Service and academia.
- 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.
- 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 relevant strategies can be found at: [Cycling strategies \(Department of Transport and Main Roads\) \(tmr.qld.gov.au\)](https://www.tmr.qld.gov.au/cycling-strategies)
[Queensland Walking Strategy \(Department of Transport and Main Roads\) \(tmr.qld.gov.au\)](https://www.tmr.qld.gov.au/queensland-walking-strategy)

Road Safety

When making regulatory changes, TMR consults with road user groups such as the RACQ, relevant experts, and specific industry groups who may be affected by a change. For more significant reforms, broader community consultation is undertaken.

Examples include:

- Prior to progressing the legislation that enabled the drink driving reforms³ which commenced on 10 September 2021, a discussion paper was released to canvass a range of options for reducing drink driver reoffending. The discussion paper received a significant number of survey responses from members of the community as well as written submissions from stakeholders. Queensland Government agencies and road safety and behaviour change experts were also consulted throughout the policy and legislation development process.
- The [Recreational Motor Vehicle and Safety Group](#) (RMVSG) continues to foster engagement between TMR and representative bodies whose stakeholders have an interest in, or are impacted by, legislation and policy matters relevant to motor recreational activities and vehicle safety. The RMVSG also provides a consultative forum for wider matters relevant to historic, classic and recreational vehicle use, including caravanning. Membership consists of representative motoring and caravanning associations and car clubs and other related stakeholders.

³ See model practice 1 for description of these reforms

3. Provide appropriate information and support to assist compliance

Passenger transport

Disability Action Plan 2018–2022

[The Disability Action Plan 2018–2022](#) contains 41 actions to be delivered over the life of the plan, focussed on making the passenger transport network accessible for people with disability, including:

- four short term actions – to be implemented by 31 December 2018;
- 15 medium term actions – to be implemented by 31 December 2020;
- two long term actions – to be implemented by 31 December 2022; and
- 20 ongoing actions – to be delivered as part of routine operations.

Actions continue to be progressed and delivered under the plan. An end of term report will be available on the TMR website upon the plan's cessation on 31 December 2022.

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.

Maritime Safety

MSQ boat licence training

The *Transport Operations (Marine Safety) Act 1994* establishes an accreditation scheme for third party providers delivering [BoatSafe](#) – Queensland's marine licensing and assessment program.

MSQ's BoatSafe Program has provided to its authority holders and made publicly available, a guidance note for trainers informing them of the possible outcomes of compliance actions. The guidance note includes a series of scenarios and the level of administrative action intended to be applied based on the non-compliance identified, setting the expectations upfront.

Maritime Enforcement Team (MET)

MSQ has a dedicated enforcement team that operates state-wide to undertake targeted enforcement programs to address localised waterway issues. The team was made a permanent capability following an 18-month trial and recruited four full time officers in May 2021. The MET has conducted over 5000 vessel interactions since becoming permanent. This includes a six-month enforcement program in the Noosa area waterways with assistance from Sunshine Coast Water Police. The program in the Noosa area waterways has significantly improved behaviour on the waterways, especially addressing issues with juvenile behaviour. MET has also begun pollution enforcement programs in Scarborough, Agnes Water and Tin Can Bay as well as conducted pollution audits of vessels in these areas. MET has

conducted several Boating Safety Days which has been a great initiative and has resulted in hundreds of boaters engaging with the team. MET will continue to conduct these throughout the state during the next 12 months.

Road safety

Road safety campaigns

StreetSmarts is the Queensland Government's road safety public education program to positively influence behaviour and culture on Queensland roads (see [StreetSmarts - helping all road users to be safer on Queensland roads \(initiatives.qld.gov.au\)](https://www.initiatives.qld.gov.au)). StreetSmarts aims to improve road safety by impacting the attitudes and behaviours of Queenslanders through strategic, targeted campaigns and activities to encourage safer road use. StreetSmarts is funded by the Camera Detected Offence Program (CDOP). It is a requirement of the *Transport Operations (Road Use Management) Act 1995* that money collected from camera fines is used to fund road safety awareness and education programs.

StreetSmarts' priorities directly respond to the Road Safety Action Plan to address those behaviours that contribute most to serious road trauma in Queensland. Through a range of social and mass media campaigns, sponsorships and community engagement events, StreetSmarts addresses emergent road safety issues using an evidence-based approach to determine the most effective strategy. All campaigns are evaluated through independent market research and consistently achieve or exceed their campaign awareness, message recall and self-reported behaviour change targets.

StreetSmarts' social media program reaches between 800,000 and 1.5 million road users every month. It has a thriving online community of 166,000 followers on Facebook, Twitter, Instagram, TikTok and YouTube.

Campaigns 2021-22

- ['Is it worth it' mobile phone and seatbelt cameras campaign](#) – (October-November 2021);
- Alcohol interlocks campaign (September 2021);
- ['All good, All bad' drink driving campaign](#) (December 2021 – February 2022);
- [Ridecraft motorcycle safety](#) (September-November 2021 and August – October 2022);
- ['Crash test' seatbelts campaign](#) (June–August 2021);
- Digital strategy - 'always on' social media (2022);
- ['You lapse, You lose'](#) (lapses in concentration) (April – May 2022); and
- ['Anywhere, Anytime'](#) (increased penalties for some dangerous driving behaviours) (August – October 2022).

Events and sponsorships

- Ignite Road Safety collaboration event (October 2021);
- [Queensland Road Safety Week](#) (August 2022);
- [National Road Safety Week](#) (May 2022); and
- Sponsorship of the Gold Coast Suns (incorporating AFL Queensland), and Queensland Cricket.

Approved Inspection Station (AIS) Scheme Reforms

TMR introduced AIS reforms in 2022 to require AISs to keep supporting documentation when completing vehicle inspections. Mobile AIS are also now required to use the Inspection Certificates Online system for all inspections. These changes were communicated to AISs through the amended *Business Rules for Approved Inspection Stations*, information sheets and a targeted FAQ document.

Industry newsletters and industry forums

TMR continues to issue newsletters on a quarterly basis to AIS approval holders, approved examiners, approved persons, Heavy Vehicle Registration Assessment Scheme accredited persons, driver trainers, Q-Ride providers and other members of industry. The newsletter aims to inform and educate scheme members about technical requirements, legislative responsibilities and any changes to their respective schemes. Scheme members are also invited to provide feedback on the newsletter content and suggestions for future articles.

Annual forums are also held for some schemes, such as [Q-Ride](#) where any member of the industry can be provided with policy updates, scheme information and raise issues for consideration. In turn, TMR can utilise the experience of the industry to test policy positions and be provided with first-hand knowledge of scheme activities.

4. 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.

TMR has reviewed the PT Standard to consider whether the legislation is still required, effective and efficient and whether any proposed actions are likely to have adverse impacts on stakeholders. TMR plans to release a discussion paper in early 2023, for public and industry comment on the proposed approach to manage the safety and customer service matters currently contained in the PT Standard.

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 (BOC), the Queensland Police Service (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 Queensland Police Service 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 is implementing a Risk, Compliance and Assurance team in the Revenue Protection business unit. The purpose of this team will be to conduct regular reviews and audits of authorised regulatory officers to ensure that they are performing their roles within the parameters of both the legislation and policy and procedures. This team will also provide feedback to the legislation and policy teams of TMR based on findings from their work.

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.

Translink has recently undertaken reviews of the Taxi Subsidy Scheme and Lift Payment Scheme, including consideration of payments to industry and membership administration to ensure all stakeholders are complying within the parameters of both the legislation and policy and procedures.

5. 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

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.

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.

The GCLR has a comprehensive governance framework in place which ensures that GoldLinQ (the GCLR operator) and TMR can raise and resolve any operational or customer service issues with each other.

The governance framework includes three levels of state-operator interfaces and the GCLR extension projects are overseen by an internal departmental supervisory board.

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.

Port master planning

The *Sustainable Ports Planning Act 2015* provides certainty and transparency of process for stakeholders. An updated guideline on port master planning outlining requirements for consultation and engagement 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>

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

Gladstone – [Master planning for the priority Port of Gladstone \(Department of Transport and Main Roads\) \(tmr.qld.gov.au\)](#)

Townsville – [Master planning for the priority Port of Townsville \(Department of Transport and Main Roads\) \(tmr.qld.gov.au\)](#)

Hay Point/Mackay - [Master planning for the priority Port of Hay Point/Mackay \(Department of Transport and Main Roads\) \(tmr.qld.gov.au\)](#)

Abbot Point - [Master planning for the priority Port of Abbot Point \(Department of Transport and Main Roads\) \(tmr.qld.gov.au\)](#)

Appendix 1

Portfolio legislation

Acts, Regulations and Standards in effect as at December 2022

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 (Rail) Regulation 2017

Transport Infrastructure (State-controlled Roads) Regulation 2017

Transport Infrastructure (Waterways Management) Regulation 2012

Transport Operations (Marine Pollution) Act 1995

Transport Operations (Marine Pollution) Regulation 2018

Transport Operations (Marine Safety Act) 1994

Transport Operations (Marine Safety) Regulation 2016

Transport Operations (Marine Safety— Queensland Regulated Ships Miscellaneous Equipment) Standard 2017

Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Act 2016

Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2017

Acts, Regulations and Standards in effect as at December 2022

Transport Operations (Passenger Transport) Act 1994
Transport Operations (Passenger Transport) Regulation 2018
Transport Operations (Passenger Transport) Standard 2010

Transport Operations (Road Use Management) Act 1995
Traffic Regulation 1962
Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015
Transport Operations (Road Use Management – Dangerous Goods) Regulation 2018
Transport Operations (Road Use Management – Driver Licencing) Regulation 2021
Transport Operations (Road Use Management – Road Rules) Regulation 2009
Transport Operations (Road Use Management – Vehicle Registration) Regulation 2021
Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021

Transport Planning and Coordination Act 1994
Transport Planning and Coordination Regulation 2017

Transport (South Bank Corporation Area Land) Act 1999

Transport Security (Counter-Terrorism) Act 2008
