

# Regulator Performance Framework 2023–24

Department of Transport and Main Roads  
December 2024

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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 as its vision, *Connected communities in a sustainable, thriving and inclusive Queensland*, with its purpose being *To provide reliable, resilient and responsive transport networks and digital services that are safe and accessible for everyone*.

The Department 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.

The Department administers a large suite of legislation (**see Appendix 1**) related to areas of ministerial responsibility including:

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

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

The transport legislation establishes frameworks for planning and coordination, road safety, marine safety, marine pollution, passenger transport, waterways management, rail safety, aviation, and transport infrastructure to achieve these objectives.

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)
- based on research and considered analysis, and
- 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, legislative amendments. The level of analysis undertaken by TMR is commensurate with the complexity of the problems to be solved and includes systematic analysis of potential impacts on stakeholders, including consideration of potential impacts on human rights that may arise from the regulatory activity and inclusion of appropriate safeguards to minimise these impacts. All amendments are informed by thorough stakeholder consultation and, where possible, data analysis.

A wide range of activities are undertaken to achieve comprehensive and meaningful engagement with stakeholders to assist them to understand regulatory compliance requirements. Formal consultation mechanisms such as forums, industry groups, and national transport bodies cover both general transport matters and dedicated projects. Formal consultation plans are also developed as part of all proposed legislative amendments.

It must be acknowledged that TMR is a large and diverse department that operates across the breadth of transport functions throughout Queensland. By virtue of its size, the complexity of its service delivery obligations, and its reach across the State, its daily operation is subject to a multitude of legislative, regulatory and compliance requirements and obligations, to ensure transport services are delivered safely, efficiently, and effectively.

TMR is also a large Queensland Government employer, with almost 10,000 Queenslanders employed across the State, and, as such, is subject to extensive legislative, regulatory and industrial relations compliance requirements and workplace health and safety obligations.

This report cannot feasibly cover all regulatory and compliance actions undertaken in a year by a department as large and diverse as TMR, however it does provide representative examples of the breadth and diversity of regulatory compliance activities undertaken by TMR in the 2023-24 financial year, focussing on those activities that contribute to the five model practices of the Regulator Performance Framework.

# Model Practices

## Ensure regulatory activity is proportionate to risk and minimises unnecessary burden

### Passenger Transport

#### ***Maximum taxi fare increase***

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. Maximum fares are regularly reviewed to ensure they continue to balance appropriate customer protections with the viability of providing a service to ensure services continue to be available and reliable for passengers. During the reporting period, TMR used cost-based modelling to support an increase in maximum taxi fares of 5.68 per cent (with effect from 1 July 2024).

#### ***Translink's Transit Safety, Security and Sustainability Unit***

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

- revenue protection activities are planned based on fare evasion data, to ensure deployment of Senior Network Officers targets those areas on the passenger transport network with the highest levels of fare evasion and minimises 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 alternative 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 draft 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 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, with final overlays for the priority ports of Hay Point/Mackay and Abbot Point released in September 2024.

Outside of priority port areas, TMR continues to investigate proposals to declare new ports under the *Transport Infrastructure Act 1994*, to support mining developments for projects 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 the 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.

## ***Tow Truck Act 2023***

On 26 October 2023, the Queensland Parliament passed the *Tow Truck Act 2023* replacing the *Tow Truck Act 1973* (1973 Act).

Following the release of the *Independent Investigation into the Towing Industry: Removal of Vehicles from Private Property*, TMR committed to reviewing the 1973 Act and the *Tow Truck Regulation 2009* to:

- ensure the broader regulatory framework is simple, precise and accessible
- ensure that, in relation to the towing services and geographic areas covered by the legislation, the regulatory framework is appropriately targeted, and
- review all offence penalties to ensure they reflect the seriousness of the relevant offences.

In 2019, a comprehensive review of Queensland's tow truck scheme and the governing legislation was conducted by TMR. The *Tow Truck Act 2023* gives effect to the findings of the review by delivering a more modern tow truck scheme in Queensland, designed to improve road safety and deliver improved outcomes for motorists, property owners and industry professionals.



# 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 Queensland passenger transport network for people with disability.

The Accessibility Reference Group met in July, October and December 2023 and again in February and April 2024. Key topics discussed at these meetings included:

- Queensland Train Manufacturing Program and New Generation Rollingstock update
- Personalised Transport Accessibility, including updates from the Accessible Taxi Services Working Group
- The Practical Driving Test Assessment
- Bus all door boarding
- Direct Sunshine Coast Rail Line
- TMR Disability Action Plan
- NDIS Review
- Specialist School Transport
- Taxi Subsidy Scheme
- Rail and Transit Legibility Program
- Zero Emission Buses
- Electric Vehicles Charging Stations
- Digital Licence app
- On Demand Transport
- Inclusive mapping
- Proof of Concept testing
- Waymap, and
- SeeMe

### ***Personalised Transport Industry Insights and Delivery Group***

TMR's personalised transport industry reference group, the Insights and Delivery Group, has continued to meet every four months to ensure effective engagement between 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 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 driver fatigue, regulatory compliance and passenger and driver safety. The group has agreed to collaborate with the Queensland University of Technology on a research project about the safety of personalised transport drivers and customers. The group is an important engagement forum to ensure that TMR and the personalised transport industry can share key information and collaborate to identify and resolve issues arising in the sector.

### ***Accessible Taxi Services Working Group***

TMR meets regularly with representatives of the taxi industry and people with disability to 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 August 2023, November 2023 and April 2024 to discuss:

- improving school student behaviour on buses
- new road-based passenger transport safety management framework, and
- transit security.

### ***General stakeholder engagement practices***

Meaningful stakeholder engagement and consultation is integral to Translink's regulatory activities. For example, the Gold Coast Light Rail (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 for consulting and engaging on the regulatory framework. Should any amendments to regulations necessitate contractual amendments, PTC would then negotiate with delivery partners to ensure that any required contractual documentation is amended as needed (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:

- passengers
- metropolitan and regional councils
- service delivery partners
- industry and advocacy groups
- organisations in the public transport procurement supply chain (manufacturers, energy providers, financial institutions), and
- other state and federal government departments and authorities (for example, the Civil Aviation Safety Authority).

Examples of this engagement include:

- annual Community Consultative Forums related to the Aviation Service Contracts
- Contract sub-committee meetings, joint working groups and other meetings between Translink and Transport for Brisbane
- engagement sessions as part of the Zero Emission Bus Program planning and procurement activities, and
- interjurisdictional working groups on matters such as the implementation of zero emission buses across the eastern states.

***Translink's Safety, Security and Sustainability (TSSS) Unit***

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

- Translink's TSSS 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.

## Port master plans

The *Sustainable Ports Development Act 2015* requires formal public consultation processes be conducted during the preparation of port master plans and overlays, and that relevant local government and port authorities are included when preparing port master plans and overlays. In addition to mandatory formal public consultation, TMR, when developing master plans and port overlays:

- 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.

A guideline on port master planning that outlines 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, planning and infrastructure delivery. Examples include:

- Stakeholder engagement forums and summits were 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 and walking 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 services 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*. Group members are drawn from bicycle user groups and peak bodies, motoring organisations, the QPS, and academia, with six-monthly meetings used to seek input on delivery priorities and direction
- TMR participates in local government hosted active transport advisory committees such as the 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, with the *Queensland Cycling Strategy 2017-2027* and the *Queensland Walking Strategy 2017-2027* both publicly available at the links below:

<https://www.tmr.qld.gov.au/travel-and-transport/Cycling/Cycling-strategies>

<https://www.tmr.qld.gov.au/travel-and-transport/pedestrians-and-walking/queensland-walking-strategy>

## Heavy Primary Production Vehicle Concessions

TMR undertook meaningful consultation with primary producer industry stakeholders and as a result introduced changes to address significant stakeholder concerns. Specifically, TMR enabled greater flexibility in the use of Heavy Primary Production Vehicles (HPPVs) registered under the Primary Producer Concession Scheme (PPCS).

The PPCS provides registration fee relief to eligible primary producers who are registering HPPVs. Industry stakeholders noted that legislation preventing sharing of concessionally registered HPPVs limited the use of these vehicles within very common business models. For example, sharing between family members who own separate primary production businesses or related businesses within a similar geographical area. This meant that many primary producers were unable to access the scheme that was designed to provide assistance.

Following a review of the policy, the *Transport Operations (Road Use Management—Vehicle Registration) and Other Legislation Amendment Regulation 2023* made changes that enable participants in the PPCS to nominate up to five other primary producers with whom they may share their concessionally registered HPPVs. This change was settled on after consultation with industry. The shared use of HPPVs permitted by this legislation reduces operational costs and improves productivity for Queensland primary producers.

## 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 Transit Safety, Security and Sustainability unit issue warning notices to first time offenders as an educational tool so that passengers can understand the requirements when using the public transport network.

The Queensland Revenue Office (Fines and Investigation Unit) can adjudicate on appeals from members of the public if they feel they have been unfairly punished. 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.



## Scarborough Boat Harbour Master Plan

TMR undertook master planning for Scarborough Boat Harbour, with the master plan being released in late September 2024.

An extensive public consultation and engagement program was undertaken prior to that to support the development of the master plan. This included:

- early community engagement in September and October 2021
- public consultation from 13 November 2023 to 11 March 2024
- a two-week community and stakeholder feedback period in June 2024.

The public consultation process undertaken between November 2023 and March 2024 generated significant interest and feedback from stakeholders and the community. In response to the feedback, TMR made significant changes to the draft master plan. The master plan has been positively received by the community and industry.

## Road Safety Campaigns

StreetSmarts' campaigns address key road safety issues using an evidence-based approach to determine the most effective strategy.

These campaigns are designed to inform and educate the community on important road safety issues, improve compliance, and ultimately reduce crashes and road trauma in Queensland.

A minor campaign was run during peak summer 2023/24 holiday season targeting international tourists. This campaign focused on highlighting Queensland road rules to tourists who were planning to drive while in Queensland.

The "*Would you rather*" seatbelts campaign highlighted the potential consequences of not wearing a seatbelt. The campaign increased awareness on how to wear seatbelts correctly and encouraged drivers and their passengers to wear seatbelts.

The "*Speeding? You're No Hero*" campaign was created through the Co-Lab Youth Road Safety Challenge, which involved young Queenslanders in designing campaigns to resonate with their peers. This campaign encouraged greater awareness of the dangers of speeding.

The "*In your hands*" drink drive campaign highlighted the consequences of drinking and then driving. The campaign encouraged people to never drive if they have been drinking.

StreetSmarts Always On Social Media and Outdoor campaigns also promote road safety and compliance messaging to Queenslanders throughout the year.

## Commit to continuous improvement

### Passenger Transport

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

In 2022 and 2023, TMR reviewed the effectiveness of its road-based passenger transport legislation, with a view to improving passenger safety through a more modern and consistent regulatory framework.

In February 2024, amendments to the *Transport Operations (Passenger Transport) Act 1994* were passed by Parliament. The amendments introduced a general safety duty for all road-based passenger transport services in Queensland, with a requirement for duty holders to have safety management plans and a consistent audit and directions framework across services. Throughout 2024, TMR has been considering and consulting on appropriate regulatory settings to support the new safety management framework.

#### ***Review of the Transport Operations (Passenger Transport) Standard 2010***

The review of the *Transport Operations (Passenger Transport) Standard 2010* (the PT Standard) continued. The review of the PT Standard is considering whether the legislation is still required, is effective and efficient, and whether potential changes are likely to have adverse impacts on stakeholders. A major focus has been the opportunity, provided by the forthcoming introduction of a general safety duty for all road-based passenger transport services, to modernise regulation of matters currently addressed in the PT Standard.

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 was released in November 2023 to more than 50,000 stakeholders. Feedback on the discussion paper confirmed that some matters no longer need to be regulated while there is potential to improve the regulation of other matters. Work continues on proposed legislative amendments to implement these changes.

#### ***Future Taxi Licensing Review***

The Future Taxi Licensing Review (the Review) is being undertaken by TMR to analyse the taxi licensing framework to ensure it is supporting the taxi industry's ability to compete effectively within the personalised transport sector. This was a recommendation made in the *Queensland's Personalised Transport Horizon – Stage Three: Monitoring and Evaluation Report*.

The Review is considering options for the future regulation of taxi services to help deliver a better level of service across Queensland, ensure the future sustainability of taxi services, and improve services for passengers in regional centres, remote communities and South East Queensland. Outcomes of the Review will provide certainty to taxi operators and licence holders about their future operating environment.

***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 to ensure 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 Queen 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 best to assist 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, conducts quality assurance on a percentage of randomly selected interactions for the purpose of continuous improvement.

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 Transit Safety, Security and Sustainability team has created a training, risk and assurance team with 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.

## Transport Infrastructure (Public Marine Facilities) Regulation 2023

As required under the *Statutory Instruments Act 1992*, the *Transport Infrastructure (Public Marine Facilities) Regulation 2023* (PMF Regulation) was made to replace an expiring regulation.

The policy objective of the PMF Regulation is to ensure the ongoing safe and efficient operation of public marine facilities in Queensland.

Public marine facilities under the regulation include state-owned or controlled marine infrastructure such as boat ramps, floating walkways, pontoons, jetties, breakwaters, boat harbours etc.

The expiring regulation was reviewed in accordance with the *Queensland Government Guide to Better Regulation* to ensure it continued to meet community needs and expectations.

This review process included extensive consultation with managers of public marine facilities and key organisations to ensure the regulation is practical and effective. As a result, the PMF Regulation updated prescribed managers of public marine facilities, modernised the drafting, and made the obligations of managers clearer.

## Be transparent and accountable in actions

Administrative decisions under transport law are generally reviewable internally or by the Queensland Civil and Administrative Tribunal. TMR communicates to stakeholders about processes and timeframes related to TMR 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 business 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, give a person an opportunity to show cause in relation to the decision before the final decision is made, and outline their 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 has completed a review of the Regulation Notices issued to Taxi Subsidy Scheme applicants, where an applicant was assessed as not meeting eligibility criteria for membership. The review aimed to identify ways 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. Implementation of the identified improvements is in progress.

### ***Transit Safety Security and Sustainability***

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.

De-identified Penalty Infringement Notice and warning notice statistical data is 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 Development Act 2015* provides certainty and transparency of process for stakeholders. This includes a requirement that formal public consultation processes 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 were published online in September 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>

## Data breaches and smartcard product replacement

In response to a number of high-profile data breaches, legislative amendments were made in July 2023 to the *Transport Operations (Road Use Management – Driver Licensing) Regulation 2021* to provide certainty that smartcards, such as driver licences, can be replaced where a person’s data may have been compromised.

Following data breaches, for privacy and security reasons, customers may wish to replace their TMR-issued smartcard. This initiative is responsive and accountable to TMR’s customers who may be concerned about the security of important identity credentials following a data breach. It also ensures that TMR is operating within a clear legislated authority when replacing a smartcard following a possible data breach.

# Appendix 1 – Portfolio legislation

## Acts, Regulations and Standards as at December 2024

*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 (Vehicle Standards) 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, Minister for Energy and Minister for Home Ownership; and the Minister for Natural Resources and Mines, Minister for Manufacturing and Minister for Regional and Rural Development)*

*Tow Truck Act 2023*

Tow Truck Regulation 2024

*Transport Infrastructure Act 1994*

Transport Infrastructure (Dangerous Goods by Rail) Regulation 2018

Transport Infrastructure (Ports) Regulation 2016

Transport Infrastructure (Public Marine Facilities) Regulation 2023

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

Acts, Regulations and Standards as at December 2024

*Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Act 2016*  
*Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2017*

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

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*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*

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

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*Transport (South Bank Corporation Area Land) Act 1999*

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*Transport Security (Counter-Terrorism) Act 2008*

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